

CHAPTER 170

SUBDIVISION REGULATIONS

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170.01 TITLE. This chapter shall be known and cited as “Land Subdivision Regulations of the City of Leon, Iowa.” It is referred to herein as “this chapter” or “these regulations.”

170.02 PURPOSE. This chapter is to provide for the harmonious development of land within the City and in the area within one mile of any City limit line; for the coordination of streets within subdivisions with other existing or planned streets or with other features of the City plan; for adequate open spaces for traffic, recreation, light and air; and for a distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience and prosperity.

(Code of Iowa, Ch. 354)

170.03 DEFINITIONS. For the purpose of this chapter, all words shall carry their customary meanings, except as specifically defined herein:

1. “Administrative Officer” means the city official appointed by the Council to assist with the administration of this chapter.
2. “Alley” means the right-of-way providing a secondary means of access to the side or rear of those properties whose principal frontage is on some other street.
3. “Arterial street” means a public right-of-way with a high degree of continuity, which serves the movement of large volumes of traffic between various districts.
4. “Building line” means a line designating the allowable proximity of a building to an adjacent street, alley, or property line.
5. “Collector street” means a street that carries traffic from minor streets to an arterial, including the principal entrance streets of a residential development and streets for basic circulation within such a development.
6. “Commission” means the Planning and Zoning Commission of the City.
7. “Cul-de-sac” means a minor street having one open end and being permanently terminated at the other end by a vehicular turn-around.
8. “Half street” means a street bordering one or more property lines of a tract of land in which the developer has dedicated only part of the ultimate right-of-way width.

9. "Marginal access street" means a minor street that is parallel and adjacent to an arterial, and which provides access to abutting properties and protection from through traffic.
10. "Minor street" means a street of limited continuity used primarily for access to abutting properties and the local needs of a neighborhood.
11. "Pedestrian way" means a right-of-way across or within a block for use by pedestrian traffic whether designated as a pedestrian way or a crosswalk or other.
12. "Roadway" means the developed portion of a street available for vehicular traffic.
13. "Street" means a public right-of-way that affords primary means of access by pedestrians and vehicles to abutting properties.
14. "Subdivision" means the division of a parcel of land into three or more lots or parcels for the purpose of transfer of ownership or building development, or, if a new street is involved, any division of a parcel of land; provided, the division of land for agricultural purposes into lots or parcels of 10 acres or more and not involving a new street shall not be deemed a subdivision. The term includes re-subdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

(Code of Iowa, Ch. 354)

170.04 PRE-APPLICATION PROCEDURE. Before subdividing any tract of land and previous to the filing of an application for conditional approval of the preliminary plat, the subdivider should meet with the Commission to discuss the plans. Plans and data should be presented to the Commission as specified in Section 170.07 of this chapter. This step does not require formal application, fee, or filing of plat with the Commission. The purpose of the pre-application procedure is to give the subdivider an opportunity to benefit from the advice and assistance of the Commission, and to consult early and informally with the Commission before preparation of the preliminary plat and before formal application for its approval, in order to save time and money and to make the most of the subdivider's opportunities. The subdivider should also consult with parties potentially interested with the subdivider or with the ultimate users of the development, such as lending and mortgage insurance institutions, with a view to reaching, at this initial stage, firm conclusions regarding what part of the market demand should be served, the suitability of the location of the proposed subdivision, the most advantageous subdivision plan, the arrangement of streets, lots, and other features of the proposed development. The subdivider is advised to engage a land planning specialist qualified to help resolve the major factors into a workable and profitable subdivision plan. Either at the time of meeting or within 15 days after such meeting, the Commission shall inform the subdivider that the plans and data, as submitted or as modified, do or do not meet the objectives of these regulations. When the Commission finds the plans and data do not meet the objectives of these regulations, it shall express its reasons therefor.

(Code of Iowa, Ch. 354)

170.05 PRELIMINARY PLAT PROCEDURE. The procedure for the review and approval of preliminary plats is as follows.

(Code of Iowa, Ch. 354)

1. Preparation of Plat. On reaching conclusions, informally as recommended in Section 170.04 above, regarding the general program and objectives, the subdivider

shall cause to be prepared a preliminary plat, together with improvement plans and other supplementary material as specified in Section 170.08.

2. Submission of Plat. At least four prints of the preliminary plat together with four completed application forms for preliminary approval shall be submitted to the administrative officer at least two weeks prior to the Commission meeting at which consideration is desired. The administrative officer shall immediately refer two copies of said plat to the Secretary of the Commission and one copy to the City's engineer upon receipt of a preliminary plat.

3. Development of Flood Prone or Poorly Drained Land. No land shall be approved for subdivision which is subject to periodic flooding or which contains extremely poor drainage facilities. However, if the subdivider agrees to make improvements that will, in the opinion of the engineer, make the area completely safe for occupancy and provide adequate drainage, the preliminary plan may be approved.

4. Notification of Meeting. The Commission shall notify the owner or subdivider as to the time and place of the meeting at which the plat and plan will be studied. The Commission may direct that owner or subdivider attend any deliberation on the submitted plat.

5. Action by Commission. The Commission shall study and act on the preliminary plat and the engineer shall study said plat and plans in regard to street layout and the provision of water and sewage and make recommendations on these aspects to the Commission, all to be accomplished within 45 days after submission to the administrative officer. If the Commission disapproves a plat, the reasons for disapproval shall be remedied prior to further consideration. The preliminary plat shall not be approved until the plans and specifications for necessary improvements are acceptable to the engineer.

6. Action by Council. If the Commission acts favorably on a preliminary plat, a notation to that effect shall be made on the plat above the signature of the Chairperson and Secretary, and it shall be referred to the Council for action. The Council shall act within 20 days. Its action shall be noted on the plat, signed by the Mayor, attested to by the Clerk and be returned to the subdivider for compliance with final plat requirements.

7. Terms of Conditional Approval. Conditional approval of preliminary plat shall confer upon the applicant the following rights for a two-year period from the date of approval:

A. The general terms and conditions under which the preliminary approval was granted will not be changed.

B. The said applicant may submit on or before the expiration date the whole or part or parts of said plat for final approval.

170.06 FINAL PLAT PROCEDURE. The procedure for final plat review and approval is as follows:

1. Completion of Improvements. Before consideration of a final subdivision plat, the subdivider shall have installed the improvements required under this chapter or the Commission shall require the posting of adequate performance guarantees with the administrative officer to assure the installation of the required improvements within one year after final approval of the plat.

2. **Submission of Final Plat.** The final plat or in the case of large subdivisions, a final plat of part of the area covered by the approved preliminary plat, shall be submitted to the administrative officer. The original tracing, four prints and four copies of the application form for final approval shall be submitted to the administrative officer at least 14 days prior to the date of a regular Commission meeting at which action is sought. Unless the preliminary plat is approved without changes, the final plat shall have incorporated all changes or modifications required by the Commission. The final plat shall be accompanied by a statement from the engineer that said engineer has received a map showing all utilities in exact location and elevation, identifying those portions already installed, those to be installed, and that the subdivider has complied with one or a combination of the following:
 - A. Installed all improvements in accordance with the requirements of these regulations; or
 - B. A performance bond, approved by the City Attorney, has been posted with the administrative officer in sufficient amount to assure the completion of required improvements within one year after final approval of the plat. The amount of the bond shall not be less than the estimated cost of the improvement as determined by a registered professional engineer acting for the subdivider. The amount of bond shall also have the approval of the City's engineer.
3. **Action by Commission.** The administrative officer shall immediately refer two copies of said plat to the secretary of the Commission and one copy to the engineer upon receipt of a final plat. The Commission shall be assisted by the engineer's recommendations and shall act upon the final plat within 30 days after the date of submission for final approval to the administrative officer.
4. **Approval by Commission.** If approval is given, the Commission shall vote such approval on the plat over the signature of both the Chairperson and Secretary of the Commission and the Commission shall then forward the plat to the Council for final approval and acceptance of all streets, alleys, ways, easements, parks, or areas preserved for, or dedicated to, the public.
5. **Disapproval by Commission.** If the Commission does not recommend approval of the final plat of a subdivision, the Council may approve the plat and accept all streets, alleys, ways, easements, parks or areas preserved for or dedicated to the public by a unanimous favorable vote of the entire membership of the Council.
6. **Filing of Approved Final Plat.** Upon final approval, copies of the final plat shall be filed by the Council with the following:
 - A. Planning and Zoning Commission.
 - B. Administrative officer.
 - C. City's engineer.
7. **Notification and Recording.** After final approval by the Council, the Commission shall notify the owner or the subdivider, and the subdivider shall cause the plat to be filed with the County Recorder of Decatur County, Iowa, as provided by the *Code of Iowa*; and shall file satisfactory evidence of such recording in the office of the administrative officer before the City shall recognize the plat as being in full force and effect.

170.07 PRE-APPLICATION PLANS AND DATA. Pre-application plans and data requirements are as follows:

(Code of Iowa, Ch. 354 & 355)

1. **General Subdivision Information.** General subdivision information shall describe or outline the existing conditions of the site and the proposed development as necessary to supplement the drawings required below. This information may include data on existing covenants, land characteristics, and available community facilities and utilities; and information describing the subdivision proposal such as number of residential lots, typical lot width and depth, business areas, playgrounds, park areas and other public areas, proposed protective covenants and proposed utilities and street improvements.
2. **Location Map.** A location map shall show the relationship of the proposed subdivision to existing community facilities which serve or influence it. Such map shall include the development name and location; main traffic arteries; public transportation lines; shopping areas; elementary and high schools; parks and playgrounds; principal places of employment; other community features such as railroad stations, airports, hospitals and churches; title, scale, north arrow, and date.
3. **Sketch Plan.** A sketch plan on a topographic survey map shall show in simple sketch form the proposed layout of streets, lots, and other features in relation to existing conditions. The sketch plan may be a free-hand pencil sketch made directly on a print of the topographic survey. In any event, the sketch plan shall include either the existing topographic data listed in Section 170.08(1) below or such of these items of data as the Commission determines is necessary for its consideration of the proposed sketch plan.

170.08 PRELIMINARY PLAT. The following are the requirements for the preliminary plat:

1. **Topographic Data.** Topographic data required as a basis for the preliminary plat in subsection 2 below, shall include existing conditions as follows except when otherwise specified by the Commission:
 - A. **Boundary lines:** bearings and distances.
 - B. **Easements:** location, width and purpose.
 - C. **Streets on and adjacent to the tract:** name and right-of-way width and location; type, width and elevation of surfacing; any legally established centerline elevations; walks, curbs, gutters, culverts, etc.
 - D. **Utilities on and adjacent to the tract:** location, size and invert elevation of sanitary, storm and combined sewers; location and size of water mains; location of gas lines, fire hydrants, electric and telephone poles, and street lights; if water mains and sewers are not on or adjacent to the tract, indicate the direction and distance to, and size of nearest ones, showing invert elevation of sewers.
 - E. **Ground elevations on the tract, to City datum:** for land that slopes less than approximately two percent show spot elevation at all breaks in grade, along with drainage channels or swales, and at selected points not more than 100 feet apart in all directions; for land that slopes more than approximately two percent either show contours with an interval of not more than five feet if ground slope is regular and such information is sufficient for planning purposes, or show contours with an interval of not more than two feet if necessary because

of irregular land or need for more detailed data for preparing plans and construction drawings.

F. Subsurface conditions on the tract; location and results of tests made to ascertain subsurface soil, rock and ground water conditions; depth to ground water unless test pits are dry at a depth of five feet; location and results of soil percolation tests if individual sewage disposal systems are proposed.

G. Other conditions on the tract: water courses, marshes, rock out-crop, wooded areas, isolated preservable trees one foot or more in diameter, houses, barns, shacks, and other significant features.

H. Other conditions on adjacent land: approximate direction and gradient of ground slope, including any embankments or retaining walls; character and location of buildings, railroads, power lines, towers, and other nearby nonresidential land uses or adverse influences; owners of adjacent unplatted land; for adjacent platted land refer to subdivision plat by name, date of recording, and show approximate percent built-up, typical lot size, and dwelling type.

I. Photographs, if required by the Commission: camera locations, directions of views and key numbers.

J. Zoning on and adjacent to the tract.

K. Proposed public improvements: highways or other major improvements planned by public authorities for future construction on or near the tract.

L. Key plan showing location of the tract.

M. Title and certificates:

- (1) Legal description of the tract.
- (2) Proposed name of the subdivision.
- (3) Name and address of owners.
- (4) Total area of proposed subdivision.
- (5) Legend including scale, north point, datum, date.
- (6) Name of person preparing the plat.

2. Preliminary Plat. The preliminary plat shall be at a scale of 200 feet to one inch or larger (preferred scale of 100 feet to one inch). It shall show all existing conditions required in subsection 1, topographic data, and shall show all proposals including the following:

A. Streets: names; right-of-way and roadway widths; approximate grades and gradients; approximate radii of all curves and lengths of all tangents; similar data for alleys, if any.

B. Other rights-of-way or easements; location, width and purpose.

C. Location of utilities, if not shown on other exhibits.

D. Lot lines, lot numbers and block numbers.

- E. Sites, if any, to be reserved or dedicated for parks, playgrounds, or other public uses.
 - F. Sites, if any, for multifamily dwellings, shopping centers, churches, industry or other nonpublic uses exclusive of single-family dwellings.
 - G. Minimum building setback lines.
 - H. Site data, including number of residential lots, typical lot size, and acres in parks, etc.
 - I. Title, scale, north arrow, and date.
3. Other Preliminary Plans. When required by the Commission, the preliminary plat shall be accompanied by profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision; typical cross sections of the proposed grading, roadway and sidewalk; and preliminary plan of proposed water mains and sanitary and storm water sewers with grades and sizes indicated. All elevations shall be to City datum plan.
4. Draft of Protective Covenants. Draft of protective covenants whereby the subdivider proposes to regulate land use in the subdivision and otherwise protect the proposed development.

170.09 FINAL PLAT. The following are the requirements for the final plat:

1. Final Plat Information. Final plat shall be drawn in ink on tracing cloth on sheets 24 inches wide by 36 inches long and shall be at a scale of 100 feet to one inch or larger. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivisions the final plat may be submitted for approval progressively in contiguous sections satisfactory to the Commission. The final plat shall show the following:
- A. The exterior boundaries of the tract shall be accurately referenced to the original government survey of the State of Iowa.
 - B. Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way, and property lines of residential lots and other sites; with accurate dimensions, bearings or deflection angles, and radii, arcs, and central angles of all curves.
 - C. Name and right-of-way width of each street or other right-of-way.
 - D. Location, dimensions and purpose of any easements.
 - E. Number to identify each lot or site.
 - F. Purpose for which sites, other than residential lots, are dedicated or reserved.
 - G. Minimum building setback line on all lots and other sites.
 - H. Location and description of monuments.
 - I. Names of record owners.
 - J. Reference to recorded subdivision plats of adjoining platted land by record name, date and number.
 - K. Title, scale, north arrow, and date.

- L. Cross Sections and Profiles. Cross sections and profiles of streets showing grades approved by the City's engineer. The profiles shall be drawn to City standards scales and elevations and shall be based on City datum plane.
2. Accompanying Material. The following material shall be submitted with the final plat:
- A. A statement by the proprietors and their spouses, if any, that the plat is prepared with their free consent and in accordance with their desire, signed and acknowledged before an officer authorized to take the acknowledgments of deeds. The statement by the proprietors may also include a dedication to the public of all lands within the plat that are designated for streets, alleys, parks, open areas, school property, or other public use, if the dedication is approved by the Council.
- B. A statement from the mortgage holders or lienholders, if any, that the plat is prepared with their free consent and in accordance with their desire, signed and acknowledged before an officer authorized to take the acknowledgment of deeds. An affidavit and bond as provided for in Section 354.12 of the *Code of Iowa* may be recorded in lieu of the consent of the mortgage or lienholder. When a mortgage or lienholder consents to the subdivision, a release of mortgage or lien shall be recorded for any areas conveyed to the City or dedicated to the public.
- C. An opinion by an attorney-at-law who has examined the abstract of title of the land being platted. The opinion shall state the names of the proprietors and holders of mortgages, liens or other encumbrances on the land being platted and shall note the encumbrances, along with any bonds securing the encumbrances. Utility easements shall not be construed to be encumbrances for the purpose of this section.
- D. A certificate of the County Treasurer that the land is free from certified taxes and certified special assessments or that the land is free from certified taxes and that the certified special assessments are secured by bond in compliance with Section 354.12 of the *Code of Iowa*.
- E. A resolution and certificate for approval by the Council and for signatures of the Mayor and Clerk.
- F. Certification by surveyor or engineer certifying to accuracy of survey and plat.
- G. Statement by owner dedicating streets, rights-of-way and any sites for public uses.
- H. Certificate by City Engineer. A certificate by the City's engineer certifying that the subdivider has complied with one of the following alternatives:

170.10 DESIGN STANDARDS FOR STREETS. The arrangement, character, extent, width, grade and location of all streets shall conform to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such street.

1. Arrangement of Streets. The arrangement of streets in a subdivision shall either:

- A. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or
 - B. Conform to a plan for the neighborhood approved or adopted by the Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.
2. **Minor Streets.** Minor streets shall be so laid out that their use by through traffic will be discouraged.
 3. **Marginal Access Streets.** Where a subdivision abuts or contains an existing or proposed arterial street, the Commission may require marginal access streets, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection of the residential or other proposed properties and to afford separation of through and local traffic.
 4. **Railroad Right-of-Way or Limited Access Highway Right-of-Way.** Where a subdivision borders on or contains a railroad right-of-way, the Commission may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts, or for commercial or industrial purposes in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.
 5. **Reserve Strips Prohibited.** Reserve strips controlling access to streets shall be prohibited except where their control is definitely placed with the City under conditions approved by the Commission.
 6. **Street Jogs.** Street jogs with centerline offsets of less than 125 feet shall be avoided.
 7. **Reverse Curves.** A tangent at least 100 feet along shall be introduced between reverse curves on arterial and collector streets.
 8. **Deflection of Connecting Streets.** When connecting street lines deflect from each other at any one point by more than 10 degrees, they shall be connected by a curve with a radius adequate to insure a sight distance of not less than 100 feet for minor and collector streets, and of such greater radii as the Commission shall determine for special cases.
 9. **Intersecting Streets.** Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at less than 60 degrees. More than two streets intersecting at the same location shall be prohibited.
 10. **Property Lines at Street Intersections.** When the Commission finds it necessary for reasons of safety and the protection of property, property lines at street intersections shall be rounded with a radius of 15 feet or may have comparable chords in lieu of the rounded corner.

11. Street Right-of-Way. Street right-of-way widths shall be not less than as follows:

Minimum Width of Roadway Surface

Street Type	Right-of-Way	Back to Back of Curb*
State Arterial	Requirements set by the State Highway Commission	25 feet
Community Arterial	80 feet	25 feet
Collector	70 feet	25 feet
Minor	60 feet	25 feet
Cul-de-sac	60 feet	25 feet
Marginal Access	50 feet	25 feet

*Where on-street parking is to be permitted, an additional nine feet per parking lane shall be required.

12. Half Streets. Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations, and where the Commission finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Wherever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.

13. Dead-End Streets. Dead-end streets, designed to be so permanently, shall not be longer than 600 feet. Such streets shall be provided at the closed end with a turn-around having an outside roadway diameter of at least 80 feet, and a street property line diameter of at least 120 feet. The Commission may approve a T or Y type turnaround in lieu of the circular turnaround.

14. Street Names. No street names shall be used which will duplicate or be confused with the names of existing streets. Street names shall be subject to the approval of the Commission.

15. Street Grades. Street grades, wherever feasible, shall not exceed the following, with due allowance for reasonable vertical curves:

Street Type	Grade
Arterial	6 percent
Collector	8 percent
Minor	10 percent
Cul-De-Sac	10 percent
Marginal Access	8 percent

No street grade shall be less than 0.5 percent where drainage is carried within the traveled roadway.

170.11 DESIGN STANDARDS FOR ALLEYS. The following are the design standards for alleys:

1. Alleys in Commercial and Industrial Districts. Alleys shall be provided in commercial and industrial districts except that the Commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed.

2. Alleys in Residential Districts. Alleys shall not be permitted in a residential district unless deemed necessary by the Commission.
3. Alley Width. The minimum width of an alley is 20 feet.
4. Alley Intersection and Alignment. Alley intersections and sharp changes in alignment shall be avoided; but where necessary, corners shall be cut off sufficiently to permit safe vehicular movements.
5. Dead-End Alleys. Dead-end alleys shall be avoided where possible; but if unavoidable, shall be provided with adequate turnaround facilities at the dead end, as determined by the Commission.

170.12 EASEMENTS. The following are the requirements for easements.

1. Utility Easements. Easements across lots or centered on rear or side lot lines shall be provided for utilities and shall be not less than five feet in width on each side of all rear lot lines and side lot lines where necessary for poles, wires, conduits, storm sewer and sanitary sewers, gas, water and heat mains. Greater width easements may be required in some cases.
2. Storm Water Easements and Drainage Right-of-Way. 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 with the lines of such watercourse, and such further width or construction or both as will be adequate for the purpose. Parallel streets or parkways may be required in connection therewith. If it is deemed advisable by the Commission or the engineer, such watercourse or drainage may be re-established to conform with the proposed street pattern, in which case suitable storm drainage facilities shall be installed as designed and established by a registered professional engineer for the subdivider.

170.13 BLOCKS. The following are the design standards for blocks.

1. Design Considerations. The lengths, widths and shapes of blocks shall be determined with due regard to:
 - A. Provision of adequate building sites suitable to the special needs of the type of use contemplated.
 - B. Zoning requirements as to lot sizes and dimensions.
 - C. Needs for convenient access, circulation, control and safety of street traffic.
 - D. Limitations and opportunities of topography and other natural features.
2. Block Lengths. Block lengths shall not exceed 1,400 feet, or be less than 500 feet.
3. Pedestrian Crosswalks. Pedestrian crosswalks, not less than 10 feet wide, shall be required where deemed essential to provide circulation, or access to schools, playgrounds, shopping centers, transportation and other community facilities.

170.14 LOTS. The following are the design requirements for lots:

1. Lot Design Considerations. The lot size, width, slope and orientation, and the minimum setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

2. **Lot Dimensions.** Lot dimensions shall conform to the requirements of the zoning regulations and:
 - A. Residential lots where served by public sewer shall be not less than 60 feet wide at the building setback line or less than 7,200 square feet in area.
 - B. Residential lots where not served by public sewer shall be not less than 120 feet wide at the building setback line or less than 20,000 square feet in area.
3. **Off-Street Parking and Service Facilities.** Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.
4. **Access to Public Street.** The subdividing of the land shall be such as to provide by means of a public street, each lot with satisfactory access to an existing public street.
5. **Large Lot Subdivisions.** Whenever the area is divided into lots containing one or more acres and there are indications that such lots will eventually be subdivided into smaller building lots, consideration shall be given to the street and lot arrangement of the original subdivision so that additional minor streets can be opened which will permit a logical and functional arrangement of smaller lots.
6. **Double and Reverse Frontage Lots.** Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least 10 feet, and across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use.
7. **Side Lot Lines.** Side lot lines shall be substantially at right angles or radial to street lines. Side lines of lots formed by radial projections shall form a lot having no less than 20 feet across the rear property line.
8. **Corner lots for residential use shall have additional width to permit appropriate building setback from and orientation to both streets.**

170.15 PUBLIC SITES AND OPEN SPACES. The following are requirements pertaining to public sites and open spaces:

1. **Reservation of Proposed Public Sites.** Where a proposed park, playground, school, or other public use is located in whole or in part in a subdivision, the Commission may require that such area be reserved for acquisition by the City or school district for a period of one and one-half years, in those cases in which the Commission deems such requirements as reasonable.
2. **Other Reservations.** Where deemed essential by the Commission, upon consideration of the particular type of development in the subdivision and especially in large scale neighborhood unit development, the Commission may require a one and one-half-year reservation for the City's acquisition of such other areas or sites of a character, extent and location suitable to the needs created by such development for schools, parks, and other neighborhood purposes.

170.16 UTILITIES. The source of domestic water supply and type of sewage disposal shall accompany each plat for the information of the Commission, the engineer and the Council.

170.17 MONUMENTS. Required monuments are as follows:

1. Iron Monuments. Durable iron monuments shall be placed at all lot and block corners, at all angle points in any line, at each end of all curves, and at such other points as may be required by the City's engineer.
2. Monument Dimensions. The external boundaries of the subdivision, block corners, angle points and ends of curves shall be monumented in the field by iron rods or pipes at least 30 inches long and one and one-half inches in diameter.
3. Other Monument Dimensions. All lot corners and other points not referred to in subsection 2 above shall be monumented in the field by iron rods or pipes at least 24 inches long and one inch in diameter.
4. Licensed Land Surveyor to Set Monuments. All monuments shall be properly set flush with the ground by a licensed land surveyor.

170.18 STREET CONSTRUCTION. The following are the street construction requirements:

1. Roadway Pavement. The subdivider shall grade and improve all streets within the subdivision to the full right-of-way width of the street. Within all zoning districts, except the RE (Rural Estates Residential) District, roadway pavement shall be of Urban Design Standards with either full width Portland cement concrete with integral curbs or asphaltic cement concrete pavement and 30-inch Portland cement concrete curb and gutter sections.
2. Width of Roadway. The width of the roadway shall conform to the requirements of its functional classification as specified in Section 170.10(11).
3. Erosion Protection. All streets shall be sodded or seeded with grass in a manner which shall provide suitable protection from erosion over that area lying between the right-of-way lines and the back of street curbs.

170.19 SIDEWALK CONSTRUCTION. The subdivider shall install or cause to be installed sidewalks on each side of surfaced streets (for the full length of the blocks). Sidewalks shall be a minimum of four feet wide and located in the street right-of-way with the outer edge one foot from the right-of-way line.

170.20 WATER FACILITIES. Where a public water main is accessible, the subdivider shall install adequate water facilities (including fire hydrants) according to the specifications of the City's engineer and municipal water department. Proposed locations of fire hydrants shall be approved by the City's engineer and the municipal water department. If a public utility is not available, individual wells may be used, provided that construction is in accordance with Iowa Department of Health standards and that samples submitted to the Department of Health are approved for human consumption.

170.21 SEWER FACILITIES. Requirements for sewer facilities are as follows:

1. When Public Sanitary Sewer Accessible. Where a public sanitary sewer is accessible, the subdivider shall install adequate sanitary sewers (including the installation of house service lines to the street right-of-way lines) subject to the specifications of the City's engineer.
2. Location of Pumping Stations. Where sewage pumping stations are required, the location will be determined by the City's engineer. The subdivider will install the

lift station together with all required appurtenances and force main. The subdivider will be reimbursed in the proportion to which the area outside the subdivision, but served by the pumping station, bears to the total area served by the pumping station. If the subdivider connects to a sewer leading to a sewage pumping station, said subdivider will be required to pay to the City the pro rata share of the cost of the pumping station and force main according to the ratio of area the subdivision has to the total area served by the sewage pumping station.

3. **Where Public Sanitary Sewer Not Available.** Where a public sanitary sewer is not available, the minimum lot areas shall conform to the requirements of Section 170.14 of these regulations. The subdivider shall make, or cause to be made, percolation tests of the soil as required by the City's engineer. These tests shall be the basis for design of individual sanitation facilities.

4. **Future Availability.** In the future, however, if a public sanitary sewer is accessible and a sanitary sewer is placed in a street, alley or easement 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 such property an individual sewage disposal system.

170.22 STORM WATER. When a public storm sewer is accessible, the developer shall install storm sewer facilities. Where no outlets are available within a reasonable distance, adequate provision shall be made for disposal of storm water. All storm sewer design and construction shall be done in accordance with the standards and specifications of the City's engineer.

170.23 UTILITIES. Requirements for utilities are as follows:

1. **Availability of Services.** It shall be the responsibility of the subdivider to contact utility companies to determine the availability of services and to make the necessary arrangements for their installation within necessary right-of-way and easements.

2. **Design and Construction.** Public water, storm drainage, and sanitary sewer or septic system plans shall be designed by a registered professional engineer for the subdivider. The facilities shall be constructed in accordance with such plans prior to construction of buildings upon the lots, and shall be subject to supervision and approval by the City's engineer.

3. **Location and Depth.** The location and depth of all underground utilities shall be in accordance with the general utility location plan prepared by the City's engineer.

4. **Underground Installation.** Electric power and telephone utility lines shall be installed underground.

170.24 VARIANCES.

1. **Hardship.** Where the Commission finds that extraordinary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured; provided, such variation will not have the effect of nullifying the intent and purpose of these regulations.

2. **Large Scale Development.** The standards and requirements of these regulations may be modified by the Commission in the case of a plan and program for a self-contained, complete community or a neighborhood unit, which would, in the judgment

of the Commission, provide adequate public space and improvements for the circulation, recreation, light, air, and service needs of the tract when fully developed and populated, and which would also provide such covenants or other legal provisions as will assure conformity to and achievement of the plan.

3. Conditions. In granting variances and modifications, the Commission shall weigh the benefits or hardships against the general standards and objectives of these regulations; and may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

170.25 AMENDMENTS. Any regulations or provisions of this chapter may be changed and amended from time to time by the Council with such amendment being initiated by the Council, by a motion of the Commission or by a petition by any person; provided, such changes or amendments shall not become effective until they have first been reviewed and a recommendation has been made thereon by the Commission, and further provided that a public hearing shall be held by the Council, public notice of which shall be given in the newspaper of the City not less than 10 or more than 20 days before the date of hearing.

170.26 ADMINISTRATION. The provisions of this chapter shall be administered by the Commission of the city. Plats shall be reviewed by the Commission and the City's engineer after which the Commission and the engineer shall submit their recommendation and the plats to the Council which shall have the final power to approve or disapprove the application.

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