

# Chapter 14

## SUBDIVISION REGULATIONS

## Land Use Code, Title 12

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### Section 14-1 GENERAL PROVISIONS.

These regulations shall hereafter be known, cited and referred to as the Subdivision Regulations of Wellington, Utah.

#### Subsections

- 14-1-1 Policy
- 14-1-2 Purposes
- 14-1-3 Power and Authority
- 14-1-4 Jurisdiction
- 14-1-5 Enactment
- 14-1-6 Interpretation, Conflict, and Separability
- 14-1-7 Serving Provision
- 14-1-8 Reservations and Appeals
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- 14-1-11 Re-subdivision of Land
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- 14-1-14 Enforcement, Violations, and Penalties

### Section 14-1-1 POLICY.

1. It is hereby declared to be the policy of the municipality to consider the subdivision of land and the subsequent development of the subdivision plat as subject to the control of the municipality pursuant to the official General Plan of the municipality for the orderly, planned, efficient, and economical development of the municipality.
2. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace, and land shall not be subdivided until available public facilities and improvements exist and proper provision has been made for drainage, water, sewerage, and capital improvements such as schools, parks, recreation facilities, transportation facilities, and improvements.

An ordinance providing for the regulation of subdivision approval and requirements.

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3. The existing and proposed public improvements shall conform to and be properly related to the proposals shown in the General Plan, Official Map, and the capital budget and program of the municipality, and it is intended that these regulations shall supplement and facilitate the enforcement of the provision and standards contained in building and housing codes, zoning ordinances, General Plan, Official Map and land use plan, and capital budget and program of the municipality.

### Section 14-1-2 PURPOSE.

These regulations are adopted for the following purposes:

1. To protect and provide for the public health, safety, and general welfare of the municipality.
2. To guide the future growth and development of the municipality, in accordance with the General Plan.
3. To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of the population.
4. To protect the character and the social and economic stability of all parts of the municipality and to encourage the orderly and beneficial development of all parts of the municipality.
5. To protect and conserve the value of land throughout the municipality and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings.
6. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation, and other public requirements and facilities.
7. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the municipality, having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines.
8. To establish reasonable standards of design and procedures for subdivisions and re subdivisions, in order to further the orderly layout and use of land; and to insure proper legal

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descriptions and monumenting of subdivided land.

9. To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
10. To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the municipality in order to preserve the integrity, stability, and beauty of the community and the value of the land.
11. To preserve the natural beauty and topography of the municipality and to insure appropriate development with regard to these natural features.
12. To provide for open spaces through the most efficient design and layout of the land, including the use of average density in providing for minimum width and area of lots, while preserving the demunity of land as established in the zoning ordinance of the municipality.

### Section 14-1-3 POWER AND AUTHORITY.

1. By authority of resolution of the Planning and Zoning Commission of Wellington, Utah (hereinafter referred to as "Planning and Zoning Commission") adopted pursuant to the powers and jurisdictions vested through Chapter 9, Title 10, UCA 1953 and other applicable laws, statutes, ordinances, and regulations of the State of Utah, the Planning and Zoning Commission does hereby exercise the power and authority to review, approve, and disapprove plats for subdivision land within the corporate limits of the municipality (or unincorporated areas of the county) which show lots, blocks, or sites with or without new streets or highways.
2. By the same authority, the Planning and Zoning Commission does hereby exercise the power and authority to pass and approve the development of plat subdivision of land already recorded in the office of the County Recorder if such plats are entirely or partially undeveloped.
3. The plat shall be considered to be entirely or partially undeveloped if:
  - a. Said plat has been recorded with the County Recorder's office without a prior approval by the Planning and Zoning Commission, or

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- b. Said plat has been approved by the Planning and Zoning Commission where the approval has been granted more than three (3) years prior to granting a building permit, on the partially or entirely undeveloped land and the zoning regulations, either bulk or use, for the district in which the subdivision is located, have been changed subsequent to the original final subdivision approval.

### Section 14-1-4 JURISDICTION.

1. These subdivision regulations shall apply to all subdivisions land, as defined herein, located within the corporate limits of the municipality.
2. No land shall be subdivided within the corporate limits of the municipality until;
  - a. The sub divider or his agent shall submit a concept plat of the parcel to the Planning and Zoning Commission through its administrative assistant;
  - b. Obtain approval of the concept plat and preliminary and final approval of the plat itself by the Planning and Zoning Commission; and
  - c. The approved plat is filed with the County Recorder.
3. No building permit or certificate of occupancy shall be issued for any parcel or plat of land which was created by subdivision after the effective date of, and not in conformity with, the provisions of these subdivision regulations, and no excavation of land or construction of any public or private improvements shall take place or be commenced except in conformity with the regulations.

### Section 14-1-5 ENACTMENT.

In order that land may be subdivided in accordance with these purposes and policy, these subdivision regulations are hereby adopted.

### Section 14-1-6 INTERPRETATION, CONFLICT, AND SEPARABILITY.

In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

1. CONFLICT WITH PUBLIC AND PRIVATE PROVISIONS.

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- a. **PUBLIC PROVISIONS.**  
The regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. Where any provision of these regulations imposes restriction different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.
  - b. **PRIVATE PROVISIONS.**  
These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. Where provisions of the easement, covenant, or private agreement or restriction impose duties and obligations more restrictive, or higher standards than the requirements of these regulations, or the determination of the Planning and Zoning Commission or the municipality in approving a subdivision or in enforcing these regulations, and such private provisions are not inconsistent with these regulations or determinations thereunder, then such private provisions shall be operative and supplemental to these regulations and determinations made thereunder.
2. **SEPARABILITY.**  
If any part or provision of these regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The Planning and Zoning Commission hereby declares that it would have enacted the remainder of these regulations even without any such part, provision, or application.

### **Section 14-1-7 SERVING PROVISION.**

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or

as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the municipality under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation, by lawful action of the municipality except as shall be expressly provided for in these regulations.

### **Section 14-1-8 RESERVATIONS AND APPEALS.**

Upon the adoption of these regulations according to law, the Subdivision Regulations of Wellington, adopted 1979, as amended, are hereby repealed, except as to such sections expressly retained herein.

### **Section 14-1-9 AMENDMENTS.**

For the purpose providing the public health, safety, and general welfare, the Planning and Zoning Commission may from time to time amend the provisions imposed by these subdivision regulations. Public hearings on all proposed amendments shall be held by the Planning and Zoning Commission in the manner prescribed by law.

### **Section 14-1-10 CONDITIONS.**

Regulations of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the state to this municipality. The developer has the duty of compliance with reasonable conditions laid down by the Planning and Zoning Commission for design, dedication, improvement, and restrictive use of the land so as to conform to the physical and economical development of the municipality and to the safety and general welfare of the future plot owners in the subdivision and of the community at large.

### **Section 14-1-11 RE-SUBDIVISION OF LAND.**

1. **PROCEDURE FOR RE SUBDIVISION.**  
For any change in a map of an approved or recorded subdivision plat, if such change affects any street layout shown on such map, or area reserved thereon for public use, or any lot line, or if it affects any map or plan legally reached prior to the adoption of any regulation controlling subdivisions, such parcel shall be approved by the Planning and Zoning Commission by the same procedure, rules, and regulations as for a subdivision.
2. **PROCEDURE FOR SUBDIVISIONS WHERE FUTURE RE-SUBDIVISION IS INDICATED.**  
Wherever a parcel of land is subdivided and the subdivision plat shows one or more lots containing more than one acre of

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land and there are indication that such lots will eventually be re subdivided into small buildings sites, the Planning and Zoning Commission may require that such parcel of land allow for the future opening of streets and the ultimate extension of adjacent streets. Easements providing for the future opening and extensions of such streets may be made a requirement of the plat.

### Section 14-1-12 VACATION OF PLATS.

1. Any plat or any part of any plat may be vacated by the owner of the premises, at any time before the sale of any lot therein, by a written instrument, to which a copy of such plat shall be attached, declaring the same to be vacated.
2. Such an instrument shall be approved by the Planning and Zoning Commission in like manner as plats of subdivisions. The City Council may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, streets, or alleys.
3. Such an instrument shall be executed, acknowledged or approved, and recorded or filed, in like manner as plats of subdivisions and being duly recorded or filed shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, and public grounds, and all dedications laid out or described in such plat.
4. When lots have been sold, the plat may be vacated in the manner herein provided by all the owners of lots in such plat joining in the execution of such writing.

### Section 14-1-13 WAIVER.

1. GENERAL.  
Where the Planning and Zoning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purpose of these regulations may be served to a greater extent by an alternative proposal, it may approve a waiver to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such waiver shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the Planning and Zoning Commission shall not approve variance unless it shall make findings based upon the evidence presented to it in each specific case that:

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- a. The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property is located;
  - b. The conditions upon which the request for a waiver is based are unique to the property for which the variance is sought and are not applicable generally to other property.
  - c. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out;
  - d. The waiver will not in any manner vary the provisions of the Zoning Ordinance, General Plan, or Official Map.
2. **CONDITIONS.**  
In approving waivers, the Planning and Zoning Commission may require such conditions as will, in its judgement, secure substantially the objectives of the standards or requirements of these regulations.
3. **PROCEDURES.**  
A petition for any such waiver shall be submitted in writing by the subdivider at the time when the concept plat is filed for the consideration of the Planning and Zoning Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

### **Section 14-1-14 ENFORCEMENT, VIOLATIONS, AND PENALTIES.**

1. **GENERAL.**
  - a. It shall be the duty of the Administrative Assistant and/or Building Inspector to the Planning and Zoning Commission to enforce these regulations and to bring to the attention of the Municipal Prosecuting Attorney any violations or lack of compliance herewith.
  - b. No owner, or agent of the owner, of any parcel of land located in a proposed subdivision shall transfer or sell any such a parcel before a plat of such subdivision has been approved by the Planning and Zoning Commission, in accordance with the provisions of these regulations, and filed with the County Recorder.
  - c. The subdivision of any lot or any parcel of land, by the



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use of metes and bounds description for the purpose of sale, transfer, or lease with the intent of evading these regulations, shall not be permitted. All such described subdivisions shall be subject to all of the requirements contained in these regulations.

- d. No building permit shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these regulations.

#### 2. VIOLATIONS AND PENALTIES.

Any person, firm, or corporation who fails to comply with, or violates, any of these regulations shall be subject to a fine of not more than \$299.00, or imprisonment for a term not exceeding six (6) months, or both.

#### 3. CIVIL ENFORCEMENT.

Appropriate actions and proceedings may be taken by law or in equity to prevent any violation of these regulations, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, to prevent illegal occupancy, of a building structure or premises, and these remedies shall be in addition to the penalties described above.

### Section 14-2. SUBDIVISION APPLICATION PROCEDURE AND APPROVAL PROCESS.

#### Subsections

**14-2-1 General Procedure**

**14-2-2 Concept Plat**

**14-2-3 Preliminary Plat**

**14-2-4 Final Subdivision Plat (Planning and Zoning)**

**14-2-5 Signing and Recording of Subdivision Plat**

#### Section 14-2-1 GENERAL PROCEDURE.

##### 1. CLASSIFICATION OF SUBDIVISIONS.

Whenever any subdivision of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdividing owner, or his authorized agent, shall apply for and secure approval of such proposed subdivision in accordance with the following procedure, which includes basically three (3) steps for a minor subdivision and four (4) steps for a major subdivision:

- a. MINOR SUBDIVISION.

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1. Concept Plat
  2. Final Subdivision Plat
  3. Final Approval from City Council
- b. MAJOR SUBDIVISION.
1.
    - i. Concept Plat
    - ii. Conditional Use Permit
  2. Preliminary Plat
  3. Final Subdivision Plat
  4. Final Approval from City Council
2. OFFICIAL SUBMISSION DATES.  
For the purpose of these regulations, for both major and minor subdivision, the date of the regular meeting of the Planning and Zoning Commission at which the notice on final approval of the subdivision plat, including any adjourned date thereof, is closed, shall constitute the official submittal date of the plat at which the statutory period required for formal approval or disapproval of the plat shall commence to run.
3. COORDINATION OF FLEXIBLE ZONING APPLICATIONS WITH SUBDIVISION APPROVAL.  
It is the intent of these regulations that subdivision review be carried out simultaneously with the review of flexible zoning applications under the Zoning Ordinance. The plans required for flexible zoning applications shall be submitted in a form to satisfy the requirements of the subdivision regulations.
- a. GENERAL REQUIREMENT.  
Whenever the Zoning Ordinance authorizes flexible zoning applications which permit uses of land and density of buildings and structures different from those which are allowed as of right within the zoning district in which the land is situated, and the application entails the division of the land, vacant or improved, into two (2) or more lots, parcels, sites, units, plots, or interests for the purpose of offer, sale, lease, or development either on the installment plan or upon any or all other plans, terms, or conditions, including re-subdivision, whether

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residential or nonresidential, subdivision approval of the flexible zoning application shall be required by the Planning and Zoning Commission in addition to all other procedures and approvals required in the Zoning Ordinance, whether or not such zoning procedures also require Planning and Zoning Commission approval, review or recommendation. Flexible zoning applications shall include, but not limited to, all special permits and special uses, planned unit developments, group housing projects, community unit projects, average density or density zoning projects, and shall apply to all such applications, whether before the City Council, Variance Committee, Board of Adjustment, Planning and Zoning Commission, Building and Zoning Inspector, or other official or agency of the City.

b. **PROCEDURE TO BE FOLLOWED.**

1. **Concept Plan and Preliminary Plat Approval Required** - whenever a flexible zoning application is submitted which involves a subdivision of land as set forth in Section 14-2-3 of these regulations, such application shall be submitted first to the City Council and to the Board, Commission, Agency or Official authorized to accept such application under the Zoning Ordinance. The application shall be made on the forms required for a concept plat as set forth in Section 14-2-2 of these regulations and shall include all information required of a concept plat application as set forth herein. The City Council, Board, Commission Agency, or Official shall thereupon refer the application to the Planning and Zoning Commission through concept plat and preliminary plat approval. The Planning and Zoning Commission shall also, when applicable under the provisions of the Zoning Ordinance make such review of use, density, and bulk standards as are required under the flexible zoning regulation.

2. **Referral Back For Zoning Approval** - The Planning and Zoning Commission shall thereupon refer the concept plan to the City Council for the Conditional Use Permit with its decision of approval, conditional approval, or disapproval, together with such recommend-

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ations and review of use, density, and bulk standards as it was required to make under the flexible zoning regulation of the Zoning Ordinance, to the City Council, Board, Commission, Agency, or Official authorized under the Zoning Ordinance to approve the application. Application shall then be made to the Planning and Zoning Commission for preliminary and final plat approval. No building permits or certificates of occupancy shall be issued for the project until the zoning application has been finally approved and final subdivision plat approval has been given and the subdivision plat is recorded with the County Recorder.

### c. RE-SUBDIVISIONS OF FLEXIBLE ZONING DEVELOPMENTS.

1. A flexible zoning development or land use plan may be subdivided or re-subdivided purposes for sale or lease after the project plan has been finally approved and development completed or partially completed.
2. If the subdivision or re-subdivision of a flexible zoning development will create a new plot line, the applicant shall make application to the Planning and Zoning Commission for the approval of the subdivision or re-subdivision. The Planning and Zoning Commission shall approve the subdivision only if simultaneously an amended zoning application is approved for the development plan, by the City Council, Board, Commission, Agency, or Official having jurisdiction under the Zoning Ordinance, for all provisions governing use, density, and bulk standards.

### Section 14-2-2 CONCEPT PLAT.

1. DISCUSSION OF REQUIREMENTS.  
Before preparing the concept plat for a subdivision, the applicant should discuss with the Administrative Assistant to the Planning and Zoning Commission the procedure for adoption of a subdivision plat and the requirements as to general layout of streets and for reservation of land, street improvements, drainage, sewerage, fire protection, and similar

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matters, as well as the availability of existing services. The Administrative Assistant shall also advise the applicant, where appropriate, to discuss the proposed subdivision with those officials who must eventually approve these aspects of the subdivision plat coming within their jurisdiction.

### 2. APPLICATION PROCEDURE AND REQUIREMENTS.

Prior to subdividing land, an owner of the land, or his representative, shall file an application for approval of a concept plat. The application shall:

- a. Be made on forms available at the office of the Administrative Assistant to the Planning and Zoning Commission.
- b. Include all contiguous holdings of the owner including land in the "same ownership", as defined herein, with an indication of the portion which is proposed to be subdivided, accompanied by an affidavit of ownership, which shall include the dates the respective holdings of land were required, 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, the date contract of sale was executed, and, if any corporations are involved, a complete list of all directors, officers, and stockholders of each corporation owning more than five percent (5%) of any class of stock.
- c. Be accompanied by a minimum of six (6) copies of the concept plat as described in these regulations and complying in all respects with these regulations.
- d. Be presented to the Administrative Assistant to the Planning and Zoning Commission in duplicate.
- e. Be accompanied by a fee based on the number of lots. The Administrative Assistant shall have a schedule for fees available.
- f. The application shall include an address and telephone number of an agent located within the territory of the City who shall be authorized to receive all notices required by these regulations.
- g. Conformance with the Wellington City General Plan.

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- h. The following items (where applicable) shall be included as part of the concept plan:
1. Zoning District in Which Located.
  2. Name/Address of Developer.
  3. Name/Address of Designer.
  4. Name/Address of Property Owners.
  5. Date.
  6. Scale of Site Plan.
  7. North Point.
  8. Total Acreage and Site Dimensions.
  9. Vicinity Map of Area Showing the Significant Local Interrelationships Conformance with General Plan.
  10. Effect on Neighborhood and Abutting Properties.
  11. Adjacent Property Ownership.
  12. Existing Street Locations.
  13. Existing Street Names.
  14. Electric Power Lines.
  15. Gas and Oil Pipelines.
  16. Existing Public Utilities – Water and Sewer.
  17. Permanent Buildings and Other Existing Improvements.
  18. Existing Water Courses and Flood Potential.
  19. Environmental Impact Statement Including Graphic – Written Statement of Purpose and Effect on Community.

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3. **PLANNING AND ZONING COMMISSION REVIEW CONCEPT PLAT.**  
The Planning and Zoning Commission shall study the concept plat, taking into consideration the requirements of the Subdivision Regulations and the best use of the land being subdivided. Particular attention will be given to the arrangement, location, width of streets, their relation to the topography of land, sewage disposal, drainage, lot sizes and arrangement, the further development of adjoining lands as yet un-subdivided, and the requirements of the Official Map and General Plan as adopted by the Planning and Zoning Commission.
4. **FIELD TRIP.**  
After the regular Planning and Zoning Commission meeting at which the subdivision is first discussed, the Planning and Zoning Commission may schedule a field trip to the site of the proposed subdivision, accompanied by the applicant or his representative. In order to facilitate field inspection and review of the site of the proposed subdivision, temporary staking along the center line of all proposed roads in the subdivision will be required in time for such field trip, or if impracticable, the Planning and Zoning Commission shall permit a suitable alternative procedure.
5. **APPROVAL OF CONCEPT PLAN.**  
After reviewing and discussing the concept plat, the Planning and Zoning Commission will advise the applicant of the specific changes or additions, if any. It will require a layout, and the character and extent of required improvements and reservations which it will require as a prerequisite to the approval of the subdivision plat, the Planning and Zoning Commission may require additional changes as a result of further study of the subdivision in final form.
6. **CONDITIONAL USE PERMIT APPROVAL.**  
Upon receiving concept approval, the concept plat will be sent to the City Council for Conditional Use Permit Approval. Said approval (Conditional Use Permit) shall constitute authorization to prepare and submit a preliminary plat in the case of a major subdivision and a final subdivision plat in the case of a minor subdivision. Such approval or disapproval shall be made by the Planning and Zoning Commission within thirty (30) days after receiving the concept plat.

### Section 14-2-3 PRELIMINARY PLAT.

1. **APPLICATION PROCEDURE AND REQUIREMENTS.**

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Based upon the approval of the Planning and Zoning Commission of the concept plat, the applicant should file in duplicate an application for approval of a preliminary plat. The application shall:

- a. Be made on forms available at the office of the Administrative Assistant to the Planning and Zoning Commission together with a fee as outlined in the schedule of fees.
- b. Include all land which the applicant proposes to subdivide and all land immediately adjacent extending one hundred (100) feet therefrom, or of that directly opposite thereto, extending one hundred (100) feet from the street frontage of such opposite land, with the names of the owners as shown in the Assessor's Office showing the subdivision superimposed thereon.
- c. Be accompanied by the minimum of six (6) copies of the preliminary plat as described in these regulations.
- d. Be accompanied by a minimum of three (3) copies of construction plans as described in these regulations.
- e. Comply in all respects with the concept plat as approved.
- f. Be presented to the Administrative Assistant to the Planning and Zoning Commission at least seven (7) days prior to a regular meeting of the Commission.
- g. The following items shall be included as part of the preliminary plans:
  1. Dimensions of Site and Improvements.
  2. Soils Characteristics and Analysis (Including Profile).
  3. Bridges and Culverts.
  4. Adequate Water System.
  5. Adequate Sewer System.
  6. Curb, Gutter and Sidewalks.



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7. Curb Cuts and Driveways.
  8. Off-Street Parking Required. (2.5 per D.U. plus guest parking).
  9. Building Lines, Including Dimensions (Setbacks, Buildable Areas, etc.)
  10. Contours at 2 Ft. and/or 5 ft. Intervals if required
  11. Grading Plan Conform to:
    - a. Building Code Regulations.
    - b. Fire District and Fire Code Regulations.
  12. Fire Hydrant Locations.
  13. Surface Drainage Plan Including Storm Drainage System.
  14. Irrigation System Modification.
  15. Street Lighting.
  16. Area Lighting.
  17. R.V. Parking – Reasonable Percentage.
  18. Names of New Streets and Circulation Pattern.
  19. Landscaping Plans.
2. **PRELIMINARY APPROVAL.**  
After the Planning and Zoning Commission has reviewed the preliminary plat and construction plans, the applicant shall be advised of any required changes and/or additions. The Commission shall approve, conditionally approve, or disapprove the preliminary plat within thirty (30) days after the date of the regular meeting of the Commission when preliminary plans are received. One (1) copy of the proposed preliminary plat shall be returned to the developer with the date of approval, conditional approval, or disapproval and the reasons therefore accompanying the plat.

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3. PUBLIC IMPROVEMENTS.  
The Planning and Zoning Commission shall require the applicant to indicate on the plat all roads and public improvements to be dedicated, all special districts for water, fire, and utility improvements which shall be required to be established or extended and any other special requirements deemed necessary by the Planning and Zoning Commission in order to conform the subdivision plat to the Official Map and the General of the City.
4. EFFECTIVE PERIOD OF PRELIMINARY APPROVAL.  
The approval of a preliminary plat shall be effective for a period of one (1) year at the end of which time final approval on the subdivision must have been obtained from the Planning and Zoning Commission, although the plat need not yet be signed and filed with the County Recorder. Any plat not receiving final approval within the period of time set forth herein shall be null and void, and the developer shall be required to resubmit a new plat for preliminary approval subject to all new zoning restrictions and subdivision regulations.
5. ZONING REGULATIONS.  
Every plat shall conform to existing zoning regulations and subdivision regulations applicable at the time of proposed final approval, except that any plat which has received preliminary approval shall be exempt from any subsequent amendments to the Zoning Ordinance rendering the plat nonconforming as to bulk or use, provided that final approval is obtained within the one-year period.
6. GRADING OF SITE PRIOR TO FINAL APPROVAL.  
Subsequent to preliminary approval the developer may apply for a topsoil and excavation permit from the Planning and Zoning Commission or such other agency or person as the City Council shall direct, and upon receipt of such permit may commence construction to the grades and elevations required by the approved preliminary plat.
7. MODEL HOMES.  
For the purpose of allowing the early construction of model homes in a subdivision, the Planning and Zoning Commission in its discretion may permit a portion of a major subdivision involving no more than two (2) lots to be created in accordance with the procedures for minor subdivision, provided said portion derives access from an existing city, township, county or state highway, and provided no future

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road or other improvement is anticipated where said lots are proposed. The subdivision plat for the "minor" portion shall be submitted to the Planning and Zoning Commission simultaneously with the preliminary plat for the entire major subdivision. Subsequent to preliminary approval, the model may be constructed, subject to such additional requirements that the Planning and Zoning Commission may require.

### Section 14-2-4 FINAL SUBDIVISION PLAT (PLANNING AND ZONING COMMISSION)

#### 1. APPLICATION PROCEDURE AND REQUIREMENTS.

Following the approval of the concept plat in the case of a minor subdivision, or of the preliminary plat in the case of a major subdivision, the applicant, if he wishes to proceed with the subdivision, shall file with the Planning and Zoning Commission an application for final approval of a subdivision plat. The application shall:

- a. Be made on forms available at the Office of the Administrative Assistant to the Planning and Zoning Commission, together with a fee based on the number of lots together with an additional fee for reproduction of plans as specified on the fee schedule.
- b. Include the entire subdivision, or section thereof, which derives access from an existing state, county or City highway.
- c. Be accompanied by a minimum of six (6) copies of the subdivision plat and the construction plans, as described in these regulations.
- d. Comply in all respects with the concept plat or preliminary plat, as approved, whichever is applicable, depending upon the classification of the subdivision and shall include the following:
  1. Precise Location – Legal Description of Land, Lot Division - Dist. and Bearings.
  2. Landscaping Plan.
  3. Engineering, Plan and Profiles and Cross-Sections.
  4. Submit Restrictive Covenants (Approval of Restrictive Covenants must be given by

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Wellington City Attorney).

5. Record any requirements easements in the office of the County Recorder.
  6. A time schedule for the completion of landscaping, parking, street improvements and other improvements and amenities which are guaranteed by bonds or other securities.
- e. Be presented to the Administrative Assistant to the Planning and Zoning Commission at least seven (7) days prior to a regular meeting of the Commission in order that a public notice may be posted. The date of the regular meeting of the Commission in at which the public notice on final approval, including any adjourned date thereof, is closed, shall constitute the official submitting date of the plat for the purposes of these regulations.
- f. Be accompanied by all formal irrevocable offers of dedication to the public of all streets, City uses, utilities, parks, and easements, in a form approved by the City Attorney; and the subdivision plat shall be marked with a notation indicating the formal offers of dedication as follows:

The owner, or his representative, hereby irrevocably offers for dedication to the City all the streets, City uses, easements, parks and required utilities shown in the within subdivision plat and construction plans in accordance with an irrevocable offer of dedication dated \_\_\_\_\_, and recorded in the County Recorder's Office.

By \_\_\_\_\_  
OWNER OR REPRESENTATIVE

Date \_\_\_\_\_

The applicant shall deliver a full covenant and warranty deed to all such lands in proper form for recording, together with a title policy for the City in the sum not less than ten thousand (\$10,000) dollars, which sum shall be determined by the City Attorney before signing of the final subdivision plat.



the subdivision plat by the Chairman of the Planning and Zoning Commission, the amount of the bond shall be established by the Planning and Zoning Commission based upon the recommendation of the City Engineer, which bond shall be submitted by the applicant at the time of application for final subdivision plat approval. In the final resolution the Planning and Zoning Commission shall stipulate the period of time when the performance bond shall be filed or the required improvements installed, whichever is applicable. In no event shall a performance bond be submitted later than six (6) months from the date of final resolution, together with all required documents and completion of required procedures. In no event shall the period of time stipulated by the Planning and Zoning Commission for completion of required improvements exceed two (2) years from the date of the final resolution. One copy of the final subdivision plat shall be returned to the sub-divider with the date of approval, conditional approval, or disapproval, noted thereon, and the reasons therefore accompanying the plat.

4. **SUBMISSION AND REVIEW.**

Subsequent to the resolution of the Planning and Zoning Commission, three (3) paper copies of the construction plans, and on (1) copy of the original of the subdivision plat on tracing cloth, and/or reproduction mylar, and two (2) copies of the subdivision plat on sepia paper and two (2) copies of the subdivision plat on paper shall be submitted to the Administrative Assistant for final review. A check payable to the County Recorder in the amount of the current filing fee shall be provided. No final approval shall be endorsed on the plat until a review has indicated that all requirements of the resolution have been met.

5. **VESTED RIGHTS.**

No vested rights shall accrue to any plat by reason of preliminary or final approval until the actual signing of the plat by the Chairman of the Planning and Zoning Commission. All requirements, conditions, or regulations adopted by the Planning and Zoning 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 final plat by the Chairman of the Planning and Zoning Commission. Where the Planning and Zoning Commission has required the installation of improvements prior to signing of the final plat, the Planning and Zoning Commission shall not

unreasonably modify the conditions set forth in the final approval.

### Section 14-2-5 SIGNING AND RECORDING OF SUBDIVISION PLAT.

1. SIGNING OF PLAT
  - a. When a bond is required, the Chairman of the Planning and Zoning Commission and the Administrative Assistant to the Planning and Zoning Commission shall endorse approval on the plat after the bond has been approved by the City Council, and all the conditions of the resolution pertaining to the plat have been satisfied.
  - b. When installation of improvements is required the Chairman of the Planning and Zoning Commission and Administrative Assistant to the Planning and Zoning Commission shall endorse approval on the plat after all conditions of the resolution have been satisfied and all improvements satisfactorily completed. There shall be written evidence that the required public facilities have been installed in a manner satisfactory to the City as shown by a certificate signed by the City engineer and City Attorney that the necessary dedication of public lands and improvements has been accomplished.
2. RECORDING OF PLAT.
  - a. The Chairman will sign the tracing cloth or reproducible mylar original of the subdivision plat and two (2) mylar prints of the subdivision plat. The mylar prints will be returned to the applicant's engineer.
  - b. It shall be the responsibility of the Administrative Assistant to the Planning and Zoning Commission to file the plat with the County Recorder's Office within thirty (30) days of the date of signature. Simultaneously with the filing of the plat, the Administrative Assistant to the Planning and Zoning Commission shall record the agreement of dedication together with such legal documents as shall be required to be recorded by the City Attorney.
3. SECTIONALIZING MAJOR SUBDIVISION PLATS.

Prior to granting final approval of a major subdivision plat,

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the Planning and Zoning Commission may permit the plat to be divided into two or more sections and may impose such conditions upon the filing of the sections as it may deem necessary to assure the orderly development of the plat. The Planning and Zoning Commission may require that the performance bond be in such amount as is commensurate with the section or sections of the plat to be filed and may defer the remaining required performance bond principal amount until the remaining sections of the plat are offered for filing. The developer may also file in irrevocable offers to dedication for the remaining sections until such sections, subject to any conditions imposed by the Planning and Zoning Commission, shall be granted concurrently with final approval of the plat. In the event of approval of sectionalizing, the entire approved subdivision plat including all sections shall be filed within ninety (90) days after date of final approval with the City clerk's office and such sections as have been authorized by the Planning and Zoning Commission shall be filed with the County Recorder. Such sections must contain at least ten percent (10%) of the total number of lots contained in the approval plat. The approval of all remaining sections not filed with the County Recorder shall automatically expire unless such sections have been approved for filing by the Planning and Zoning Commission, all fees paid, all instruments and offers of dedication submitted and performance bonds approved and actually filed with the Recorder within three (3) years of the date of final subdivision approval of the subdivision plat. (See Section 14-2-3-5) of these regulations.)

4. **TIME PERIOD FOR SUBMITTING FINAL PLAT.**  
Any failure to submit a final development plan within one year of the approval of the preliminary development plan shall terminate all proceedings and render the preliminary development plan null and void. In projects that are constructed in successive plats, the submission of final development plans for the plat will continue the validity of the balance of the project for one year from the date of approval of said final plans. This process can be repeated as often as necessary until final plans have been submitted and approved for the proposed project. Failure to submit additional final plans for successive plats within one year at any one point in the process will render the balance of the preliminary development plan null and void.



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### Section 14-3 ASSURANCE FOR COMPLETION MAINTENANCE OF IMPROVEMENTS.

#### Subsections

- 14-3-1 Improvements and Performance Bond
- 14-3-2 Inspection of Improvements
- 14-3-3 Escrow Deposits for Lot Improvements
- 14-3-4 Maintenance of Improvements
- 14-3-5 Deferral or Waiver of Required Improvements
- 14-3-6 Issuance of Building Permits and Certificates of Occupancy
- 14-3-7 Consumer Protection Legislation and Conflicts of Interest Statutes

### Section 14-3-1 IMPROVEMENTS AND PERFORMANCE BOND.

1. COMPLETION OF IMPROVEMENTS.  
Before the plat is signed by the Chairman of the Planning and Zoning Commission, all applicants shall be required to complete, in accordance with the Planning and Zoning Commission's decision and to the satisfaction of the City Engineer, all the street, sanitary, and other improvements including lot improvements on the individual lots of the subdivision as required in these regulations, specified in the final subdivision plat, and as approved by the Planning and Zoning Commission, and to dedicate same to the City, free and clear of all liens and encumbrances on the property and public improvements thus dedicated.
2. PERFORMANCE BOND.
  - a. The Planning and Zoning Commission in its discretion may waive the requirement that the applicant complete and dedicate all public improvements prior to the signing of the subdivision plat, and that, as an alternative, the applicant post a bond at the time of application for final subdivision approval in an amount estimated by the Planning and Zoning Commission as sufficient to secure to the City the satisfactory construction, installation, and dedication of the uncompleted portion of required improvements. The performance bond shall also secure all lot improvements on the individual lots of the subdivision as required in these regulations.
  - b. Such performance bond shall comply with all

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statutory requirements and shall be satisfactory to the City Attorney as to form, sufficiency, and manner of execution as set forth in these regulations. The period within which required improvements must be completed shall be specified by the Planning and Zoning Commission in the resolution approving the final subdivision plat and shall be incorporated in the bond and shall not in any event exceed two (2) years from date of final approval.

- c. Such bond shall be approved by the City Council as to amount and surety and conditions satisfactory to the City Council. The Planning and Zoning Commission may, upon proof of difficulty, recommend to the City Council extension of the completion date set forth in such bond for a maximum period of one (1) additional year. The City Council may at any time during the period of such bond accept a substitution of principal or sureties on the bond upon recommendation of the Planning and Zoning Commission.

### Section 14-3-2 INSPECTION OF IMPROVEMENTS.

1. GENERAL PROCEDURE AND FEES.  
The Planning and Zoning Commission shall provide for inspection of required improvements during construction and insure their satisfactory completion. The applicant shall pay to the City an inspection fee as specified in the fee schedule and the subdivision plat shall not be signed by the Chairman of the Planning and Zoning Commission unless such fee has been paid at the time of application. These fees shall be due and payable upon demand of the City and no building permits or certificates of occupancy shall be issued until all fees are paid. If the City engineer finds upon inspection that any of the required improvements have not been constructed in accordance with the City's construction standards and specifications, the applicant shall be responsible for completing the improvements. Wherever the cost of improvements is covered by a performance bond, the applicant and the bonding company shall be severally and jointly liable for completing the improvements according to specifications.
2. RELEASE OR REDUCTION OF PERFORMANCE BOND.
  - a. CERTIFICATE OF SATISFACTORY COMPLETION.

The City Council will not accept a dedication of required improvements, nor release nor reduce a performance bond, until the City Engineer has submitted a certificate stating that all required improvements have been satisfactorily completed and until the applicant's engineer or surveyor has certified to the City Engineer, through submission of detailed "as-built" survey plat of the subdivision, indicating location, dimensions, materials, and other information required by the Planning and Zoning Commission or City Engineer, that the layout of the line and grade of all public improvements is in accordance with construction plans for the subdivision and that title insurance policy has been furnished to and approved by the City Attorney indicating that the improvements shall have been completed, are ready for dedication to the City and are free and clear of any and all liens and encumbrances. Upon such approval and recommendation, the City Council shall thereafter accept the improvements for dedication in accordance with the established procedure.

- b. **REDUCTION OF PERFORMANCE BOND.**  
A performance bond shall be reduced upon actual dedication of public improvements and then only to the ratio that the public improvement dedicated bears to the total public improvements for the plat. In no event shall a performance bond be reduced below twenty-five per cent (25%) of the principal amount.

### **Section 14-3-3 ESCROW DEPOSITS FOR LOT IMPROVEMENTS.**

1. **ACCEPTANCE OF ESCROW FUNDS.**  
Whenever, by reason of the season of the year, any lot improvements required by the subdivision regulations cannot be performed, the Building and Zoning Inspector may, nevertheless, issue a certificate of occupancy, provided there is no danger to health, safety, or general welfare upon accepting a cash escrow deposit in an amount to be determined by the City Engineer for the cost of said improvements. The performance bond covering such lot improvements shall remain in full force and effect.

### 2. PROCEDURES ON ESCROW FUND.

All required improvements for which escrow monies have been accepted by the Building and Zoning Inspector at the time of issuance of a certificate of occupancy shall be installed by the developer within a period of nine (9) months from the date of deposit and issuance of the certificate of occupancy. In the event that the improvements have not been properly installed, at the end of the time period the Building and Zoning Inspector shall give two (2) week's written notice to the developer requiring him to install same, and in the event that same are not installed properly in the discretion of the Building and Zoning Inspector, the Building and Zoning Inspector may request the City Council to authorize the City to proceed to contract out the work for the installation of the necessary improvements in a sum not to exceed the amount of the escrow deposit. At the time of the issuance of the certificate of occupancy for which escrow monies are being deposited with the Building and Zoning Inspector, the applicant shall obtain and file with the Building and Zoning Inspector prior to obtaining the certificate of occupancy a notarized statement from the purchaser or purchasers of the premises authorizing the Building and Zoning Inspector to install the improvements at the end of the nine-month period in the event that the same have not been duly installed by the developer.

### Section 14-3-4 MAINTENANCE OF IMPROVEMENTS.

1. The applicant shall be required to maintain all improvements on the individual subdivided lots and provide for snow removal on streets and sidewalks, if required, until acceptance of said improvements by the City Council. If there are any certificates of occupancy on a street not dedicated to the City, the City may on twelve (12) hours notice plow the street or effect emergency repairs and charge some to applicant.
2. The applicant shall be required to file a maintenance bond with the City Council, prior to dedication, in an amount considered adequate by the City Engineer and in a form satisfactory to the City Attorney, in order to assure the satisfactory condition of the required improvements, including all lot improvements on the individual subdivided lots for a period of one (1) year after the date of their acceptance by the City Council and dedication of same to the City.

### **Section 14-3-5 DEFERRAL OR WAIVER OF REQUIRED IMPROVEMENTS.**

1. The Planning and Zoning Commission may defer or waive at the time of final approval, subject to appropriate conditions, the provision of any or all such improvements as, in its judgment, are not requisite in the interests of the public health, safety, and general welfare, or which are inappropriate because of inadequacy or lack of connecting facilities.
2. Whenever it is deemed necessary by the Planning and Zoning Commission to defer the construction of any improvement required herein because of incompatible grades, future planning, inadequate or lack of connecting facilities, or for other reasons, the applicant shall pay his share of the costs of the future improvements to the City prior to signing of the final subdivision plat, or the applicant may post a bond insuring completion of said improvements upon demand of the City.

### **Section 14-3-6 ISSUANCE OF BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY.**

1. Where a performance bond has been required for a subdivision, no certificate of occupancy for any building in the subdivision shall be issued prior to the completion of the improvements and dedication of same to the City, as required in the Planning and Zoning Commission's final approval of the subdivision plat.
2. The extent of street improvement shall be adequate for vehicular access by the prospective occupant and by the police and fire equipment, prior to the issuance of an occupancy permit. The developer shall at the time of the dedication submit monies in escrow to the City in a sum determined by the City Engineer for the necessary final improvement of the street.
3. No building permit shall be issued for the final ten percent (10%) of lots in a subdivision, or if ten percent (10%) be less than two (2), for the final two (2) lots of a subdivision, until all public improvements required by the Planning and Zoning Commission for the plat have been fully completed and dedicated to the City.

### **Section 14-3-7 CONSUMER PROTECTION LEGISLATION AND CONFLICTS OF INTEREST STATUTES.**

1. No building permit or certificate of occupancy shall be

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granted or issued if a developer or his authorized agent shall have violated any federal, state, or local law pertaining to consumer protection of real estate land sales, promotion, or practices, or any applicable conflicts-of-interest legislation with respect to the lot or parcel of land which is the subject of the permit or certificate, until so ordered by a court of competent jurisdiction.

2. With respect to said lot or parcel of land, in the event a building permit or certificate of occupancy has been granted or issued, it shall be subject to revocation by the municipality until so ordered otherwise by a court of competent jurisdiction, provided that in no event shall the rights of intervening innocent third parties in possession of a certificate of occupancy be prejudiced by any such revocation.
3. Any violation of a federal, state, or local consumer protection law (including but not limited to: Postal Reorganization Act of 1970; the Federal Trade Commission Act of 1970; Interstate Land Sales Full Disclosure Act; the Truth in Lending Act; the Uniform Commercial Code; state "Blue Sky" laws; state subdivision disclosure acts) or conflicts of interest statute, law, or ordinance shall be deemed a violation of these regulations and subject to all of the penalties and proceedings as set forth in Section 14-1-14 hereof.

#### Section 14-4 REQUIREMENTS FOR IMPROVEMENTS, RESERVATIONS, AND DESIGN.

##### Subsections

- 14-4-1 General Improvements
- 14-4-2 Lot Improvements
- 14-4-3 Roads
- 14-4-4 Drainage and Storm Sewers
- 14-4-5 Water Facilities
- 14-4-6 Sewerage Facilities
- 14-4-7 Sidewalks
- 14-4-8 Utilities
- 14-4-9 Public Uses
- 14-4-10 Preservation of Natural Features and Amenities
- 14-4-11 Nonresidential Subdivisions

#### Section 14-4-1 GENERAL IMPROVEMENTS.

1. CONFORMANCE TO APPLICABLE RULES AND

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### REGULATIONS.

In addition to the requirements established herein, all subdivision plats shall comply with the following laws, rules, and regulations.

- a. All applicable statutory provisions.
  - b. The City zoning ordinance, building and housing codes, and all other applicable laws of the appropriate jurisdictions.
  - c. The Official General Plan, Official Map, Public Utilities Plan, and Capital Improvements Program of the City, including all streets, drainage systems, and parks shown on the Official Map or General Plan as adopted.
  - d. The special requirements of these regulations and any rules of the Health Department and/or appropriate state agencies.
  - e. The rules of the State Department of Transportation if the subdivision or any lot contained therein abuts a state highway or connecting street.
  - f. The standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City.
  - g. All pertinent standards contained within the planning guides published by the applicable regional or metropolitan Planning and Zoning Commission or Metropolitan Council of Governments.
  - h. Plat approval may be withheld if a subdivision is not in conformity with the above guides or policy and purposes of these regulations established in Section 14-1-13 of these regulations.
2. SELF-IMPOSED RESTRICTIONS.
- If the owner places restrictions on any of the land contained in the subdivision greater than those required by the Zoning Ordinance or these regulations, such restrictions or reference thereto may be required to be indicated on the subdivision plat, or the Planning and Zoning Commission may require that restrictive covenants

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be recorded with the County Recorder in for to be approved by the City Attorney.

3. **PLATS STRADDLING MUNICIPAL BOUNDARIES.**  
Whenever access to the subdivision is required across land in another City, the Planning and Zoning Commission may request assurance from the City Attorney that access is legally established, and from the City Engineer that the access road is adequately improved, or that a performance bond has been duly executed and is sufficient in amount to assure the construction of the access road. In general, lot lines should be laid out so as not to cross municipal boundary lines.
4. **MONUMENTS.**  
The applicant shall place permanent reference monuments in the subdivision as required herein and as approved by a Registered Land Surveyor.
  - a. Monuments shall be located on street right-of-way lines, at street intersections, angle points of curve and block corners. They shall be spaced so as to be within sight of each other, the sight lines being contained wholly within the street limits.
  - b. The external boundaries of a subdivision shall be monumented in the field by monuments of stone or concrete, not less than thirty (30) inches in length, not less than four (4) inches square or five (5) inches in diameter, and marked on top with a cross, brass plug, iron rod, or other durable material securely embedded; or by iron rods or pipes at least thirty (30) inches long and two (2) inches in diameter.
  - c. All internal boundaries and those corners and points not referred to in the preceding paragraph shall be monumented in the field by like monuments as described above. These monuments shall be placed at all block corners, at each end of all curves, at a point where a river changes its radius, and at all angle points in any line.
  - d. The lines of lots that extend to rivers or streams shall be monumented in the field by iron pipes at least thirty (30) inches long and seven-eighths (7/8)



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inch in diameter or by round or square iron bars at least thirty (30) inches long. These monuments shall be placed at the point of intersection of the river or stream lot line, with a meander line established not less than twenty (20) feet back from the bank of the river or stream.

- e. All such monuments shall be set flush with the ground and planted in such a manner that they will not be removed by frost.
- f. All monuments shall be properly set in the ground and approved by a Registered Land Surveyor prior to the time the Planning and Zoning Commission recommends approval of the final plat.

#### 5. CHARACTER OF THE LAND.

Land which the Planning and Zoning Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which will reasonable be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by the Planning and Zoning Commission, upon recommendation of the City Engineer, to solve the problems created by the unsuitable land conditions. Such land shall be set aside for uses as shall not involve such a danger.

#### 6. SUBDIVISION NAME.

The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the area covered by these regulations. The Planning and Zoning Commission shall have final authority to designate the name of the subdivision which shall be determined at concept plat approval.

#### Section 14-4-2 LOT IMPROVEMENTS.

##### 1. LOT ARRANGEMENT.

The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with the Zoning Ordinance and Health Regulations and in providing driveway access to buildings

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on such lots from an approved street.

2. **LOT DIMENSIONS.**  
Lot dimensions shall comply with the minimum standards of the Zoning Ordinance. Where lots are more than double the minimum required area for the zoning district, the Planning and Zoning Commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with the Zoning Ordinance and these regulations. In general, side lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation from this rule will give a better street or lot plan. Dimensions of corner lots shall be large enough to allow for erection of buildings, observing the minimum front-yard setback from both streets. Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, as established in the Zoning Ordinance.
3. **DOUBLE FRONTAGE LOTS AND ACCESS TO LOTS.**
  - a. **DOUBLE FRONTAGE LOTS.**  
Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from traffic arterials or to overcome specific disadvantages of topography and orientation.
  - b. **ACCESS FROM MAJOR AND SECONDARY ARTERIALS.**  
Lots shall not, in general, derive access exclusively from a major or secondary street. Where driveway access from a major or secondary street may be necessary for several adjoining lots, the Planning and Zoning Commission may require that such lots be served by a combined access drive in order to limit possible traffic hazard on such street. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on major or secondary arterials.
4. **SOIL PRESERVATIONS, GRADING.**
  - a. **SOIL PRESERVATION AND FINAL GRADING.**  
No certificate of occupancy shall be issued until final grading has been completed in accordance

with the approved final subdivision plat. That portion of the lots where the existing earth and or vegetation has been removed or changed shall be covered with soil with an average depth of at least three (3) inches. The soil shall contain no particles over two (2) inches in diameter except that portion covered by buildings or included in streets. Topsoil may be removed from residential lots or used as spoil, provided that at least three (3) inches of topsoil be left on the lots.

b. **LOT DRAINAGE.**

Lots shall be laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lots used to comply with any requirement of seeding set forth herein.

5. **DEBRIS AND WASTE.**

No cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land, or left or deposited on any lot or street at the time of the issuance of a certificate of occupancy, and removal of same shall be required prior to issuance of any certificate of occupancy on a subdivision. Nor shall any be left or deposited in any area of the subdivision at the time of expiration of the performance bond or dedication of public improvements, whichever is sooner.

6. **FENCING.**

Each sub-divider and/or developer shall be required to furnish and install fences wherever the Planning and Zoning Commission determines that a hazardous condition may exist. The fences shall be constructed according to standards established by the City Engineer and shall be noted as to height and material on the final plat. No certificate of occupancy shall be issued until said fence improvements have been duly installed.

**Section 14-4-3 ROADS.**

1. **GENERAL REQUIREMENTS.**

a. **FRONTAGE ON IMPROVED ROADS.**

No subdivision shall be approved unless the area to be subdivided shall have frontage on and access

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from an existing street on the Official Map, or if there be no Official Map, unless such street is:

1. an existing state, county, or township highway; or
  2. a street shown upon a plat approved by the Planning and Zoning Commission and recorded in the County Recorder of Deeds' office. Such street or highway must be suitably improved as required by the highway rules, regulations, specifications, or orders, or be secured by performance bond required under these subdivision regulations, with the width and right-of-way required by these subdivision regulations or the Official Map Plan. Wherever the area to be subdivided is to utilize existing road frontage, such road shall be suitably improved as provided here in above.
- b. **GRADING AND IMPROVEMENT PLAN.**  
Roads shall be graded and improved and conform to the City construction standards and specifications and shall be approved as to design and specifications by the City Engineer, in accordance with the construction plans required to be submitted prior to final plat approval.
- c. **TOPOGRAPHY AND ARRANGEMENT.**
1. Roads shall be related appropriately to the topography. Local roads shall be curved wherever possible to avoid conformity of lot appearance. All streets shall be arranged so as to obtain as many as possible of the building sites at, or above, the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided. Specific standards are contained in the design standards of these regulations.
  2. All streets shall be properly integrated with the existing and proposed system of thoroughfares and dedicated right-of-way as established on the Official Map and/or

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General Plan.

3. All thoroughfares shall be properly related to special traffic generators such as industries, business districts, schools, churches, and shopping centers; to population densities; and to the pattern of existing and proposed land uses.
  4. Minor or local streets shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to property.
  5. The rigid rectangular gridiron street pattern need not necessarily be adhered to, and the use of curvilinear streets, cul-de-sacs, or U-shaped streets shall be encouraged where such use will result in a more desirable layout.
  6. Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Planning and Zoning Commission such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development or adjacent tracks.
  7. In business and industrial developments, the streets and other access ways shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision of alleys, truck loading and maneuvering areas, and walks and parking areas so as to minimize conflict of movement between the various types of traffic, including pedestrian.
- d. BLOCKS.
1. Blocks shall have sufficient width to provide

for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to major streets, railroads, or waterways.

2. The lengths, widths, and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated, but block lengths in residential areas shall not exceed two thousand two hundred (2,200) feet or twelve (12) times the minimum lot width required in the zoning district, nor be less than four hundred (400) feet in length. Wherever practicable, blocks along major arterioles and collector streets shall be not less than one thousand (1,000) feet in length.
  3. In long blocks the Planning and Zoning Commission may require the reservation of an easement through the block to accommodate utilities, drainage facilities, or pedestrian traffic. Pedestrian ways or crosswalks, not less than ten (10) feet wide, may be required by the Planning and Zoning Commission through the center of blocks more than eight hundred (800) feet long where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities. Blocks designed for industrial uses shall be of such length and width as may be determined suitable by the Planning and Zoning Commission for prospective use.
- e. **ACCESS TO PRIMARY ARTERIALS.** Where a subdivision borders on or contains an existing or proposed primary arterial, the Planning and Zoning Commission may require that access to such streets be limited by one of the following means:
1. The subdivision of lots so as to back onto the primary arterial and front onto a parallel local street no access shall be provided from the primary arterial, and screening

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shall be provided in a strip of land along the rear property line of such lots.

2. A series of cul-de-sacs, U-shaped Streets, or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the major arterial.
  3. A marginal access or service road (separated from the primary arterial by a planning or grass strip and having access thereto at suitable points).
- f. **ROAD NAMES.**  
The concept plat as submitted shall indicate any names upon proposed streets. The Planning and Zoning Commission shall approve the names of all roads proposed by the developer. Names shall be sufficiently different in sound and in spelling from other names in the City so as not to cause confusion. A road which is or is planned as a continuation of an existing road shall bear the same name.
- g. **ROAD REGULATORY SIGNS.**  
The applicant deposit with the City at the time of final subdivision approval a fee for each road sign required by the City Engineer at all road intersections. The City shall install all road signs before issuance of certificates of occupancy for any residence on the streets approved.
- h. **STREET LIGHTS.**  
Installation of street lights shall be required in accordance with design and specification standards approved by the City Engineer.
- i. **RESERVE STRIPS.**  
The creation of reserve strips shall not be permitted adjacent to a proposed street in such a manner as to deny access from adjacent property to such street.
- j. **CONSTRUCTION OF ROADS AND DEAD-END ROADS.**
  1. **CONSTRUCTION OF ROADS.**

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The arrangement of streets shall provide for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection for efficient provision of utilities, and where such continuation is in accordance with the City General Plan. If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right-of-way shall be extended to the property line. A temporary T- or L- shaped turnabout shall be provided on all temporary dead-end streets, with the notation on the subdivision plat that land outside the normal street right-of-way shall revert to abutters whenever the street is continued. The Planning and Zoning Commission may limit the length of temporary dead-end streets in accordance with the design standards of these regulations.

2. DEAD-END ROADS (PERMANENT).  
Where a road does not extend the boundary of the subdivision and its continuation is not required by the Planning and Zoning Commission for access to adjoining property, its terminus shall normally not be nearer to such boundary than fifty (50) feet. However, the Planning and Zoning Commission may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic, or utilities. A cul-de-sac turnaround shall be provided at the end of a permanent dead-end street in accordance with City construction standards and specifications. For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall, in general, be limited in length in accordance with the design standards of these regulations.

2. DESIGN STANDARDS.
  - a. GENERAL.  
In order to provide for roads of suitable location,



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width, and improvement to accommodate prospective traffic and afford satisfactory access to police, firefighting, snow removal, sanitation, and road maintenance equipment, and to coordinate roads so as to compose a convenient system and avoid undue hardships to adjoining properties, the following design standards for roads are required (Road classification may be indicated on the General Plan, or Official Map; otherwise, it shall be determined by the Planning and Zoning Commission).

**TABLE 1. DESIGN STANDARDS FOR ROADS DEVELOPMENT DENSITY**

Road Type	Residential			Business-Industrial
	Low	Medium	High	
<b>Minimum Width Right-of-Way (in feet)</b>				
Local Road	50	50	60	50
Collector Road	50	60	70	60
Secondary Arterial	60	80	80	80
Primary Arterial	80	80	100	100
<b>Maximum Grade (Per Cent)</b>				
Local Road	10	10	8	6
Collector Road	8	8	8	6
Secondary Arterial	6	6	6	5
Primary Arterial	6	6	6	5
<b>Minimum Grade</b>	.5	.5	.5	.5
<b>Minimum Radius of Curve (in feet)</b>				
Local Road	100	100	100	200
Collector Road	100	100	100	200
Secondary Arterial	300	300	300	400
Primary Arterial	500	500	500	500
<b>Minimum Length of Vertical Curves</b>				
Local Road	100 feet, but not less than 20 feet for each.			
Collector Road	Algebraic difference in grade.			
Secondary Arterial	200 feet, but not less than 50 feet for each 1 per cent.			
Primary Arterial	300 feet, but not less than 50 feet for each algebraic difference in grade.			
<b>Minimum Length of Tangents Between Reserve Curves (in feet)</b>				
Local Road	100	100	150	200
Collector Road	100	100	150	200
Secondary Arterial	200	200	250	300
Primary Arterial	300	300	350	400

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<b>TABLE 1. (Cont.) DESIGN STANDARDS FOR ROADS DEVELOPMENT DENSITY</b>				
<b>Road Type</b>	<b>Residential</b>			<b>Business-Industrial</b>
	<b>Low</b>	<b>Medium</b>	<b>High</b>	
<b>Minimum Sight Distance (in feet)</b>				
Local Road	200	200	200	250
Collector Road	200	240	240	250
Secondary Arterial	275	275	300	300
Primary Arterial	275	300	300	400
Intersection - Across Corners - 75 feet Back from Intersection				
<b>Minimum Turnaround (in feet)</b>				
Local Roads Right of Way Diameter	120	120	140	160
Pavement	100	100	120	140
Center Island Diameter (if required)	40	40	50	60
<b>Design Speed (Miles Per Hour)</b>				
Local Road	25	30	30	30
Collector Road	30	35	35	35
Secondary Arterial	40	40	40	40
Primary Arterial	40	40	40	50
<b>Minimum Length of Cul-De-Sec</b>				
Permanent	Six times minimum lot width, serving no more than fourteen (14) families and not exceeding 500 feet in length.			
Temporary	Twelve times minimum lot width, serving no more than twenty-five (25) families and not exceeding 1,000 feet in length.			
<b>Minimum Radius (in feet)</b>				
At Right-of-Way	30	30	30	30

- b. **ROAD SURFACING AND IMPROVEMENTS.**  
 After sewer and water utilities have been installed by the developer, the applicant shall construct curbs and gutters and shall surface or cause to be surfaced, roadways to the widths prescribed in these regulations. Said surfacing shall be of such character as is suitable for the expected traffic and in harmony with similar improvements in the surrounding areas. Types of pavement shall be as determined by the City Engineer. Adequate provision shall be made for culverts, drains, and bridges. All road pavement, shoulders, drainage improvements and structures, curbs, turnarounds, and sidewalks shall conform to all construction standards and specifications adopted by the

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Planning and Zoning Commission, City Engineer, or City Council and shall be incorporated into the construction plans required to be submitted by the developer for plat approval.

- c. **EXCESS RIGHT-OF-WAY.**  
Right-of-way widths in excess of the standards designated in these regulations shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes. Such slopes shall not be in excess of three to one.
- d. **RAILROADS AND LIMITED ACCESS HIGHWAYS.**  
Railroad right-of-way and limited access highways where so located as to affect the subdivision of adjoining lands shall be treated as follows:
  - 1. In residential districts a buffer strip; at least 25 feet in depth in addition to the normal depth of the lot required in the district shall be provided adjacent to the railroad right-of-way or limited access highway. This strip shall be part of the platted lots and shall be designated on the plat: "This strip is reserved for screening. The placement of structure hereon is prohibited."
  - 2. In districts zoned for business, commercial, or industrial uses the nearest street extending parallel or approximately parallel to the railroad shall, wherever practicable, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial sites.
  - 3. Streets parallel to the railroad when intersecting a street which crosses the railroad at grade shall, to the extent practicable, be at a distance of at least 150 feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.
- e. **INTERSECTIONS.**
  - 1. Streets shall be laid out so as to intersect as

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nearly as possible at right angles. A proposed intersection of (2) new streets at an angle of less than seventy-five (75) degrees shall not be acceptable. An oblique street should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet therefrom. Not more than two (2) streets shall intersect at any one point unless specifically approved by the Planning and Zoning Commission.

2. Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersections on the opposite side of such street. Street jobs with center-line offsets of less than 150 feet shall not be permitted, except where the intersected street has separated dual drives without median breaks at either intersection. Where streets intersect major streets, their alignment shall be continuous. Intersection of major streets shall be at least eight hundred (800) feet apart.
3. Minimum curb radius at the intersection of two (2) local streets shall be at least twenty (20) feet; and minimum curb radius at an intersection involving a collector street shall be at least twenty-five (25) feet. Alley intersections and abrupt changes in alignment within a block shall have the corners cut off in accordance with standard engineering practice to permit safe vehicular movement.
4. Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than a two percent (2%) rate at a distance of sixty (60) feet, measured from the nearest right-of-way line of the intersecting street.
5. Where any street intersection will involve

earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way to the extent deemed necessary to provide an adequate sight distance.

6. The cross-slopes on all streets, including intersections, shall be three per cent (3%) or less.

f. BRIDGES.

Bridges of primary benefit to the applicant, as determined by the Planning and Zoning Commission, shall be constructed at the full expense of the applicant without reimbursement from the City. The sharing expense for the construction of bridges not of primary benefit to the applicant as determined by the Planning and Zoning Commission, will be fixed by special agreement between the City Council and the applicant. Said cost shall be charged to the applicant pro rata as the percentage of his land developed and so served.

3. ROAD DEDICATION AND RESERVATIONS.

a. NEW PERIMETER STREETS.

Street systems in new subdivisions shall be laid out so as to eliminate or avoid new perimeter half-streets. Where an existing half-street is adjacent to a new subdivision, the other half of the street shall be improved and dedicated by the sub-divider. The Planning and Zoning Commission may authorize a new perimeter street where the sub-divider improves and dedicates the entire required street right-of-way width within his own subdivision boundaries.

b. WIDENING AND REALIGNMENT OF EXISTING ROADS. Where a subdivision borders an existing narrow road or when the General Plan, Official Map, or zoning setback regulations indicate plans for realignment or widening a road that would require use of some of the land in the subdivision, the applicant shall be required to improve and

dedicate at his expense such areas for widening or realignment of such roads. Such frontage roads and streets shall be improved and dedicated by the applicant at his own expense to the full width as required by these subdivision regulations. Land reserved for any road purposes may not be counted in satisfying yard or area requirements of the Zoning Ordinance whether the land is to be dedicated to the municipality in fee simple or an easement is granted to the City.

### Section 14-4-4 DRAINAGE AND STORM SEWERS.

#### 1. GENERAL REQUIREMENTS.

The Planning and Zoning Commission shall not recommend for approval any plat of subdivision which does not make adequate provision for storm or flood water runoff channels or basins. The storm water drainage system shall be separate and independent of any sanitary sewer system. Storm sewers, where required, shall be designed by the Rational Method using a storm return period of ten (10) years, or other methods as approved by the Planning Commission, and a copy of design computations shall be submitted along with plans. Inlets shall be provided so that surface water is not carried across or around any intersection, nor for a distance of more than six hundred (600) feet in the gutter. When calculations indicate that curb capacities are exceeded at a point, no further allowance shall be made for flow beyond that point, and basins shall be used to intercept flow at that point. Surface water drainage patterns shall be shown for each and every lot and block.

#### 2. NATURE OF STORM WATER FACILITIES.

##### a. LOCATION.

The applicant may be required by the Planning and Zoning Commission to carry away by pipe or open ditch any spring or surface water that may exist either previously to, or as a result of the subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easements of appropriate width, and shall be constructed in accordance with the construction standards and specifications.

##### b. ACCESSIBILITY TO PUBLIC STORM SEWERS.

1. Where a public storm sewer is accessible, the applicant shall install storm sewer

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facilities, or if no outlets are within a reasonable distance, adequate provision shall be made for the disposal of storm water, subject to the specifications of the City Engineer. However, in subdivisions containing lots less than 15,000 square feet in area and in business and industrial districts, underground storm sewer systems shall be constructed throughout the subdivisions and be conducted to an approved out-fall. Inspection of facilities shall be conducted by the City Engineer.

2. If a connection to a public storm sewer will be provided eventually, as determined by the City Engineer and the Planning and Zoning Commission, the developer shall make arrangements for future storm water disposal by a public utility system at the time the plat receives final approval. Provision for such connection shall be incorporated by inclusion in the performance bond required for the subdivision plat.
- c. **ACCOMMODATION OF UPSTREAM DRAINAGE AREAS.** A culvert or other drainage facility shall in each case be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. The City Engineer shall determine the necessary size of the facility, based on the provisions of the construction standards and specifications assuming conditions of maximum potential watershed development permitted by the Zoning Ordinance.
- d. **EFFECT ON DOWNSTREAM DRAINAGE AREAS.** The City Engineer shall also study the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision. City drainage studies together with such other studies as shall be appropriate, shall serve as a guide to needed improvements. Where it is anticipated that the additional runoff incident to the developing of the subdivision will overload an existing downstream drainage facility, the Planning and Zoning Commission may withhold approval of the

subdivision until provision has been made for the improvement of said potential condition in such sum as the Planning and Zoning Commission shall determine. No subdivision shall be approved unless adequate drainage will be provided to an adequate drainage watercourse or facility.

e. **AREAS OF POOR DRAINAGE.**

Whenever a plat is submitted for an area which is subject to flooding, the Planning and Zoning Commission may approve such subdivision provided that the applicant fills the affected area of such subdivision to an elevation sufficient to place the elevation of streets and lots at a minimum of twelve (12) inches above the elevation of the maximum probable flood, as determined by the City Engineer. The plat of such subdivision shall provide for an overflow zone along the back of any stream or watercourse, in a width which shall be sufficient in times of high water to contain or move the water, and no fill shall be placed in the overflow zone nor shall any structure be erected or placed therein. The boundaries of the overflow zone shall be subject to approval by the City Engineer. Areas of extremely poor drainage should be discouraged.

f. **FLOOD PLAIN AREAS.**

The Planning and Zoning Commission, may when it deems it necessary for the health, safety, or welfare of the present and future population of the area and necessary to the conservation of water, drainage, and sanitary facilities, prohibit the subdivision of any portion of the property which lies within the flood plain of any stream or drainage course. These flood plain areas shall be preserved from any and all destruction or damage resulting from clearing, grading, or dumping of earth, waste material, or stumps, except at the discretion of the Planning and Zoning Commission.

3. **DEDICATION OF DRAINAGE EASEMENTS.**

a. **GENERAL REQUIREMENTS.**

Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction or



both as will be adequate for the purpose. Wherever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks and adequate width for maximum potential volume of flow.

- b. DRAINAGE EASEMENTS.
  - 1. Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, perpetual unobstructed easements at least fifteen (15) feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be indicated on the plat. Drainage easements shall be carried from the road to a natural watercourse or to other drainage facilities.
  - 2. When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the plat.
  - 3. The applicant shall dedicate, either in fee or by drainage or conservation easement of land on both sides of existing watercourses, to a distance to be determined by Planning and Zoning Commission.
  - 4. Low-lying lands along watercourses subject to flooding or overflowing during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage ways. Such land or lands subject to periodic flooding shall not be computed in determining the number of lots to be utilized for average density procedure nor for computing the area requirements of any lot.

### Section 14-4-5 WATER FACILITIES.

- 1. GENERAL REQUIREMENTS.
  - a. Necessary action shall be taken by the applicant to extend or create a water-supply district for the purpose of providing a water-supply system capable of providing domestic water use and fire

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protection.

- b. Where a public water main is accessible the subdivider shall install adequate water facilities (including fire hydrants) subject to the specifications of the State or local authorities. All water mains shall be at least eight (8) inches in diameter.
- c. Water main extensions shall be approved by the officially designated agency of the State or City.
- d. To facilitate the above, the location of all fire hydrants, all water supply improvements, and the boundary lines of proposed districts, indicating all improvements proposed to be served, shall be shown on the preliminary plat, and the cost of installing same shall be included in the performance bond to be furnished by the developer.

### 2. INDIVIDUAL WELLS AND CENTRAL WATER SYSTEMS.

- a. In low-density zoning districts, in the discretion of the Planning and Zoning Commission, if a public water system is not available, individual wells may be used or a central water system provided in such a manner that an adequate supply of potable water will be available to every lot in the subdivision. Water samples shall be submitted to the Health Department for its approval, and individual wells and central water systems shall be approved by the appropriate health authorities. Orders of approval shall be submitted to the Planning and Zoning Commission.
- b. If the Planning and Zoning Commission requires that a connection to a public water main be eventually provided as a condition to approval of an individual well or central water system, the applicant shall make arrangements for future water service at the time the plat received final approval. Performance or cash bonds may be required to insure compliance.

### 3. FIRE HYDRANTS.

Fire hydrants shall be required for all subdivisions except those coming under Section 4.5(2). Fire hydrants shall be located no more than 500 feet apart and within 250 feet of

any structure and shall be approved by the applicable protection unit. To eliminate future street openings, all underground utilities for fire hydrants, together with the fire hydrants themselves and all other supply improvements shall be installed before any final paving of a street shown on the subdivision plat.

### Section 14-4-6 SEWERAGE FACILITIES.

#### 1. GENERAL REQUIREMENTS.

The applicant shall install sanitary sewer facilities in a manner prescribed by the City construction standards and specifications. All plans shall be designed in accordance with the rules, regulations, and standards of the City Engineer, Health Department, and other appropriate agency. Plans shall be approved by the above agencies. Necessary action shall be taken by the applicant to extend or create a sanitary sewer district for the purpose of providing sewerage facilities to the subdivision, where no district exists for the land to be subdivided.

#### 2. HIGH-DENSITY RESIDENTIAL AND NONRESIDENTIAL DISTRICTS. Sanitary sewerage facilities shall connect with public sanitary sewerage systems. Sewers shall be installed to serve each lot and to grades and sizes required by approving officials and agencies. No individual disposal system or treatment plants (private or group disposal systems) shall be permitted. Sanitary sewerage facilities (including the installation of laterals in the right-of-way) shall be subject to the specifications, rules, regulations, and guidelines of the Health Officer, City Engineer, and appropriate State Agency.

#### 3. LOW AND MEDIUM-DENSITY RESIDENTIAL DISTRICTS. Sanitary sewerage systems shall be constructed as follows:

a. Where a public sanitary sewerage system is reasonable accessible the applicant shall connect with same and provide sewers accessible to each lot in the subdivision.

b. Where public sanitary sewerage systems are not reasonably accessible but will become available within a reasonable time (not to exceed fifteen (15) years), the applicant may choose one of the following alternatives:

1. Central Sewerage System, the maintenance

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cost to be assessed against each property benefited. Where plans for future public sanitary sewerage systems exist, the applicant shall install the sewer lines, laterals, and mains to be in permanent conformance with such plans and ready for connection to such public sewer mains; or

2. Individual disposal systems, provided the applicant shall install sanitary sewer lines, laterals, and mains from the street curb to point in the subdivision boundary where a future connection with the public sewer main shall be made. Sewer lines shall be laid from the house to the street line, and a connection shall be available in the home to connect from the individual disposal system to the sewer system when the public sewers become available. Such sewer systems shall be capped until ready for use and shall conform to all plans for installation of the public sewer system, where such exist, and shall be ready for connection to such public sewer main.
- c. Where sanitary sewer systems are not reasonably accessible as defined by the City Engineer, and will not become available for a period in excess of fifteen (15) years, the applicant may install sewerage systems as follows:
  1. **MEDIUM-DENSITY RESIDENTIAL DISTRICTS**  
A central sewerage system only. No individual disposal system will be permitted. Where plans exist for a public sewer system to be built, for a period in excess of fifteen (15) years, the applicant shall install all sewer lines, laterals, and mains to be in permanent conformance with such plans and ready for connection to such public sewer main.
  2. **LOW-DENSITY RESIDENTIAL DISTRICT.**  
Individual disposal systems or central sewerage systems shall be used.
4. **MANDATORY CONNECTION TO PUBLIC SEWER SYSTEM.**  
If a public sanitary sewer is accessible and a sanitary sewer is

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placed in a street or alley abutting upon property, the owner thereof shall be required to connect to said sewer for the purpose of disposing of waste, and it shall be unlawful for any such owner or occupant to maintain upon any such property an individual sewage disposal system.

5. **INDIVIDUAL DISPOSAL SYSTEM REQUIREMENTS.**

If public sewer facilities are not available and individual disposal systems are proposed, minimum lot areas shall conform to the requirements of the Zoning Ordinance and percolation tests and test holes shall be made as directed by the City Health Officer and the results submitted to the Health Department. The individual disposal system, including the size of the septic tanks and size of the tile fields or other secondary treatment device, shall also be approved by the Health Officer.

6. **DESIGN CRITERIA FOR SANITARY SEWERS.**

a. These design criteria are not intended to cover extraordinary situations. Deviations will be allowed and may be required in those instances where considered justified by the City Engineer.

b. **DESIGN FACTORS.**

Sanitary sewer systems should be designed for the ultimate tributary population. Due consideration should be given to current zoning regulations and approved planning and zoning reports where applicable. Sewer capacities should be adequate to handle the anticipated maximum hourly quantity of sewerage and industrial waste together with an adequate allowance for infiltration and other extraneous flow. The unit design flows presented hereinafter should be adequate in each case for the particular type of development indicated. Sewer shall be designed for the total tributary area using the following criteria:

One and Two Family Dwellings	.02 cubic feet per second c.f.s. / acre.
Apartments – One and Two Story	.02 c.f.s. / acre
Apartments – Three through Six Stories	.03 c.f.s. / acre
Commercial Small Stores, Offices and Miscellaneous Business	.02 c.f.s./acre
Shopping Centers	.02 c.f.s./acre

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High Rise	As directed by City Engineer
Industrial	As directed by City Engineer

These design factors shall apply to watersheds of 300 acres or less. Design factors for watersheds larger than 300 acres and smaller than 1,000 acres shall be computed on the basis of a linear decrease from the applicable design factor for an area of 300 acres to a design factor of .01 c.f.s. / acre for an area of 1,000 acres unless otherwise directed by the City Engineer. Design factors for watersheds Larger than 1,000 acres shall be .01 c.f.s. / acre unless otherwise directed by the City Engineer.

- c. **MAXIMUM SIZE.**  
The diameter of sewer proposed shall not exceed the diameter of the existing or proposed outlet, whichever is applicable, unless otherwise approved by the City Engineer.
- d. **MINIMUM SIZE.**  
No public sewer shall be less than eight (8) inches in diameter.
- e. **MINIMUM SLOPE.**  
All sewers shall be designed to give mean velocities when flowing full of not less than 2.0 feet per second. All velocity and flow calculations shall be based on the Manning Formula using an N value of 0.013.

<b>TABLE 2. MINIMUM SLOPES FOR SEWER SIZE INDICATED</b>	
Sewer Size (in Inches)	Minimum Slope in Feet Per 100 Feet
8	0.40
10	0.28
12	0.22
15	0.15
18	0.12
21	0.10
24	0.08

- f. **ALIGNMENT.**  
All sewers shall be laid with straight alignment between

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manholes, unless otherwise directed or approved by the City Engineer.

- g. **MANHOLE LOCATION.**  
Manholes shall be installed at the end of each line; at all changes in grade, size, or alignment; at all intersections; and at distances not greater than 400 feet for sewers 15 inches and smaller, and 500 feet for sewers 18 inches in diameter and larger.
- h. **MANHOLES.**  
The difference in elevation between any incoming sewer and the manhole invert shall not exceed 12 inches except where required to match crowns. The use of drop manholes will require approval by the City Engineer. The minimum inside diameter of the manholes shall conform to those specified by the City Engineer. Inside drop manholes will require special considerations; however, in no case shall the minimum clear distance be less than that indicated above. When a smaller sewer joins a larger one, the crown of the smaller sewer shall not be lower than that of the larger one. The minimum drop through manholes shall be 0.2 feet.
- i. **SEWERAGE LOCATIONS.**  
Sanitary sewers shall be located within street or alley rights-of-way unless topography dictates otherwise. When located in easements on private property, access shall be to all manholes. A manhole shall be provided at each street or alley crossing. End lines shall be extended to provide access from street or alley right-of-way where possible. Imposed loading shall be considered in all locations. Not less than four (4) feet of cover shall be provided over top of pipe in street and alley right-of-ways or three (3) feet in all other areas.
- j. **CLEAN OUTS AND LAMP HOLES.**  
Lamp holes will not be permitted. Clean outs will be permitted.
- k. **WATER SUPPLY / INTERCONNECTIONS.**  
There shall be no physical connection between a public or private potable water supply system and a sewer which will permit the passage of any sewage or polluted water into the potable supply. Sewers shall be kept removed from water supply wells or other water

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supply sources and structures.

- I. RELATION OF SEWERS TO WATER MAINS.  
A minimum horizontal distance of ten (10) feet shall be maintained between parallel water and sewer lines. At points where sewers cross water mains, the sewer shall be constructed of cast iron pipe or encased in concrete for a distance of ten (10) feet in each direction from the crossing, measured perpendicular to the water line. This will not be required when the water main is at least two (2) feet above the sewer.

### Section 14-4-7 SIDEWALKS.

1. REQUIRED IMPROVEMENTS.
  - a. Sidewalks shall be included within the dedicated non pavement right-of-way of all roads as shown in Table 3.
  - b. Concrete curbs are required for all roads where sidewalks are required by these regulations or where required in the discretion of the Planning and Zoning Commission.
  - c. Sidewalks shall be improved as required in Section 14-4-3 (2)(b) of these regulations. A median strip of grassed or landscaped areas at least two (2) feet wide may be required to separate all sidewalks from adjacent curbs.
2. PEDESTRIAN ACCESSES.  
The Planning and Zoning Commission may require, in order to facilitate pedestrian access from the roads to schools, parks, playgrounds, or other nearby roads, perpetual unobstructed easements at least twenty (20) feet in width. Easements shall be indicated on the plat.
3. SIDEWALKS REQUIRED.
  - a. LOCAL ROAD. Sidewalks are optional, but where provided, 5 feet minimum on either side of road with concrete curbs.
  - b. COLLECTOR, SECONDARY AND PRIMARY ARTERIALS. Sidewalks with 5 feet minimum on both sides of the road with concrete curbs are required on all streets, and in front of lots of ½ acre or less.

### Section 14-4-8 UTILITIES.

1. LOCATIONS.



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All utility facilities, including but not limited to gas, electric power, telephone, and CATV cables, shall be located underground throughout the subdivision. Wherever existing utility facilities are located above ground, except where existing on public roads and rights-of-way, they shall be removed and placed underground. All utility facilities existing and proposed throughout the subdivision shall be shown on the preliminary plat. Underground service connections to the street property line of each platted lot shall be installed at the sub-divider's expense. At the discretion of the Planning and Zoning Commission, the requirement for service connections to each lot may be waived in the case of adjoining lots to be retained in single ownership and intended to be developed for the same primary use.

#### 2. EASEMENTS.

- a. Easements centered on rear lot lines shall be provided for utilities (private and municipal), such easements shall be at least ten (10) feet wide. Proper coordination shall be established between the sub divider and the applicable utility companies for the establishment of utility easements established in adjoining properties.
- b. Where topographical or other conditions are such as to make impractical the inclusion of utilities within the rear lot lines, perpetual unobstructed easements at least ten (10) feet in width shall be provided along sides lot lines with satisfactory access to the road or rear lot lines. Easements shall be indicated on the plat.

#### Section 14-4-9 PUBLIC USES.

##### 1. PARKS, PLAYGROUNDS, AND RECREATION AREAS.

###### a. RECREATION STANDARDS.

The Planning and Zoning Commission shall require that land be reserved for parks and playgrounds or other recreation purposes in locations designated on the General Plan or otherwise where such reservations would be appropriate. Each reservation shall be of suitable size, dimension, topography, and general character and shall have adequate road access, for the particular purposes envisioned by the Planning and Zoning Commission. The area shall be shown and marked on the plat, "Reserved for Park and/or Recreation Purposes." When recreation areas are required, the Planning and Zoning Commission shall determine the number of acres to be reserved as shown in Table 3, which has been prepared on the

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basis of providing three (3) acres of recreation area for every one hundred (100) dwelling units. The Planning and Zoning Commission may refer such proposed reservations to the City official or department in charge of parks and recreation for recommendation. The developer shall dedicate all such recreation areas to the City as a condition of final subdivision plat approval.

1. MULTIFAMILY AND HIGH-DENSITY RESIDENTIAL. The Planning and Zoning Commission shall determine the acreage for reservation based on the number of dwelling units per acre to occupy the site as permitted by the Zoning Ordinance

Size of Single-Family Lots	Percentage of Total Land in Subdivision to be Reserved for Recreation Purposes
80,000 & greater S.F.	1.5 per cent
50,000 S.F.	2.5 per cent
40,000 S.F.	3.0 per cent
35,000 S.F.	3.5 per cent
25,000 S.F.	5.0 per cent
15,000 S.F. or less	8.0 per cent

- b. TOTAL LAND AREA. The reservation of park and recreation lands requirement shall only apply to developments having a total land area of at least 4 acres.
- c. MINIMUM SIZE OF PARK AND PLAYGROUND RESERVATIONS. In general, land reserved for recreation purposes shall have an area of at least four (4) acres. When the percentages from the table above would create less than four (4) acres, the Commission may require that the recreation area be located at a suitable place on the edge of the subdivision so that additional land may be added at such time as the adjacent land is subdivided. In no case shall an area of less than two (2) acres be reserved for recreation purposes if it will be impractical or impossible to secure additional lands in order to increase its area. Where

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recreation land in any subdivision is not reserved, or the land reserved is less than the percentage in Section 14-4-9 (1)(a) the provisions of Section 14-4-9(1)(e) shall be applicable.

- d. **RECREATION SITES.** Land reserved for recreation purposes shall be of a character and location suitable for use as a playground, play field, or for other recreation purposes, and shall be relatively level and dry; and shall be improved by the developer to the standards required by the Planning and Zoning Commission, which improvements shall be included in the performance bond. A recreation site shall have a total frontage on one (1) or more streets of at least two hundred (200) feet, and no other dimension of the site shall be less than two hundred (200) feet in depth. The Planning and Zoning Commission may refer any subdivision proposed to contain a dedicated park to the City official or department in charge of parks and recreation for a recommendation. All land to be reserved for dedication to the local government for park purposes shall have prior approval of the City Council and shall be shown marked on the plat "Reserved for Park and/or Recreational Purposes."
- e. **ALTERNATIVE PROCEDURE: MONEY IN LIEU OF LAND.** Where, with respect to a particular subdivision, the reservation of land required pursuant to this section does not equal the percentage of total land required to be reserved in Section 14-4-9 (1)(a), the Planning and Zoning Commission shall require, prior to final approval of the subdivision plat, that the applicant deposit with City Council a cash payment in lieu of land reservation. Such deposit shall be placed in a Neighborhood Park and Recreation Improvement Fund to be established by the City Council. Such deposit shall be used by the City for improvement of a neighborhood park, playground, or recreation area including the acquisition of property. Such deposit must be used for facilities that will be actually available to and benefit the persons in said subdivision and be located in the general neighborhood of subdivision. The Planning and Zoning Commission shall determine the amount to be deposited, based on the formula outlined in the fee schedule.
- f. **APPLICABILITY TO LAND UTILIZING AVERAGE**

DENSITY. Any subdivision plat in which the principle of average density of flexible zoning has been utilized shall not be exempt from the provisions of this section, except as to such portion of land which is actually dedicated to the City for park and recreation purposes. If no further area, other than the area to be reserved through averaging, is required by the Planning and Zoning Commission, the full fee shall be paid as required in Section 14-4-9 (1)(e). If further land is required for reservation, apart from that reserved by averaging, credit shall be given as provided by Section 14-4-9 (1)(e).

- g. OTHER RECREATION RESERVATIONS.  
The provisions of this section are minimum standards. None of the paragraphs above shall be construed as prohibiting a developer from reserving other land for recreation purposes in addition to the requirements of this section.

2. OTHER PUBLIC USES.

a. PLAT TO PROVIDE FOR PUBLIC USES.

Except when an applicant utilized planned unit development or density zoning in which land is set aside by the developer as required by the provision of the Zoning Ordinance, whenever a tract to be subdivided includes a school, recreation uses (in excess of the requirements of Section 14-4-9(1), or other public use as indicated on the General Plan or any portion thereof, such space shall be suitably incorporated by the applicant into his concept plat. After proper determination of its necessity by the Planning and Zoning Commission and the appropriate land government official or other public agency involved in the acquisition and use of each such site and an determination has been made to acquire the site by the public agency, the site shall be suitably incorporated by the applicant into the preliminary and final plats.

b. REFERRAL TO PUBLIC BODY.

The Planning and Zoning Commission shall refer the concept plat to the public body concerned with acquisition for its consideration and report. The Planning and Zoning Commission may propose alternate areas for such acquisition and shall allow the public body or agency 30 days for reply. The agency's

recommendation, if affirmative, shall include a map showing the boundaries and area of the parcel to be acquired and an estimate of the time required to complete the acquisition.

- c. **NOTICE OF PROPERTY OWNER.**  
Upon a receipt of an affirmative report the Planning and Zoning Commission shall notify the property owner and shall designate on the preliminary and final plats that area proposed to be acquired by the public body.
- d. **DURATION OF LAND RESERVATION.**  
The acquisition of land reserved by a public agency on the final plat shall be initiated within 12 months of notification, in writing, from the owner that he intends to develop the land. Such letter of intent shall be accompanied by a concept plat of the proposed development and a tentative schedule of construction. Failure on the part of the public agency to initiate acquisition within the prescribed twelve (12) months shall result in the removal of the "reserved" designation from the property involved and the freeing of the property for development in accordance with these regulations.

### **Section 14-4-10 PRESERVATION OF NATURAL FEATURES AND AMENITIES.**

1. **GENERAL.**  
Existing features which would add value to residential development or to the City as a whole, such as trees, as herein defined, watercourses, historic spots, and similar irreplaceable assets, shall be preserve in the design of the subdivision. No trees shall be removed from any subdivision nor any change of grade of the land effected until approval of the preliminary plat has been granted. All trees on the plat required to be retained shall be preserved, and all trees where required shall be welled and protected against change of grade. The concept plat shall show the number and location of existing trees, as required by these regulations and shall further indicate all those marked for retention, and the location of all proposed shade trees required along the street side of each lot as required by these regulations.
2. **SHADE TREES PLANTED BY DEVELOPER.**
  - a. As a requirement of subdivision approval the applicant shall plant shade trees on the property of the subdivision. Such trees are to be planted within five (5)

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feet of the right-of-way of the road or roads within and abutting the subdivision, or, at the discretion of the Planning and Zoning Commission, within the right-of-way of such roads. One (1) tree shall be planted for every forty (40) feet of frontage along each road unless the Planning and Zoning Commission, upon recommendation of the City Engineer, shall grant a waiver. Such waiver shall be granted only if there are trees growing along such right-of-way or on the abutting property which in the opinion of the Planning and Zoning Commission comply with these regulations.

- b. New trees to be provided pursuant to these regulations shall be approved by the City Engineer and shall be planted in accordance with the regulations of City Engineer. Such trees shall have a minimum trunk diameter (measured twelve (12) inches above ground level) of not less than one (1) inch. Only Oak, Honey Locust, Hard Maples, Ginkgo, or other long-lived shade trees, acceptable to the City Engineer and to the Planning and Zoning Commission, shall be planted.

#### 3. SHADE TREE EASEMENT AND DEDICATION.

The preliminary plat and final plat shall serve an easement authorizing the City to plant shade trees within five (5) feet of the required right-of-way of the City. No street shall be accepted for dedication until the City Engineer shall inform the Planning and Zoning Commission and the City Council that compliance, where necessary, has been made with these regulations.

#### Section 14-4-11 NONRESIDENTIAL SUBDIVISIONS.

##### 1. GENERAL.

- a. If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision with respect to such land shall make such provisions as the Planning and Zoning Commission may require.
- b. A nonresidential subdivision shall also be subject to all the requirements of the site plan approval set forth in the Zoning Ordinance. Site plan approval and nonresidential subdivision plat approval may proceed simultaneously at the discretion of the Planning and Zoning Commission. A nonresidential subdivision shall be subject to all the requirements of these regulations, as well as such additional standards required by the

Planning and Zoning Commission, and shall conform to the proposed land use and standards established in the General Plan, Official Map, and Zoning Ordinance.

2. STANDARDS.

In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Commission that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed.

- a. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
- b. Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
- c. Special requirements may be imposed by the City with respect to street, curb, gutter, and sidewalk design and construction.
- d. Special requirements may be imposed by the City with respect to the installation of public utilities, including water, sewer, and storm water drainage.
- e. Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
- f. Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

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### Section 14-5 SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED.

#### Subsections

- 14-5-1 Concept Plat.
- 14-5-2 Preliminary Plan.
- 14-5-3 Construction Plans.
- 14-5-4 Final Subdivision Plat.

#### Section 14-5-1 CONCEPT PLAT.

Concept plats submitted to the Planning and Zoning Commission, 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.

1. 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 plat previously recorded.
  - c. Name of property if no subdivision name has been chosen. (This is commonly the name by which the property is locally known.)
2. OWNERSHIP.
  - a. Name and address, including telephone number, of legal owner or agent of property, and citation of last instrument conveying title to each parcel of property involved in the proposed subdivision, giving grantor, grantee, date, and land records reference.
  - b. Citation of any existing legal rights-of-way or easements affecting the property.
  - c. Existing covenants on the property, if any.
  - d. Name and address, including telephone number, of the professional person(s) responsible for subdivision design, for the design of public improvements, and for surveys.
3. DESCRIPTION.

Location of property by government lot, section, township, range and county, graphic scale, north arrow, and date.



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4. FEATURES.
  - a. Location of property lines, existing easements, burial grounds, railroad right-of-way, watercourses, 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 adjoining property owners from the latest assessment rolls within five hundred (500) feet of any perimeter boundary of the subdivision.
  - b. Location, size, elevations, and slopes of existing sewers, water mains, culverts, and other underground structures within the tract and immediately adjacent thereto; existing permanent building and utility poles on or immediately adjacent to the site and utility rights-of-way.
  - c. Approximate topography, at the same scale as the concept plat.
  - 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, dimensions, and areas of all proposed or existing lots.
  - g. The approximate location, dimensions, and area 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 Planning and Zoning Commission to find and appraise features of the concept plat in the field.
  - i. Whenever the concept plat covers only a part of an applicant's continuous holdings, the applicant shall submit, at the scale of no more than two hundred (200)

feet to the inch, a concept in pen or pencil of the proposed subdivision areas, 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 concept plat shall show all school and improvement district lines with the zones properly designated.

### Section 14-5-2 PRELIMINARY PLAT.

#### 1. GENERAL.

The preliminary plat shall be prepared by a licensed land surveyor at a convenient scale not more than one (1) inch equals one hundred (100) feet, may be prepared in pen or pencil, and the sheets shall be numbered in sequence if more than one (1) sheet is used and shall be of such size as is acceptable for filing in the office of the County Recorder, but shall not be twenty-four by thirty-six (24 x 36) inches or larger. It should be noted that the map prepared for the preliminary plat may also be used for the final subdivision plat and, therefore, should be drawn on tracing cloth or reproducible mylar; preparation in pencil will make required changes and additions easier.

#### 2. FEATURES.

The preliminary plat shall show the following:

- a. The location of property with respect to surrounding property and streets, the names of all adjoining property owners of record, or the names of adjoining developments; the names of adjoining streets.
- b. The location and dimensions of all boundary lines of the property to be expressed in feet and decimals of a foot.
- c. The location of existing streets, easements, water bodies, streams, and other pertinent features such as swamps, railroads, buildings, parks, cemeteries, drainage ditches, bridges, as determined by the Planning and Zoning Commission.
- d. The location and width of all existing and proposed streets and easements, alleys, and other public ways, and easements and proposed street rights-of-ways and

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building set-back lines.

- e. The locations, dimensions, and areas of all proposed or existing lots.
- f. The location and dimension of all property proposed to be set aside for park or playground use, or other public or private reservation, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation.
- g. The name and address of the owner or owners of land to be subdivided, the name and address of the subdivider if other than the owner, and the name of the land surveyor.
- h. The date of the map, approximate true north point, scale, and title of the subdivision.
- i. Sufficient data acceptable to the City Engineer to determine readily the location, bearing, and length of all lines, and to reproduce such lines upon the ground; the location of all proposed monuments.
- j. Names of the subdivision and all proposed new streets for approval by the Planning and Zoning Commission.
- k. Indication of the use of any lot (single-family, two-family, multi-family, townhouse) and all uses other than residential proposed by the sub-divider.
- l. All lots in each phase consecutively numbered.
- m. All information required on concept plat should also be shown on the preliminary plat, and the following notation shall also be shown.
  - 1. Explanation of drainage easements, if any.
  - 2. Explanation of site easements, if any.
  - 3. Explanation of reservations, if any.
  - 4. Endorsement of owner, as follows:

\_\_\_\_\_  
OWNER

\_\_\_\_\_  
DATE

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- n. Form for endorsements by Commission Chairman as follows:

Approved by Resolution of the Planning and Zoning Commission. \_\_\_\_\_

- o. The lack of information under any item specified herein, or improper information supplied by the applicant, shall be cause of disapproval of a preliminary plat.

### Section 14-5-3 CONSTRUCTION PLANS.

#### 1. GENERAL.

Construction plans shall be prepared for all required improvements. Plans shall be drawn at a scale of no more than one (1) inch equals fifty (50) feet, and map sheets shall be of the same size as the preliminary plat. The following shall be shown.

- a. Profiles showing existing and proposed elevations along center lines of all roads. Where a proposed road intersects an existing road or roads, the elevation along the center line of the existing road or roads within one hundred (100) feet of the intersection, shall be shown. Approximate radius of all curves, lengths of tangents, and central angles on all streets.
- b. The Planning and Zoning Commission may require, where steep slopes exist, that cross-sections of all proposed streets at one-hundred-foot stations shall be shown at five (5) 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, each property line, and points twenty-five (25) feet inside each property line.

- c. Plans and profiles showing the location and typical cross-section of street pavements including curbs and gutters, sidewalks, drainage easements, servitudes, right-of-way, manholes, and catch basins; the locations of street trees, street lighting standards, and street signs; the location, size, and invert elevations of existing and proposed sanitary sewers, storm water drains, and fire hydrants, showing connection to any existing or proposed utility systems; and exact location and size of all water, gas, or other underground utilities

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or structures.

- d. 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 Official Map or General Plan, at the point of connection to proposed facilities and utilities within the subdivision, and each tree with a diameter of eight (8) inches or more, measured twelve (12) inches above ground level. The water elevations 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.
- e. Topography of the same scale as the concept plat with a contour interval of two (2) feet, referred to sea-level datum. All datum provided shall be latest applicable U.S. Coast and Geodetic Survey datum and should be so noted on the plat.
- f. All specifications and references required by the City's construction standards and specifications, including a site-grading plan for the entire subdivision.
- g. Notation of approval as follows:

\_\_\_\_\_  
OWNER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PLANNING AND ZONING COMMISSION    DATE

- H. Title, name, address, and signature of professional engineer and surveyor, and date, including revision dates.

### Section 14-5-4. FINAL SUBDIVISION PLAT.

#### 1. GENERAL.

The final subdivision plat shall be presented in india ink on tracing cloth or reproducible mylar at the same scale and contain the same information, except for any changes or

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additions required by resolution of the Planning and Zoning Commission, as shown on the preliminary plat. The preliminary plat may be used as the final subdivision plat if it meets these requirements and is revised and in accordance with the Planning and Zoning Commission's resolution. All revision dates must be shown as well as the following:

- a. Notation of any self-imposed restrictions, and locations of any building lines proposed to be established in this manner, if required by the Planning and Zoning Commission in accordance with these regulations.
  - b. Endorsement of the County Health Department.
  - c. Lots numbered as approved by the County Assessor.
  - d. All monuments erected, corners, and other points established in the field in their proper places. The material of which the monuments, corners, or other points are made shall be noted at the representation thereof or by legend, except that lot corners need not be shown. The legend for metal monuments shall indicate the kind of metal, the diameter, length, and weight per linear foot of the monuments.
2. **PREPARATION.**  
The final subdivision plat shall be prepared by a land surveyor licensed by the state.