

# TITLE 15. LAND SUBDIVISION

## CHAPTER 2: PLATS AND PLATTING PROCEDURES

### 15-2-1: Concept Plan

### 15-2-2: Preliminary Plat

### 15-2-3: Final Plat

#### **15-2-1: CONCEPT PLAN:**

A. Applicability: Whenever the owner of any tract or parcel of land within the corporate limits of the city or within two (2) miles thereof wishes to make a subdivision of the same, the owner or the owner's representative shall submit a concept plan to the department of planning and community development for review prior to submission of a preliminary plat.

B. Submission Requirements: The concept plan must include the following information:

1. The proposed layout of streets, lots, location of stormwater facilities, and open space.
2. General topography, based on existing topographic maps or other resources. The property is not required to be surveyed at the concept plan stage.
3. Approximate footprints of any existing aboveground manmade features located on the subject property, including buildings and other structures, streets, sidewalks, etc.
4. Surrounding land uses and approximate location of building footprints on abutting properties.
5. Sensitive features, including streams, wooded areas, known wetlands or potential wetlands, known archeological sites, etc.
6. Other necessary information pertaining to the existing conditions of the property, as requested by the city.

C. Review of Concept Plan:

1. Upon receipt of a concept plan the department of [Neighborhood and Development Services](#) ~~planning and community development~~ shall review the concept plan in the context of the standards of this title, other requirements of this code, and comprehensive plan policies, and will have the discretion to solicit comments from other city departments.
2. The ~~d~~Department of ~~planning and community development~~[Neighborhood and Development Services](#) will provide general written comments to the applicant within twenty (20) business days of receipt of the concept plan based on the information submitted by the applicant. These comments are intended to provide guidance to the applicant in preparing the preliminary plat and are not to be construed as comprehensive with regard to compliance with this code.
3. The preliminary plat shall not be filed until said written comments regarding the concept plan are provided to the applicant. (Ord. 08-4313, 8-26-2008)

## 15-2-2: PRELIMINARY PLAT:

### A. Submission Required; Waiver:

1. After conferring with the ~~De~~Department of [Neighborhood and Development Services planning and community development](#) on the concept plan, the owner or owner's representative shall submit to the ~~city clerk twelve (12) copies same~~ [Department of a](#) preliminary plat [and supporting materials on application forms as provided by the City](#) for consideration. This submission must include accurate and complete information as set forth in subsection B of this section.

2. The [eCity](#) ~~m~~Manager or designee(s) will check the application for accuracy and completeness. A "complete application" shall mean the following:

- a. A plat with accurate measurements and dimensions and easements identified; and
- b. All information as specified in subsection B of this section, has been submitted.

3. The applicant will be notified of deficiencies and/or discrepancies or if an application is incomplete. If an application is found to be incomplete, the [eCity](#) will inform the applicant and reserves the right to discontinue staff review until a complete and accurate application is filed. The start date for any applicable time limitations for the application under review will be the date when a complete application is submitted.

4. The [eCity](#) may waive submission of the preliminary plat if the final plat includes all the requirements of the preliminary plat.

### B. Plat Specifications ~~a~~And Accompanying Information:

1. The preliminary plat shall be drawn to the scale of one inch to fifty feet (1" = 50'); however, if the resultant drawing would be larger than twenty four inches by thirty six inches (24" x 36"), the plat shall be submitted at a scale of one inch to one hundred feet (1" = 100'). In addition, a digital version of the plat must be submitted as per [eCity](#) specifications. Each plat must include the following information:

- a. Legal description, acreage and name of proposed subdivision.
- b. Name(s) and address(es) of owner(s) and subdivider.
- c. Names of the persons who prepared the plat, owner's attorney, representative or agent, if any, and date of preparation.
- d. North point and graphic scale.
- e. Contours at five foot (5') intervals or less.
- f. Locations of existing lot lines, streets, public utilities, water mains, sanitary sewers, storm sewers, drainpipes, culverts, watercourses, bridges, railroads, buildings, stormwater detention facilities and any other public improvements in the proposed subdivision.
- g. The existing streets and [eCity](#) utilities on adjoining properties.
- h. Layout of proposed blocks (if used) and lots, including the dimensions of each, and the lot and block number in numerical order. For lots where the lot width is different from the lot frontage, the lot width must be indicated on the plat.
- i. Location of any proposed outlot(s), identified with progressive letter designations, and the purpose of said outlot(s) clearly specified on the plat.

- j. Proposed location of clustered mailboxes.
- k. Location and widths, other dimensions and names of the proposed streets, alleys, roads, utility and other easements, parks and other open spaces or reserved areas.
- l. Grades of proposed streets and alleys.
- m. A cross section of the proposed streets showing the roadway locations, the type of curb and gutter, the paving and sidewalks to be installed.
- n. The proposed layout and size of water mains and sanitary sewers.
- o. Proposal for drainage of the land, including proposed storm sewers, ditches, swales, bioswales, rain gardens, culverts, bridges, stormwater management facilities and other structures.
- p. A signature block for endorsement by the eCity eClerk certifying the eCity eCouncil's approval of the plat.

**q. Where the area is subject to Article 14-2H (Form-Based Zones and Standards), the following shall be identified on the preliminary plat:**

**(1) Proposed design sites (if used), including the dimensions of each. For design sites where the design site width is different from the design site frontage, the design site width must be indicated on the plat.**

**(2) Proposed thoroughfare types (14-2H-9) and the dimensions for each street, sidewalk, alley, or passage.**

**(3) Proposed civic space types (14-2H-5) for each public or private civic space. and**

**(4) Proposed building types (14-2H-6) for each lot and design site.**

**(5) Notation that all stubs are to connect with future thoroughfares on adjoining property and shall be designed to appropriately transition, and that that specified civic space and building types may be substituted with other civic space and building types in compliance with Article 14-2H (Form-Based Zones and Standards) during the site plan or building permit process.**

- 2. The preliminary plat shall be accompanied by the following information:
  - a. A location map with north point showing an outline of the area to be subdivided.
  - b. A grading plan, including proposed methods for the prevention and control of soil erosion, pursuant to the grading ordinance, title 17, chapter 8 of this code.
  - c. If access to state routes is proposed, the plat must be submitted to the Iowa eDepartment of tTransportation for review. Comments from the Iowa eDepartment of tTransportation must be submitted with the proposed plat.
  - d. For properties containing regulated sensitive features as specified in title 14, chapter 5, article I of this code, a sensitive areas development plan **must be submitted** as set forth in title 14, chapter 5, article I of this code.

C. Fees: A fee shall be paid at the time ~~of the~~ preliminary plat application or any combination of preliminary plats and/or plans ~~are applied for is submitted to the eCity clerk,~~ in the amount established by resolution of the eCity eCouncil.

D. Review ~~o~~Of Plat; Approval Or Disapproval:

12. The ~~e~~D Department of Neighborhood and Development Services planning and community development shall distribute said copies to the appropriate ~~e~~C City departments for review as designated by the ~~e~~C City ~~m~~Manager.

23. Said designee(s) shall examine the plat and application to ensure compliance with the requirements of this title, other relevant provisions of this code, comprehensive plan policies and with state law. Upon completion of examination, the ~~e~~D Department of Neighborhood and Development Services planning and community development shall forward a written report, including recommendations, to the ~~p~~Planning and ~~z~~Zoning ~~e~~C Commission. No plat shall be forwarded to the ~~p~~Planning and ~~z~~Zoning ~~e~~C Commission with more than six (6) deficiencies.

~~4. Following staff evaluation, the owner or owner's representative must submit ten (10) revised copies of the plat as requested by the City for distribution to the pPlanning and zZoning eCommission.~~

~~5.~~The ~~C~~Commission shall study the revised preliminary plat, review the application of the owner and review the report from the ~~e~~D Department of ~~planning and community development~~Neighborhood and Development Services.

56. The ~~e~~C Commission shall recommend approval or disapproval of the plat within forty five (45) calendar days of the date the ~~e~~C City receives a complete application, or the preliminary plat shall be deemed to be approved by the ~~e~~C Commission. The owner or owner's representative may, however, agree to an extension of time.

**6. Following staff evaluation, the owner or owner's representative shall submit copies of the revised preliminary plat as requested by the City with the signatures of the surveyor and the respective utility companies to the City Clerk.**

7. After receipt of the recommendation of the ~~e~~C Commission or after the time of any extension has passed, the ~~e~~C City ~~e~~C Council shall, by resolution, approve or disapprove the preliminary plat.

E. Effect Of Approval: Approval of a preliminary plat by the ~~e~~C City ~~e~~C Council does not constitute approval of the subdivision but merely authorizes the subdivider to proceed with the preparation of the final plat. In the event the ~~e~~C City ~~e~~C Council approves the preliminary plat and the final plat submitted does not materially and substantially deviate from the preliminary plat and if inspection by the ~~e~~C City reveals that all plans and specifications for construction of improvements, as required by the ~~C~~eity, have been met, the final plat shall be approved by the ~~e~~C City ~~e~~C Council. Approval of the preliminary plat shall be effective for a period of twenty four (24) months unless, upon written request of the owner or subdivider, the ~~e~~C City ~~e~~C Council, by resolution, grants an extension of time. If the final plat is not filed ~~with the eCity eClerk~~ within twenty four (24) months, all previous actions of the ~~e~~C City ~~e~~C Council with respect to the plat shall be deemed null and void.

### 15-2-3: FINAL PLAT:

#### A. Submission Required:

1. After approval of a preliminary plat or if the requirement for preliminary plat has been waived by the eCity eCouncil, the owner or owner's representative shall ~~submit to the city clerk twelve (12) copies of file with the Department of Neighborhood and Development Services an application for final plat approval on a form provided by the City, along with -a~~ the final plat ~~for review and supporting materials set forth below for review on application forms provided by the City.~~ Said final plat must be submitted ~~to the eCity clerk~~ within twenty four (24) months of approval of the preliminary plat, unless an extension has been approved by the eCity eCouncil. This submission must include accurate and complete information as set forth in subsections B and C of this section.

2. The eDepartment of Neighborhood and Development Services ~~planning and community development~~ will check the application for accuracy and completeness. A "complete application" shall mean the following:

- a. A final plat with accurate measurements and dimensions, and with easements correctly identified;
- b. An accurate legal description;
- c. All required legal documents and accompanying instruments as specified in subsections B and C of this section;
- d. Construction plans according to the specifications of the City eEngineer.

3. The applicant will be notified of deficiencies and/or discrepancies or if an application is incomplete. If an application is found to be incomplete, the eCity will inform the applicant and reserves the right to discontinue staff review until a complete and accurate application is filed. The start date for any applicable time limitations for the application under review will be the date when a complete application is submitted.

4. Upon approval by the eCity, a final plat may include only a portion of the development illustrated on the preliminary plat if that portion can function as a separate development, including access and utilities, and if no essential public infrastructure extensions are delayed. Whether or not said infrastructure is essential in nature shall be determined by the eCity.

5. The applicant shall note any variations from the approved preliminary plat. Requests for minor changes that do not constitute substantive changes may be approved administratively without requiring an amendment to the preliminary plat. Substantive changes, including, but not limited to, the layout and location of streets, lots, and outlots, changes to the proposed uses of the various lots and outlots, and other similar changes that would result in a substantive change to the character of the subdivision may result in the necessity to file an amended preliminary plat.

#### B. Specifications: The final plat shall meet the following specifications:

1. The plat shall be drawn to the scale of one inch to fifty feet (1" = 50'); provided, however, if the resultant drawing would be of larger dimension than twenty four inches by thirty six inches (24" x 36"), the plat shall be submitted at a scale of one inch to one hundred feet (1" = 100').

2. ~~Twelve (12) prints of~~ the final plat shall be submitted showing the following information:

- a. Accurate property boundary lines, with dimensions and bearings or angular dimensions, which provide a land survey of the tract, closing with an error of not more than one foot (1') in ten thousand feet (10,000').
- b. Accurate references to known permanent monuments, giving the bearing and distance from some corner of a lot or block in the eCity to some corner of the congressional division of which the eCity or the addition thereto is a part.
- c. Accurate locations of all existing and recorded streets intersecting the property boundaries of the tract.
- d. Accurate legal description of the property boundaries.
- e. Street names and street right of way widths.
- f. Complete curve notes for all curves included in the plat.
- g. Street centerlines with accurate dimensions in feet and one-hundredths of feet with bearings or angular dimensions to street, alley and lot lines.
- h. Lot numbers and lot line dimensions. For lots where the lot width is different from the lot frontage, the lot width must be indicated on the plat.
  - i. Block numbers, if used.
  - j. Accurate dimensions for any property to be dedicated or reserved for public, semipublic or community use.
  - k. Location, type, material and size of all markers.
  - l. Name and street address of the owner and subdivider.
  - m. Name and street address of owner's or subdivider's attorney, names of persons who prepared the plat and the date of preparation.
  - n. North point, scale and date.
  - o. Certification of the accuracy of the plat by a registered land surveyor of the state.
  - p. Location and width of easements for utilities.
  - q. Certification by the utility companies that utility easements are properly placed for the installation of utilities.
- r. A signature block for endorsement by the Ceity eClerk certifying the eCity eCouncil's approval of the plat.
- s. A note on the plat stating:

*Notes on this plat are not intended to create any vested private interest in any stated use restriction or covenant or create any third party beneficiaries to any noted use restriction or covenant.*

3. ~~The applicant shall submit a digital version of the final subdivision plat as part of the application process.~~ Once the [final subdivision](#) plat has been approved by the [Ceity Ceouncil](#), a final copy of the digital version of the plat shall be submitted to the [Department of Public Workseity engineering department](#). Said final digital copy shall be compatible with the Johnson County geographic information system and city of Iowa City mapping system. Specific formats,

procedures, and methods needed to meet this requirement will be updated as changes in technology occur.

C. Accompanying Documents: The final plat shall also be accompanied by the following documents:

1. Owner's Statement: An acknowledged statement from the owner and the owner's spouse, if any, that the subdivision as it appears on the plat is with their free consent and is in accordance with the desires of the proprietor and the proprietor's spouse. This statement may include the dedication to the public.

2. Dedications: Dedication of streets and other public property, including perpetual easements for the installation, operation and maintenance of eCity utilities.

3. Mortgage Holder's Or Lien Holder's Statement: An acknowledged statement from mortgage holders or lien holders that the plat is prepared with their free consent and in accordance with their desire, as well as a release of mortgage for any areas dedicated to the public.

4. Encumbrance Certificates: If there is no consent from the mortgage holders or lien holders as specified in subsection C3 of this section, and if the land being platted is encumbered in the manner set out in the code of Iowa, as amended, a certificate shall be filed with the Johnson County Recorder showing an encumbrance bond in an amount double the amount of the encumbrance and approved by the recorder and clerk of the district court. The bond shall run to the county for the benefit of the purchasers of the land subdivided.

5. Attorney's Opinion: An opinion from an attorney at law showing that the fee title is in the owner and that the land platted is free from encumbrance or if encumbered, listing the encumbrances and the bonds securing the encumbrances.

6. Construction Plans: A complete set of construction plans for all public improvements, meeting City specifications, must be submitted to the City Engineer's office.

7. County Treasurer's Certificate: A certified statement from the County Treasurer that the land being platted is free from taxes.

8. County Auditor's Certificate: A certified statement from the County Auditor approving of the name or title of the subdivision as succinct and unique to Johnson County.

9. Subdivider's Agreement:

a. An agreement executed by the subdivider which agrees, as a covenant running with the land, that the City shall not issue a building permit for any lot in the subdivision until the subdivider installs the public improvements, except sidewalks, according to plans and specifications approved by the City Engineer and until the eCity eEngineer approves subdivision erosion control measures. If the subdivider desires a building permit prior to installing the improvements, the owner must deposit with the eCity Finance Department an escrow equal to the cost of improvements plus ten percent (10%) thereof in cash or an irrevocable letter of credit payable to the eCity in a form approved by the eCity attorney. At the eCity's discretion, this escrow may be divided by the number of lots in the subdivision and collected on a per lot basis prior to the issuance of a building permit. Subdivider must further agree, as a covenant running with the land, that subdivider will install sidewalks abutting each lot in the subdivision as set forth in this title, that the obligation to install the sidewalks remains a lien on the lots abutting the sidewalk until released by the eCity and that, in the event subdivider fails to install the sidewalks, the eCity may install the sidewalks and assess the total cost against

the property without meeting the requirements of notice, benefit or value required by state law for assessing improvements.

b. The subdivider's agreement shall state that the subdivider, including its grantees, assignees and successors in interest, agrees that public services, including, but not limited to, street maintenance, snow and ice removal and solid waste collection, will not be extended to such subdivision until the pavement is completed and accepted by the eCity eCouncil by resolution.

c. The subdivider's agreement shall state:

*Plat notes and surveyor's notes on plats serve to provide notice of how a subdivision is expected to develop. Said notes are not intended to create any vested private interest in any stated use restriction or covenant, or create any third party beneficiaries to any noted use restriction or covenant. The City reserves the right, in its sole discretion, subject to any applicable public notice and approval process required by law, to alter or amend any plat note, or to sell or vacate any right-of-way, street, alley, park, easement, open area or other land set apart and dedicated for public use within the plat. The City further reserves the right, upon request of the owner or successor in interest, to vacate the plat and/or relocate any easement, alter lot boundaries or allow said land to be replatted subject to any applicable public notice and approval process required by law.*

d. The subdivider's agreement may include other conditions peculiar to the subdivision as allowed by law.

10. Iowa Department of Transportation Permits: Approved IDOT permits must be submitted, if required.

**11. Neighborhood Plan: Where subject to Article 14-2H (Form-Based Zones and Standards), a Neighborhood Plan shall be submitted that complies with the standards in 14-2H-1E (Neighborhood Plan) and includes the full geographic scope of the area being platted.**

D. Review; Approval or Disapproval:

1. Upon the filing of the final plat as set forth above, the ~~city clerk~~ Department of Neighborhood and Development Services shall ~~submit eleven (11) copies of the final plat and the application to the department of planning and community development.~~

~~2. The department of planning and community development shall distribute said copies of the final plat and the application to the appropriate eCity departments for review as designated by the eCity Manager.~~

32. Said designee(s) shall examine the application, the plat, the construction plans, and the legal documents to ensure compliance with the requirements of this code, state law, and the preliminary plat.

43. The costs of engineering examination of final plat and construction plans shall be paid by the subdivider and shall be the actual costs of the engineering examination and review as incurred by the eCity.

54. Upon completion of said review staff shall recommend approval or disapproval of the plat within forty five (45) calendar days of the date the eCity received a complete application, or the final plat shall be deemed to be approved by the staff. The owner or subdivider may, however, agree in writing, to an extension of time.

65. Following staff evaluation, the owner or owner's representative shall submit ~~a digital version, a transparent reproducible copy and eight (8) prints of~~ copies of the revised final plat as requested by the City with the signatures of the surveyor and the respective utility companies to the eCity eClerk.

76. After receipt of the recommendation of the staff or after the time of any extension, the City eCouncil shall, by resolution, approve or disapprove the final plat. The eCity eCouncil must take action on the final plat within sixty (60) calendar days of submission of a complete application for a final plat to the eCity eClerk. If the eCity eCouncil does not approve or disapprove the plat within sixty (60) calendar days, the final plat shall be deemed approved. The owner or subdivider may, however, agree in writing, to an extension of time.

# TITLE 15. LAND SUBDIVISION

## CHAPTER 3: DESIGN STANDARDS AND REQUIRED IMPROVEMENTS

[15-3-1](#): General Requirements

[15-3-2](#): Streets ~~a~~And Circulation

[15-3-3](#): Sidewalks, Trails, And Pedestrian Connections

[15-3-4](#): Layout ~~o~~Of Blocks And Lots

[15-3-5](#): Neighborhood Open Space Requirements

[15-3-6](#): Energy ~~a~~And Communications Distribution Systems

[15-3-7](#): Sanitary Sewers

[15-3-8](#): Stormwater Management

[15-3-9](#): Water Systems

[15-3-10](#): Clustered Mailboxes

[15-3-11](#): Markers

[15-3-12](#): Specifications

[15-3-13](#): Inspections

[15-3-14](#): Off Site Costs ~~f~~For Public Improvements

### **15-3-1: GENERAL REQUIREMENTS:**

A. Design of the subdivision shall comply with the standards of this chapter, provide for the orderly growth and development of the city, demonstrate consistency with the Iowa City comprehensive plan and any specific adopted district plans, and take into consideration the natural features of the site and patterns of adjacent development.

B. The subdivider of property shall be responsible for constructing all public improvements associated with the proposed subdivision according to this code, unless exempted from such requirements according to the provisions herein.

C. "Public improvements", as defined in this title, shall be constructed and installed according to the standards established by the city. Copies of said standards are on file in the office of the city engineer. (Ord. 08-4313, 8-26-2008)

## 15-3-2: STREETS AND CIRCULATION:

A. Connectivity of Streets, Sidewalks, And Trails: Subdivisions shall provide for continuation and extension of arterial, collector and local streets, sidewalks and trails in accordance with the following standards:

1. Arterial streets must be located and extended in general accordance with the [JCCOG Metropolitan Planning Organization of Johnson County](#) arterial street plan and Iowa City comprehensive plan.
2. All streets, sidewalks, and trails should connect to other streets, sidewalks, and trails within the development, and to the property line to provide for their extension to adjacent properties. Each subdivision must contribute to the larger interconnected street pattern of the city to ensure street connectivity between neighborhoods, multiple travel routes resulting in the diffusion and distribution of traffic, efficient routes for public and emergency services, and to provide direct and continuous vehicular and pedestrian travel routes to neighborhood destinations.
3. The road system shall be designed to permit the safe, efficient, and orderly movement of vehicular and pedestrian traffic; to meet the needs of the present and future population served; to have a simple and logical pattern and allow that pattern to continue through adjacent properties; and to respect natural features and topography.
4. Use of cul-de-sacs and other roadways with a single point of access should be avoided. Cul-de-sacs will be considered where it can be clearly demonstrated that environmental constraints, existing development, access limitations along arterial streets, or other unusual features prevent the extension of the street to the property line or to interconnect with other streets within or abutting the subdivision.

**5. Where the area is subject to Article 14-2H (Zones and Standards), thoroughfares are to create walkable neighborhoods with redundant routes for vehicular, bicycle and pedestrian circulation. The arrangement of thoroughfares shall provide for the alignment and continuation of existing or proposed thoroughfares into adjoining lands where the adjoining lands are undeveloped and intended for future development, or where the adjoining lands are undeveloped and include opportunities for such connections.**

**(1) Thoroughfare rights-of-way shall be extended to or along adjoining property boundaries to provide a roadway connection or thoroughfare stub for development, in compliance with 15-3-4 (Layout of Blocks and Lots), for each direction (north, south, east, and west) in which development abuts vacant land.**

**(2) All stubs for thoroughfares are to connect with future thoroughfares on adjoining property and be designed to transition appropriately.**

B. Minimum Access Standards: Adequate street access to an area or neighborhood is required as part of subdivision approval or prior to the approval of additional subdivision lots. The standards in this subsection are intended as minimum standards in areas where connectivity is limited by topography, previous development patterns, or other unusual features and shall not be used as a means of circumventing the street connectivity standards set forth in subsection A of this section. The following guidelines will be used by the city in determining whether additional street access is a prerequisite to additional lots or developable parcels being approved by the city.

1. Additional access may be required if a proposed development will result in any portion of a street that provides a single means of access to an area being overburdened with traffic.

"Overburdened" shall be defined as a projected volume which exceeds the midpoint design volume as follows:

- a. Local street: Five hundred (500) vehicles per day.
- b. Collector street: Two thousand five hundred (2,500) vehicles per day.

2. Projected traffic volumes shall be determined by using the most recent average daily traffic count when available, and adding it to projected traffic generation as determined by the city. In the absence of a recent traffic count, projected traffic volumes shall be calculated by using projected traffic generation for both existing and proposed development.

3. Additional means of access may also be required if any of the following conditions exist or will exist if additional lots or developable parcels are approved:

a. There are physical features that may increase the probability of blockages along the single means of access to the development. These physical features include, but are not limited to: slopes eight percent (8%) or greater; floodplains as designated by the federal emergency management agency; a bridged or culverted roadway; trees adjacent to the roadway with trunk diameter greater than four inches (4"); a grade separated highway; or a railroad.

b. The existing access is insufficient to provide efficient, safe, and/or cost effective routes for the provision of public and emergency services for the proposed development.

c. The street, which provides a single means of access to the area, is a local or collector street along which there are existing or proposed facilities that may increase the probability of pedestrian-motor vehicle conflicts. These facilities include, but are not limited to, schools, daycare centers and parks.

d. There are land uses located along the subject street that serve special populations, which may increase the volume of emergency vehicle trips. These uses include, but are not limited to, adult daycares, facilities serving elderly persons, or persons with disabilities.

4. For a situation requiring additional means of access based on the above criteria, a single means of access may be permitted as a temporary condition. A temporary condition is one in which there is secured, written assurance from the private subdivider that the road, which will provide the necessary access, will be constructed within three (3) years of development or, alternatively, said access is scheduled for construction no later than the third year of the then current capital improvements program of the city.

#### C. Street Types:

1. Table 15-1, "Standards For Street Rights Of Way", of this section provides a summary of various street types. The information in this table is intended to provide guidance for the design of the street network within a subdivision, **except for those subdivisions regulated by Article 14-2H (Form-Based Zones and Standards)**. When designing a subdivision, street types should be chosen based on the intended function of the street and anticipated level of traffic. The Ccity will review the proposed streets and determine the appropriate street type based on the factors set forth in this section.

**TABLE 15-1: STANDARDS FOR STREET RIGHTS OF WAY**

	<b>Minimum Right of Way Width</b>	<b>Pavement Width</b>	<b>Number Travel Lanes</b>	<b>Parking</b>	<b>Maximum Grade</b>	<b>Sidewalk Width</b>
Residential alley/ rear lane	20 feet	16 feet	2	No	12%	n/a
Commercial alley/ rear lane	20 feet minimum/ varies	20 feet/varies	2	No	10%	n/a
Loop street <sup>1</sup>	100 feet minimum/ varies	22 feet	1 shared	Yes, on 1 side	10%	4 feet residential side of street only
Low volume cul-de-sac <sup>2</sup>	50 feet	22 feet	1 shared	Yes, on 1 side	10%	4 feet both sides
Cul-de-sac	60 feet	26 or 28 feet	2	Yes <sup>3</sup>	10%	5 feet both sides
Local residential street	60 feet	26 or 28 feet	2	Yes <sup>3</sup>	12%	5 feet both sides
Local commercial/industrial street	60 feet	28 feet	2	Yes	8%	5 feet both sides
Collector street (all land uses)	66 feet	31 feet	2	Yes	10% for residential; 8% for commercial or industrial	5 feet both sides
Collector street with bike lanes	66 feet	34 feet	2	No	8 %	5 feet both sides
2 lane arterial street	100 feet minimum	31 feet	2	No	8 %	8 feet one side/5 feet one side
Arterial street with bike lanes	100 feet minimum	34 feet	2	No	8 %	8 feet one side/5 feet one side

4 lane arterial street	100 feet minimum	54 feet/ varies depending if median is included	4	No	8 %	8 feet one side/5 feet one side
Arterial street with parking	100 feet minimum; more may be required depending on parking configuration	Varies, based on number of lanes and whether parking is parallel or angled	2	Yes	8 %	8 feet one side/5 feet one side
3 lane arterial street	100 feet minimum	46 feet/varies depending if median is included	3	No	8 %	8 feet one side/5 feet one side

Notes:

1. Loop streets provide access for 12 or fewer dwellings.
2. Low volume cul-de-sacs provide access to 10 or fewer single-family dwellings.
3. For residential streets with less than 28 feet of pavement width, parking is restricted to one side.

2. Where a subdivision is regulated by Article 14-2H (Form-Based Zones and Standards), streets shall meet the following thoroughfare standards.

a. Thoroughfares shall conform with allowed thoroughfare types and shall comply with 14-2H-9 (Thoroughfare Type Standards).

b. Thoroughfares that pass from one Form-Based Zone to another may transition in their streetscape along the thoroughfare's edges. For example, a thoroughfare in a more urban zone (e.g., T4 Main Street) with commercial uses may have wide sidewalks with trees that transitions to narrower sidewalks with a planting strip in a less urban zone (e.g., T4 Neighborhood Medium) with residential uses.

c. Thoroughfares shall substantially comply with the Form-Based Code Future Land Use map in the comprehensive plan. Variations from the future land use map may be approved for thoroughfares where sensitive areas are present, or where the following standards are met:

(1) Thoroughfare types may be substituted with other thoroughfare types allowed by the zone, except for the following streets: South Gilbert Street, Sand Road SE, McCollister Boulevard, Sycamore Street, Sycamore Street SE, and Lehman Avenue.

(2) The alignment of thoroughfares may change where connections to existing street stubs are retained, the new alignment complies with 15-3-4 (Layout of Blocks and Lots), and single-loaded streets continue to abut civic or open space.

(3) A Passage (14-2H-9L) may replace another thoroughfare type shown on the Form-Based Code Future Land Use map where all affected design sites retain direct street or alley access. A Passage may be removed or replaced by another thoroughfare type where all abutting design site(s) retain direct street access.

(4) An Alley (14-2H-9K) may be added in compliance with 15-3-4 (Layout of Blocks and Lots). An Alley may be removed from locations identified on the Form-Based Code Future Land Use map where the Alley is not in a T4MS zone and all design sites abutting the Alley have direct street access to a street other than the following: McCollister Boulevard and South Gilbert Street.

D. Dedication of Right Of Way: Land shall be dedicated to the city for all public street rights of way within the development and for any public street right of way that is needed for streets that abut or will abut the development.

E. Measurements and Construction Standards:

1. All right of way improvements must be designed and constructed according to the design and construction standards established by the city. Said standards are on file in the office of the city engineer.

2. All street widths shall be measured back of curb to back of curb.

3. The minimum outside radius of the pavement of cul-de-sac bulbs and loop streets is thirty nine feet (39'). A center median is required at the center of the cul-de-sac bulb with a minimum radius of eleven feet (11'). For loop streets a median is also required with a minimum width of thirty feet (30'). In residential areas, center medians for cul-de-sacs and loop streets are required to be landscaped to at least the S1 standard as described in title 14, chapter 5, article F, "Screening And Buffering Standards", of this code. The subdivider's agreement shall designate and set forth procedures for property owners or a homeowners' association to

maintain the landscaped area within the center median of loop streets and cul-de-sacs. Said instrument shall provide that if said services are not provided as required therein, the city shall have the right to perform said services, and the cost thereof shall be a lien and charge against all of the subject lots.

F. Street Intersections:

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G. Traffic Calming Features:

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H. Street Names:

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I. Private Streets:

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J. Cost Sharing For Pavement Overwidth:

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K. Cost Sharing For Street Upgrades:

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### **15-3-3: SIDEWALKS, TRAILS, AND PEDESTRIAN CONNECTIONS:**

Public sidewalks, trails, and pedestrian connections shall be constructed in the public right of way according to the following standards:

A. Sidewalks, trails, and pedestrian connections shall be constructed according to city standards. Said standards are on file in the office of the city engineer.

B. Five foot (5') wide concrete sidewalks must be constructed along both sides of all local and collector streets, except for connections to existing sidewalks as provided in subsection D of this section. For low volume and loop streets, as described in [table 15-1](#) of section [15-3-2](#) of this chapter, the required sidewalk width may be reduced to four feet (4').

C. Along arterial streets, a five foot (5') sidewalk is required on one side of the street and an eight foot (8') sidewalk on the other side, except as allowed in subsection D of this section. The city will determine on which side of the street the eight foot (8') sidewalk will be placed. When an eight foot (8') sidewalk is required, the city, at its discretion, will either pay for the excess pavement required for the developer to install an eight foot (8') sidewalk rather than a five foot (5') sidewalk, or collect the estimated cost of the five foot (5') sidewalk from the developer and apply said cost to construction of an eight foot (8') sidewalk by the city. Any payment of excess pavement costs by the city shall be pursuant to state law.

D. In cases where the proposed sidewalk provides a connection between existing sidewalks that are less than the required width, the proposed sidewalk may be constructed to match the width of the adjacent sidewalks. However, this modification is not allowed in cases where one end of the proposed sidewalk will provide a connection to future sidewalks for new development. In such a case, the sidewalk should be tapered to provide a transition between differing sidewalk widths. The city will determine where along the street the transition should occur.

E. All sidewalks and trails must connect to other sidewalks and trails within the development and to the property line to provide for their extension to adjacent properties.

F. The subdivider will be responsible for the construction of a public sidewalk along the frontage of private open space, public open space required to be dedicated to the city according to title 14, chapter 5, article K, "Neighborhood Open Space Requirements", of this code and along the frontage of other outlots as necessary for a continuous sidewalk system to be created.

G. In residential subdivisions, blocks longer than six hundred feet (600') must have midblock pedestrian connections between adjacent streets, unless said connection is deemed to be unnecessary and is waived by the city. At the time of subdivision, these connections must be platted as minimum fifteen foot (15') wide easements; if the connecting sidewalk is greater than five feet (5') in width, the easement must be at least twenty feet (20') wide. Within this easement a sidewalk must be constructed to city standards that is equal in width to the sidewalks to which it provides a connection. If the midblock sidewalk connects to sidewalks of two (2) different widths, the midblock sidewalk must be equal in width to the wider sidewalk. The area and sidewalk within the pedestrian easement must be maintained by adjacent property owners according to the subdivider's agreement in a manner similar to maintenance requirements for public sidewalks.

H. Where a trail extension, as identified in the comprehensive plan or an adopted trails plan, is located on the subject property, the city may require an easement or alternatively, may require dedication of an outlot for the trail. Construction of the trail or portion of a trail may also be required in instances where said trail or portion of a trail primarily serves the needs of the proposed subdivision/development. In this situation, the trail will be treated as a public

improvement. Dedication of land for a trail extension shall count toward the open space requirement for the development, provided said land is consistent with the standards for open space as set forth in title 14, chapter 5, article K of this code and provided said land dedication is acceptable to the city. (Ord. 08-4313, 8-26-2008)

### 15-3-4: LAYOUT OF BLOCKS AND LOTS:

#### A. Blocks:

1. Blocks should be limited in size and be laid out in a pattern that ensures the connectivity of streets, provides for efficient provision of public and safety services, and establishes efficient and logical routes between residences and nonresidential destinations and public gathering places.

#### 2. Block Lengths

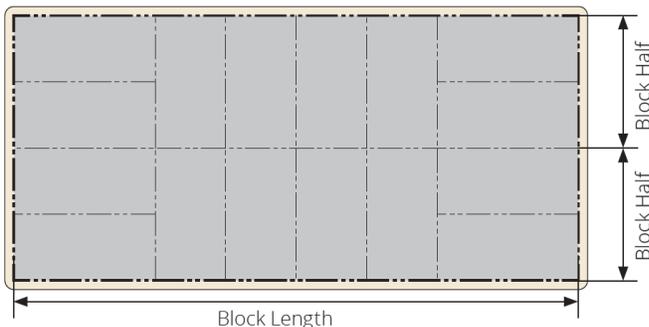
**a. Except as required by Article 14-2H (Form-Based Zones and Standards), to provide multiple travel routes within and between neighborhoods, block faces along local and collector streets should range between three hundred (300) and six hundred feet (600') in length and for residential subdivisions have a width sufficient to accommodate two (2) tiers of lots. Longer block faces may be allowed in cases of large lot commercial, industrial, or rural residential development, or where topography, water features, or existing development prevents shorter block lengths, although midblock pedestrian connections may be required (see section 15-3-3 of this chapter). Block faces are measured from centerline to centerline.**

**b. Where the area is subject to Article 14-2H (Form-Based Zones and Standards), the block network shall substantially comply with the Form-Based Code Future Land Use map in the Comprehensive Plan and shall meet the following standards:**

**(1) Individual block lengths and the total block perimeter shall comply with the standards in Table 15-3-4A-1 (Block Size Standards). Where a block contains multiple Form-Based Zones, the most intense zone is to be used to establish the standards for block size. Blocks may exceed the maximum allowed length if a compliant Passage (14-2H-9L) is provided to break up the block.**

Zone	Length (max.)	Length (max.) With Passage <sup>1</sup>	Perimeter Length	Perimeter Length With Passage <sup>1</sup>
T3 NE	500' max.	800' max.	1,600' max.	2,200' max.
T3 NG	500' max.	800' max.	1,600' max.	2,200' max.
T4 NS	360' max.	600' max.	1,440' max.	1,950' max.
T4 NM	360' max.	600' max.	1,440' max.	1,950' max.
T4 MS	360' max.	500' max.	1,440' max.	1,750' max.

<sup>1</sup>In compliance with the standards for a Passage in Sub-Section 14-2H-9L (Passage).



Key

---- Block Perimeter

---- Design Site

**(2) Blocks shall be a minimum width to result in two halves of developable design sites in compliance with the minimum design site depth standards of the allowed building types in the Form-Based Zone. When the zone has a range of minimum design site depths, the applicant may show the shortest minimum design site depth with an acknowledgement that the selected depth may not accommodate the full range of building types allowed by the zone. A single half is allowed when adjoining an existing half-block.**

**(3) The size, shape, length, location, and design of blocks may vary from the Future Land Use map where required to accommodate sensitive areas, or where the variation complies maintains street connectivity, complies with Table 15-3-4A-1 (Block Size Standards, minimizes changes to Form-Based Zones on each block, and adjusts all blocks affected by the proposed change(s). Where this affects the location, shape, or design of civic space, the variation shall maintain civic space of a similar size in a nearby location within the subdivision.**

3. Block faces along arterial streets should be at least six hundred feet (600') in length. Intersecting collector streets should be spaced in a manner that provides adequate connectivity between neighborhoods, but also maintains the capacity of the street for the safe and efficient movement of traffic. Longer block faces may be required along high capacity or higher speed arterial streets where the interests in moving traffic outweigh the connectivity between areas of development. The city may approve shorter block faces in high density commercial areas or other areas with high pedestrian counts.

4. Cul-de-sacs may not exceed nine hundred feet (900') in length. The length of a cul-de-sac is measured from the centerline of the street from which it commences to the center of the bulb.

B. Lots:

1. Lots must be platted in a manner that will allow development that meets all requirements of title 14, "Zoning Code", of this code. Lots **and design sites** must be of sufficient size to accommodate an adequate buildable area and area for required setbacks, off street parking, and service facilities required by the type of use and development anticipated.

2. Lots with multiple frontages must be platted large enough to accommodate front setback requirements along street side lot lines.

3. If a property with frontage along an arterial street is proposed to be subdivided, developed or redeveloped for any multi-family, group living, commercial, institutional or industrial use, a cross access easement must be provided by the property owner to all adjoining properties that front on the same arterial street that are or may be developed as multi-family, group living, commercial, institutional use, or industrial uses according to the cross access standards set forth in section [14-5C-7](#) of this code.

4. In residential areas, double and triple frontage lots shall be avoided. Where such lots are necessary to overcome specific disadvantages of topography, land features, or access restrictions, the following standards apply:

a. Lots with multiple frontages shall be one hundred twenty five percent (125%) of the required lot area for the zone in which the lot is located. The additional required lot area shall be used to increase the depth of the lot between street frontages. Corner lots with only two (2) frontages are exempt from this requirement, however, said corner lots should be platted with enough land area to accommodate the required front setback area along both frontages.

b. Double and triple frontage lots where dwellings will have side or rear building facades oriented toward an arterial street shall provide a minimum twenty foot (20') wide landscaped

buffer area along the arterial street frontage. The buffer area shall be planted with a mixture of coniferous and deciduous vegetation approved by the city forester. The vegetation shall be required along with other public improvements for the property. Lots where dwellings will have front building facades oriented toward an arterial street are exempt from this requirement. If a buffer area was required during subdivision, no solid fences will be allowed within this buffer area. This restriction must be noted in the subdivider's agreement and on the plat. On corner lots, the landscaping within the buffer must be planted and maintained to comply with intersection visibility standards.

5. Side lot lines shall approximate right angles to straight street lines or be approximately radial to curved street lines, except where a variation will provide a better street and lot layout. For purposes of this subsection, "approximate right angles" means angles between eighty degrees (80°) and one hundred degrees (100°).

6. Residential lots shall not be designed with irregular shapes such as a flag or panhandle shape where the structure on the lot may be hidden from the street behind another structure.

7. In residential subdivisions, lots must be arranged to allow easy access to public open space. The subdivision layout should be designed so that the location and access to public open space is readily apparent to the public. Subdivision layouts where public open space is surrounded by private lots that back up to the public open space are discouraged. Techniques, such as single loaded streets along park edges or along segments of park edges and well marked trail easements are to be utilized to satisfy this requirement.

C. Provisions To Minimize The Effect Of Highway Noise: Subdivisions adjacent to or within three hundred feet (300') of the Interstate 80 and/or the Highway 218 rights of way shall comply with the following provisions, intended to reduce the effect of highway noise on residential areas:

1. Any portion of a residential lot that is within three hundred feet (300') of the Interstate 80 or Highway 218 right of way shall be identified as a noise buffer, and no residential structure will be permitted within this three hundred foot (300') buffer area. The buffer area shall be planted with a mixture of coniferous and deciduous vegetation approved by the city forester. The vegetation shall be required along with other public improvements for the property. Existing trees and vegetation may be used to comply with this requirement as approved by the city forester. Accessory structures and yards are permitted within the three hundred foot (300') buffer area provided the required vegetative buffer is maintained.

2. The three hundred foot (300') buffer for residential structures may be reduced with approval by the city if the subdivider constructs an earthen berm, decorative wall, or other similar structure and demonstrates that the highway noise just outside the proposed residential structures will be no more than sixty (60) dB.

3. The three hundred foot (300') buffer for residential structures may also be reduced with approval by the city if the subdivider demonstrates that existing topography results in highway noise being no more than sixty (60) dB just outside the proposed residential structures. (Ord. 08-4313, 8-26-2008)

**15-3-5: NEIGHBORHOOD OPEN SPACE REQUIREMENTS:**

A. Intent And Purpose: The neighborhood open space requirements are intended to ensure provision of adequate usable neighborhood open space, parks and recreation facilities in a manner that is consistent with the neighborhood open space plan, as amended, by using a fair and reasonably calculable method to equitably apportion the costs of acquiring and/or developing land for those purposes. Active, usable neighborhood open space includes pedestrian/bicycle trails preferably located within natural greenway systems, and also includes neighborhood parks that serve nearby residents. Portions of community parks may be adapted for neighborhood use, but this chapter is not intended to fund the acquisition of community parks or large playing fields for organized sports.

B. Dedication Of Land Or Payment Of Fees In Lieu Of Land Required: As a condition of approval for residential subdivisions and commercial subdivisions containing residential uses, the applicant shall dedicate land or pay a fee in lieu of land, or a combination thereof, for park, greenway, recreational and open space purposes, as determined by the [City](#) and in accordance with the provisions of title 14, chapter 5, article K, "Neighborhood Open Space Requirements", of this code.

**15-3-6: ENERGY AND COMMUNICATIONS DISTRIBUTION SYSTEMS:**

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**15-3-7: SANITARY SEWERS:**

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**15-3-8: STORMWATER MANAGEMENT:**

A. The developer shall provide the subdivision with adequate drains, ditches, culverts, complete bridges, storm sewers, intakes and manholes to provide for the collection, management, and removal of all surface waters as set forth in title 16, chapter 3, article G, "Stormwater Collection, Discharge And Runoff", of this code. These improvements shall extend to the boundaries of the subdivision and beyond, as necessary to provide for extension by adjoining properties, as determined by the [City](#).

**15-3-9: WATER SYSTEMS:**

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**15-3-10: CLUSTERED MAILBOXES:**

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**15-3-11: MARKERS:**

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**15-3-12: SPECIFICATIONS:**

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**15-3-13: INSPECTIONS:**

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**15-3-14: OFF SITE COSTS FOR PUBLIC IMPROVEMENTS:**

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