

TITLE 11

SUBDIVISION REGULATIONS

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CHAPTER 1
GENERAL PROVISIONS

SECTION:

- 11-1-1: Title And Purpose
- 11-1-2: Land Subdivided Before Recording
- 11-1-3: Procedure For Approval; Generally Described
- 11-1-4: Costs And Charges
- 11-1-5: Penalty

11-1-1: **TITLE AND PURPOSE:** This title shall be entitled *THE SUBDIVISION ORDINANCE OF EAST CARBON CITY* and may be so cited and pleaded. The purpose of this title shall be to promote the health, safety, convenience and general welfare of the present and future inhabitants of the city; to facilitate the orderly development of the city and to establish the rights, duties and responsibilities of subdividers with respect to the subdivision of land. (Ord. 13, 10-15-1974)

11-1-2: **LAND SUBDIVIDED BEFORE RECORDING:** From the effective date hereof, no person shall subdivide any tract of land which is located wholly or in part within the limits of the city, nor shall any person sell, exchange or offer for sale or purchase, or offer to purchase, any parcel of land which is any part of a subdivision of a larger tract of land within the city, nor shall any person offer for recording any deed conveying such a parcel of land or any interest therein, unless he shall first make or cause to have made a final plat thereof, which plat shall be in accordance with all of the requirements of this title and shall have been approved by the planning commission and city council and recorded in the office of the county recorder; provided, however, that land may be sold by metes and bounds without the necessity of recording a final plat if all the following conditions are met:

- A. The subdivision contains less than ten (10) lots;

- B. The subdivision layout plan, complying with the requirements for a preliminary plan as set forth in this title, shall have been first approved in writing by the planning commission;
- C. The subdivision is not traversed by the mapped lines of a proposed street as shown on the official map or maps of the city;
- D. The subdivision does not require the dedication of any land for street or other public purposes;
- E. Each lot in the subdivision meets the frontage, width and area requirements of the zoning title or has been granted a variance from such requirements by the board of adjustment; and
- F. All improvements required under chapter 6 of this title shall have been installed or assurances given to the city that said required improvements will be installed without cost to the city as provided for in chapter 7 of this title. (Ord. 13, 10-15-1974)

11-1-3: PROCEDURE FOR APPROVAL; GENERALLY DESCRIBED:

- A. Discuss With Zoning Administrator (Step 1): Any person wishing to subdivide land within the city shall secure from the zoning administrator information pertaining to the city plan of streets, parks, drainage, zoning and other master plan requirements affecting the land to be subdivided.
- B. Vicinity Plan (Step 2):
 1. Preparation: The subdivider shall then prepare a vicinity plan and shall submit three (3) copies of the same to the planning commission.
 2. Approval Of Planning Commission (Step 3): The planning commission shall review the vicinity plan and shall approve or disapprove the general design of the subdivision or approve it subject to required changes or alterations within thirty (30) days.
- C. Preliminary Plan And Engineering Drawings:
 1. Preparation: Upon approval of the vicinity plan by the planning commission, the subdivider shall prepare a preliminary plan of the subdivision and shall submit to the planning commission:

- a. Three (3) copies of the plan;
- b. Three (3) copies of the engineering drawings showing (step 4):
 - (1) Typical cross sections of street.
 - (2) Provision for drainage.
 - (3) Location and size of both on site and off site water mains and sewer lines.
- c. Any other material or information required by the planning commission.

2. Approval Of Planning Commission:

a. The planning commission shall review and shall approve or disapprove the preliminary plan, or approve it with modifications, within thirty (30) days from the date of the submission of the preliminary plan to the planning commission. Approval or denial of the plan shall be based upon compliance with the master plan and with the standards and conditions of approval, as set forth herein. The action of the planning commission shall be written on the face of two (2) copies of the plan; one of which shall be retained in the files of the planning commission, and one of which shall be returned to the subdivider. If disapproved, the planning commission shall express its reasons therefor to the subdivider.

b. (Step 5) Where a subdivider owns or controls more land than he wishes to develop immediately, the planning commission may require that a preliminary plan of the whole area be submitted, in which case the subdivider shall indicate on the preliminary plan the portion to be developed immediately and the portion to be held for future development. Whenever final approval has been obtained on any part of an approved preliminary plan, approval of the remaining part of said preliminary plan shall remain in effect for a period of two (2) years. The preliminary plan, along with the engineering drawings, may be presented to the planning commission at the same time as the vicinity plan.

c. The preliminary plan for subdivisions not requiring the preparation and approval of a final plat or its recording in the office of the county recorder shall not be approved by the planning commission until assurance, satisfactory to the planning commission,

has been received that all other requirements of this title have been complied with.

D. Final Plat (Step 6):

1. Preparation: After the preliminary plan has been approved, the subdivider shall then prepare and submit one tracing and two (2) copies of the final plat of the subdivision to the planning commission.

2. Approval Of Planning Commission (Step 7): The planning commission shall review the final plat and shall approve or disapprove the final plat and approve it with modification, within forty five (45) days of submission.

E. Post Performance Guarantee:

1. Subdivisions Requiring Final Plat (Step 8): After approval of the final plat of a subdivision by the planning commission, the subdivider shall either construct required improvements or post a bond or other assurance with the city recorder in an amount, as determined by the city engineer, sufficient to cover the costs of any improvements required under this title as a guarantee that said improvements will be installed and paid for without cost to the city.

2. Subdivisions Not Requiring A Final Plat: Prior to the approval of the preliminary plan by the planning commission, the subdivider shall post a bond or other assurance with the city recorder in an amount, as determined by the city engineer, sufficient to cover the costs of installing any improvements required under this title, as a guarantee that said improvements will be installed and paid for without cost to the city.

F. Obtain Approval Of City Council (Step 9): After posting bond or other assurance, the final plat shall be submitted to the city council for approval. Unless otherwise provided on the plat, approval of the final plat by the city council shall constitute the acceptance by the city of all streets and other properties dedicated for public use.

G. Record Final Plat (Step 10): After obtaining approval of the city council, the subdivider shall submit the final plat tracing to the office of the county recorder for recording, within ninety (90) days of the date of approval by the city council. (Ord. 13, 10-15-1974)

11-1-4: **COSTS AND CHARGES:** Costs and charges in connection with the planning and development of subdivisions in the city shall be shared between the subdivider and the city according to the following schedule:

<u>Plan Or Facility</u>	<u>Subdivider</u>	<u>City</u>
1. Vicinity plan	100 percent	0 percent
2. Preliminary plan and engineering drawings	Subdivider must pay plan checking fee to the city of \$2.00 per acre up to 20 acres, plus \$1.00 for each additional acre in preliminary plan.	0 percent
3. Final plat	Subdivider must pay plat checking fee to city of \$25.00, plus \$2.00 per lot.	0 percent
4. Easements and rights of way on site and off site	100 percent	0 percent
5. Grading and draining streets on site	100 percent for all minor and collector streets.	Special negotiations with the city council for all work over estimated costs of minor or collector streets.
6. Grading and draining streets off site	Special negotiations with the city council.	Special negotiations with the city council.
7. Bridges and culverts	100 percent for all minor streets and collector streets.	Special negotiations with the city council for all work over estimated costs of minor or collector streets.
8. Street paving	100 percent for all minor streets and for collector and arterial streets up to 44 feet of pavement width.	All required width of paving over 44 feet for major street when required by the city.
9. Curb and gutter and curb cuts	100 percent	0 percent

<u>Plan Or Facility</u>	<u>Subdivider</u>	<u>City</u>
10. Sidewalk	100 percent	0 percent
11. Street signs	100 percent	0 percent
12. Water supply	0 percent	100 percent
13. Water mains	100 percent for all water mains and laterals up to and including 6 inch diameter.	Special negotiations with the city council for difference between cost of 6 inch line and that which is required by the city.
14. Sewer mains	100 percent for all sewer mains and laterals up to and including 8 inch diameter.	Special negotiations with the city council for difference between cost of 8 inch line and that which is required by the city.
15. Street lighting	100 percent for easements and rights of way and installation of facilities.	100 percent for maintenance of lights after installation.
16. Electric utilities	100 percent	0 percent
17. Parks	0 percent	100 percent
18. Monuments	100 percent	0 percent
19. Canal and flood channel protection	Special negotiations with city council.	Special negotiations with city council.
20. Elimination of other environmental hazards	100 percent	0 percent

(Ord. 13, 10-15-1974)

11-1-5: **PENALTY:**

- A. Any person, firm or corporation who shall transfer or sell any lot or land in a "subdivision", as defined in section 11-2-1 this title, which subdivision has not been approved by the planning commission and except as provided for in section 11-1-2 of this chapter, also

approved by the city council and recorded in the office of the county recorder, shall be guilty of a class C misdemeanor, subject to penalty as provided in section 1-4-1 of this code, for each lot or parcel of land so transferred or sold, and the description of such lot or parcel of land by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring, shall not exempt the transaction from such penalties, or from the remedies herein provided. The city may enjoin such transfer or sale or agreement by action of injunction brought in any court or equity jurisdiction, or may recover the said penalty by civil action in any court of competent jurisdiction.

- B. Any person, firm or corporation violating any of the provisions of this title shall be guilty of a class C misdemeanor and, upon conviction thereof, subject to penalty as provided in section 1-4-1 of this code. (Ord. 13, 10-15-1974; amd. 2005 Code)

CHAPTER 2
DEFINITIONS

SECTION:

11-2-1: Definitions

11-2-1: **DEFINITIONS:** For the purpose of this title, the following definitions shall apply:

EASEMENT: The quantity of land set aside or over which a liberty, privilege or advantage in land use without profit, existing distinct from the ownership of the land, is granted to the public or some particular person or part of the public.

FINAL PLAT: A map or chart of the land division which has been accurately surveyed and such survey marked on the ground so that streets, alleys, blocks, lots and other divisions thereof can be identified and which plat meets the requirements for such a plat as set forth under section 11-4-3 of this title.

INTERVENING PROPERTY: Property located between the existing service facility and the property under development.

MAJOR STREET: A street existing or proposed, which serves or is intended to serve as a major trafficway, and is designated as a collector or arterial street on the master plan.

METES AND BOUNDS: The description of a lot or parcel of land by courses and distances.

MINOR STREET: A street, existing or proposed which is supplementary to a collector street and of

limited continuity which serves, or is intended to serve, the local needs of a neighborhood.

- OFF SITE FACILITIES:** Facilities designed or located so as to serve other property outside of the boundaries of the subdivision; usually lying between the development and existing facilities.
- ON SITE FACILITIES:** Facilities installed within or on the perimeter of the subdivision.
- OVERSIZE FACILITIES:** Facilities with added capacity designed to serve other property, in addition to the land within the boundaries of the subdivision.
- PRELIMINARY PLAN:** A map or chart of a proposed land division conforming to the requirements for such a plan as set forth in section 11-4-2 of this title.
- SUBDIVIDER:** Any person laying out or making a land division for the purpose of first sale, or first selling for himself or others a subdivision or any part thereof.
- SUBDIVISION:** Any land that is divided, resubdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development either on the installment plan or upon any and all other plans, terms, and conditions. See also Utah Code Annotated section 10-9-103.
- VICINITY PLAN:** A map or chart showing the relationship of streets within a proposed subdivision to streets in the surrounding area. (Ord. 13, 10-15-1974; amd. 2005 Code)

CHAPTER 3

GENERAL REQUIREMENTS

SECTION:

- 11-3-1: Standards And Specifications
- 11-3-2: Improvement Standards
- 11-3-3: Parks, School Sites, Other Public Spaces
- 11-3-4: Amended Plats
- 11-3-5: Enforcement And Permits
- 11-3-6: Construction And Maintenance Of Private Roads And Driveways
- 11-3-7: Survey Work By Surveyor

11-3-1: **STANDARDS AND SPECIFICATIONS:** The planning commission shall prepare specifications and standards for the design and quality of all required improvements. Said specifications and standards shall be adopted by resolution by the city council. Said requirements shall be considered minimum and shall apply to all subdivisions under all ordinary circumstances; provided, however, that where the subdivider can show that a provision of these general requirements and design standards would cause unnecessary hardship if strictly adhered to and where, because of topographical or other conditions peculiar to the site, in the opinion of the board of adjustment, a departure may be made without destroying the intent of such provisions, the board of adjustment may authorize a variance. Any variance so authorized shall be stated on the final plat and the reasons for such departure shall be entered in writing in the minutes of the board of adjustment. (Ord. 13, 10-15-1974; amd. 2005 Code)

11-3-2: **IMPROVEMENT STANDARDS:** All improvements shall be installed in accordance with city specifications, as directed by the city engineer. (Ord. 13, 10-15-1974)

11-3-3: **PARKS, SCHOOL SITES, OTHER PUBLIC SPACES:** In subdividing property, consideration shall be given to sites for schools, parks, playgrounds and other areas for public use as shown on the master plan. Any provision for such open spaces should be indicated on the preliminary plan in order that it may be determined in what manner such areas will be dedicated to, or acquired by, the appropriate agency. (Ord. 13, 10-15-1974)

11-3-4: **AMENDED PLATS:** Amended plats must be filed. When major changes in a plat of a subdivision which has been recorded are made, approval of said subdivision shall be vacated and an *amended* plat thereof approved and filed in accordance with the requirements of this title. No change shall be made in approved plats unless approval thereof has been obtained by the planning commission and the city council. (Ord. 13, 10-15-1974)

11-3-5: **ENFORCEMENT AND PERMITS:** No officer of the city shall grant any permit or license for the construction or use of any building or land unless and until the requirements hereof shall have been complied with. (Ord. 13, 10-15-1974)

11-3-6: **CONSTRUCTION AND MAINTENANCE OF PRIVATE ROADS AND DRIVEWAYS:** All officials of the city shall refrain from opening, accepting, grading, paving or lighting a street, authorizing the laying of sewers and water mains, or making connections to public water or sewer lines in a street, unless said street:

- A. Has received the status of a public street prior to the taking effect of this title; or
- B. Has been approved by the planning commission as a part of appropriately submitted preliminary plans; or
- C. Having been submitted to the planning commission and disapproved by it, has been accepted by the city council by a favorable vote of two-thirds ($\frac{2}{3}$) of their membership.

No city officer or employee shall enter upon private driveways or roads for the purpose of maintaining or constructing the same, unless and until such private driveways or roads shall have first been made to comply with the standards for public streets for width and

11-3-6

11-3-7

improvements, as set forth in this title, and shall have been accepted as a public street or road by the planning commission and city council. (Ord. 13, 10-15-1974)

11-3-7: **SURVEY WORK DONE BY SURVEYOR:** Land survey work must be done by or under the direction of a registered land surveyor registered in the state. (Ord. 13, 10-15-1974)

CHAPTER 4

PLATTING AND RECORDING REQUIREMENTS

SECTION:

- 11-4-1: Vicinity Plan
- 11-4-2: Preliminary Plan
- 11-4-3: Final Plat
- 11-4-4: Recording Requirements

11-4-1: **VICINITY PLAN:** The vicinity plan shall show a simple sketch drawn to scale of the proposed layout of streets, lots and other features, in relation to existing and planned streets within one-fourth ($\frac{1}{4}$) mile of the subdivision. The plan may be a pencil sketch or may be made directly on an aerial photograph. The plan shall be prepared at a scale of not smaller than one inch equals five hundred feet ($1" = 500'$). (Ord. 13, 10-15-1974)

11-4-2: **PRELIMINARY PLAN:** The preliminary plan shall be drawn to a scale of one inch equals one hundred feet ($1" = 100'$) or larger and shall show:

- A. The proposed name of the subdivision.
- B. The location of the subdivision as forming a part of a larger tract or parcel where the plan submitted covers only a part of the subdivider's tract.
- C. Sufficient information to locate accurately the property shown on the plan, including all land subdivision monuments and land subdivision lines as established by the U.S. government.
- D. The names and addresses of the subdivider, the engineer or surveyor of the subdivision, and the owner of the land immediately adjoining the land to be subdivided.

- E. Contour map at appropriate intervals where required by the planning commission.
- F. The boundary lines of the tract to be subdivided.
- G. The location, width and other dimensions of all existing or platted streets and other important features such as watercourses, exceptional topography and buildings within the tract and within two hundred feet (200') of the tract to be subdivided.
- H. Existing sanitary sewers, storm drains, water supply mains and bridges within the tract, or within two hundred feet (200') thereof.
- I. The location, width and other dimensions of proposed streets, alleys, easements, parks and other open spaces, with proper labeling of spaces to be dedicated to the public or to be reserved for common use and benefit of development residents.
- J. North point, scale and date.
- K. Engineering drawings, including typical cross sections and plans and/or written statements regarding the width and type of proposed streets; location (both on site, off site), size and type of proposed water mains and sanitary sewers or other sewage disposal facilities; drainage facilities, and other proposed improvements such as sidewalks, curbs and gutters, parks and fire hydrants. (Ord. 13, 10-15-1974)

11-4-3: FINAL PLAT:

- A. **Drawing Requirements; Scale:** The final plat shall be prepared on a sheet of approved tracing linen or Mylar to the outside or trim line dimension of twenty three inches by thirty six inches (23" x 36") and the border line of the plat shall be drawn in heavy lines, leaving a space of at least one and one-half inch ($1\frac{1}{2}$ ") margin on the left hand side of the sheet for binding, and not less than one-half inch ($\frac{1}{2}$ ") margin in from the outside or trim line around the other three (3) sides or edges of the sheet. The plat shall be so drawn that the top of the sheet either faces north or west, whichever accommodates the drawing best. All lines, dimensions and markings shall be made with approved waterproof black India drawing ink, or equivalent. The actual map shall be made on a scale large enough to clearly show all details, and the workmanship on finished drawings shall be neat, clean cut and readable.

- B. **Number Required:** The subdivider shall also furnish the planning commission with two (2) prints of the final plat when submitting the tracing.
- C. **Information:** The final drawings or plats shall contain the following information:
1. Subdivision name and the general location of the subdivision.
 2. A north point and scale on the drawings and the date.
 3. Accurately drawn boundaries, showing the proper bearings and dimensions of all boundary lines of the subdivision, properly tied to public survey monuments. These lines should be slightly heavier than street and lot lines. (Ord. 13, 10-15-1974)
 4. The names, widths, lengths, bearings and curve data of proposed public streets, alleys, easements; also the boundaries, bearings and dimensions of all portions within the subdivision, as intended to be dedicated to the use of the public; the lines, dimensions, bearings and numbers of all lots, blocks and parts reserved for any reason within the subdivision. All lots and blocks are to be numbered consecutively under a definite system approved by the planning commission. (Ord. 13, 10-15-1974; amd. 2005 Code)
 5. The location of all required monuments.
 6. The location of public utilities which are within or in close proximity to the proposed subdivision, together with existing watercourses or other constructed features that are involved.
 7. The description and locations of all monuments set and established by the county or the United States government that are adjacent or near this proposed subdivision.
 8. The standard forms approved by the planning commission lettered for the following:
 - a. Description of land to be included in subdivision.
 - b. Registered land surveyor's certificate of survey.
 - c. Owner's dedication.
 - d. Notary public's acknowledgment of dedication.

- e. Planning commission's certificate of approval.
- f. City engineer's certificate of approval.
- g. Approval of public health official, including notation of any special requirements.
- h. The city council's certificate of acceptance and approval.

Note: It is necessary that all dimensions and calculations made by the engineer shall show proper closures in all boundaries of the subdivision, and no plat will be accepted that shows a plus or minus distance for closure, unless agreed to by the planning commission or other person duly empowered by resolution. (Ord. 13, 10-15-1974)

11-4-4: **RECORDING REQUIREMENTS:** Final plats must be recorded in the office of the county recorder not less than ninety (90) days from the date of approval of the final plat by the city council, and no lot shall be sold within such subdivision until the plat has been so approved and recorded. A final plat of any subdivision which is not recorded within ninety (90) days from the date of approval by the city council shall be null and void, unless a longer period of time is approved by the city council. Approval of the final plat by the planning commission shall not be deemed as the acceptance of the dedication of any street, public way or ground. Such acceptance shall be obtained from the city council. (Ord. 13, 10-15-1974)

CHAPTER 5
DESIGN STANDARDS

SECTION:

- 11-5-1: Minimum Area And Lot Size
11-5-2: Streets And Alleys, Cul-De-Sacs And Easements
11-5-3: Blocks
11-5-4: Lots

11-5-1: **MINIMUM AREA AND LOT SIZE:** Except as may otherwise be provided in the zoning regulations, there shall be no minimum area for a subdivision, except that no individual lot within a subdivision shall be less than seventy five feet (75') in width and one hundred feet (100') in depth. (Ord. 13, 10-15-1974; amd. 2005 Code)

11-5-2: **STREETS AND ALLEYS, CUL-DE-SACS AND EASEMENTS:**

A. **Street Widths:** Major and collector streets shall conform to the width assigned on the master street plan wherever a subdivision falls in an area for which a master street plan has been adopted. Where a master street plan has not been completed at the time the preliminary plan is submitted to the planning commission, streets shall be provided as follows:

1. Residential streets shall have a minimum width of fifty feet (50').
2. Collector streets shall have a minimum width of sixty six feet (66').
3. Secondary arterial streets shall have a minimum width of eighty two and one-half feet (82 $\frac{1}{2}$ '), or as shown on the master plan, whichever is greater.
4. Minimum width of roadway wherever curb and gutters are installed (face to face of curb) shall be as follows:

- a. For residential streets, thirty four feet (34').
 - b. For collector streets, forty four feet (44').
 - c. For secondary arterial streets, sixty feet (60'), or conform to master street plan, whichever is greater.
- B. Alleys:** Alleys shall have a minimum width of twenty feet (20'). Alleys may be required in the rear of business lots, but will not be accepted in residential blocks except under unusual conditions where such alleys are considered necessary by the planning commission.
- C. Reverse Curves:** Reverse curves shall have a tangent of at least one hundred feet (100'), unless in the opinion of the planning commission such is not necessary.
- D. Street Intersection:** Streets shall intersect each other as nearly as possible at right angles. Minor streets shall approach the major or collector streets at an angle of not less than eighty degrees (80°). Offsets in street alignment of more than ten feet (10') or less than one hundred twenty feet (120') shall be prohibited.
- E. Street Grades:** Minimum street grades of 0.6 percent will be required with the maximum grade being seven percent (7%) for collector streets and ten percent (10%) for minor streets. Where the observance of this standard is unfeasible, the planning commission shall have the power to grant an exception when special pavement surfaces and adequate leveling areas are installed or in the opinion of the planning commission the best subdivision of the land is thereby secured.
- F. Street Curves:** Where the street lines within a block deflect from each other at any one point more than ten degrees (10°), there should be a connecting curve. The radius of the curve for the inner street line should not be less than three hundred fifty feet (350') for major streets, two hundred fifty feet (250') for an important neighborhood street, and one hundred feet (100') for minor streets.
- G. Curbs:** Curbs at all intersections shall be rounded with curves having a minimum radius of fifteen feet (15') for minor streets, and twenty five feet (25') for collector and major streets. Property lines at street intersections should be rounded with a curve where necessary to fit the curb radius.






- H. **Street Names:** New street names should not duplicate those already existing. A street obviously a continuation of another already in existence should bear the same name. Before the street is named, the proposed name must be submitted to and approved by the planning commission.
- I. **Street Dedications:** All streets shall be dedicated for public use. The dedication of half streets in any subdivision is prohibited, except on the borders.
- J. **Relations To Adjoining Street System:** The arrangement of streets in new subdivisions shall make provision for the continuation of the existing streets in adjoining areas (or their proper projection where adjoining land is not subdivided) at the same or greater width (but in no case less than the required minimum width) unless variations are deemed necessary by the planning commission, insofar as such may be deemed necessary by the planning commission, for public requirements. The street arrangement must be such as to cause no unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it. Where, in the opinion of the planning commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property.
- K. **Cul-De-Sacs:** Cul-de-sacs (dead end streets) shall be used only where unusual conditions exist which make other designs undesirable. Each cul-de-sac shall have a minimum right of way width of fifty feet (50') and must be terminated by a turnaround of not less than one hundred feet (100') in diameter. Surface water must drain away from the turnaround, except that where surface water cannot be drained away from the turnaround along the street due to grade, necessary catch basins and drainage easements shall be provided.
- L. **Easements:** Where alleys are not provided, easements of not less than eight feet (8') on each side of all rear lot lines and side lines will be required where necessary for poles, wire, conduits, storm or sanitary sewers, gas and water mains, and other public utilities. Easements of greater width may be required along property lines where necessary for surface overflow or for the extension of main sewers or similar utilities. (Ord. 13, 10-15-1974)

11-5-3: BLOCKS:

- A. **Length:** The maximum length of blocks, generally, shall be one thousand three hundred feet (1,300') and the minimum length of blocks shall be four hundred feet (400'). In blocks over eight hundred feet (800') in length, the subdivider may be required to dedicate a walkway through the block at approximately the center of the block. Such walkway shall not be less than ten feet (10') in width.
- B. **Width:** The width of blocks generally shall be sufficient to allow two (2) tiers of lots.
- C. **Use:** Blocks intended for business or industrial use shall be designed especially for such purposes with adequate space set aside for off street parking and delivery facilities. (Ord. 13, 10-15-1974)

11-5-4: LOTS:

- A. **Building Sites:** The lot arrangement, design and shape shall be such that lots will provide satisfactory and desirable sites for buildings and be properly related to topography and conform to requirements set forth herein. Lots shall not contain peculiarly shaped elongations solely to provide necessary square footage which would be unusable for normal purposes.
- B. **Lot Sizes:** All lots shown on the subdivision plat must conform to the minimum requirements of the zoning title for the zone in which the subdivision is located.
- C. **Lots Must Abut On Public Streets:** Each lot shall abut on a street dedicated by the subdivision plat or an existing publicly dedicated street, or on a street which has become public by right of use and is more than fifty feet (50') wide. Interior lots having frontage on two (2) streets shall be prohibited, except where topographic conditions make such design desirable.
- D. **Corner Lots:** Corner lots shall have extra width sufficient for maintenance of required building lines on both streets.
- E. **Angle Of Lots:** Side lines of lots shall be approximately at right angles, or radial to the street line, except where topographic conditions make it advisable to have side lot lines deflect at sharper angles.

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- F. **Parts Of Lots:** All remnants of lots below minimum size left over after subdividing of a larger tract must be attached to adjacent lots rather than allowed to remain as unusable parcels.
- G. **Divided Lots:** Where the land covered by a subdivision includes two (2) or more parcels in separate ownership and the lot arrangement is such that a property ownership line divides one or more lots, the land in each lot so divided shall be transferred by deed to single ownership before approval of the final plat, and such transfer recorded in the county recorder's office before being certified to the planning commission by the subdivider. (Ord. 13, 10-15-1974)
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CHAPTER 6

IMPROVEMENT REQUIREMENTS

SECTION:

11-6-1: Improvement Requirements

11-6-1: **IMPROVEMENT REQUIREMENTS:**

- A. Installation; Time Limit: Improvements shall be installed in all subdivisions in accordance with standards and requirements herein set forth; provided, however, that actual construction of required improvements in the subdivision may be delayed up to two (2) years. Where a suitable bond or other assurance is furnished to the city by the subdivider as provided for in this title. (See particularly subsection 11-1-3E and chapter 7 of this title.)
- B. Specified Improvements: Said improvements shall be as follows:
1. Streets And Travel Easements: All streets and travel easements shall be graded and paved and culverts installed in accordance with city standards as directed by the city engineer.
 2. Sewer Mains And Sewage Disposal: Both off site and on site sewer mains of not less than eight inches (8") in diameter shall be installed in such a way that each lot may be served therefrom.
 3. Water Mains: Both off site and on site water mains of not less than six inches (6") in diameter shall be installed in such a way that each lot can be served therefrom.
 4. Curb And Gutters: Curb and gutters shall be constructed in accordance with city standards as directed by the city engineer.
 5. Sidewalks: Sidewalks in conventional subdivisions shall be four feet (4') wide and shall be constructed in accordance to city standards as directed by the city engineer.

6. **Fire Hydrants:** Fire hydrants shall be installed in accordance with city specifications.

7. **Permanent Monuments:** Permanent monuments shall be installed in accordance with city specifications.

8. **Underground Utilities:** Electric and telephone lines shall be located underground except when the subdivider can show the planning commission that underground lines are not feasible.

9. **Environmental Hazards:** Environmental hazards must be eliminated as required by the planning commission as follows:

a. Cut and fill slopes must be covered with topsoil and reseeded.

b. Location of streets and buildings on unstable soil shall be avoided.

c. Surface water produced from the subdivision development shall be properly disposed within the subdivision or shall be drained into natural channels in a manner that will reduce the exposure to flood hazard and will prevent the soil within and outside of the subdivision from eroding, and will not produce an undue flood hazard to adjacent properties.

d. The subdivision layout shall make adequate provision for natural drainage channels and floodways.

e. All water, sewer and other utility systems and facilities located in flood hazard areas shall be designed to minimize infiltration of floodwater into the system, or discharge of the system into the floodwaters.

f. Other environmental hazards must also be eliminated or adequately handled as directed by the planning commission. (Ord. 13, 10-15-1974)

CHAPTER 7

GUARANTEE OF PERFORMANCE

SECTION:

- 11-7-1: Type And Amount Of Guarantee
11-7-2: Duration
11-7-3: Default
11-7-4: Final Disposition And Release

11-7-1: **TYPE AND AMOUNT OF GUARANTEE:** The type of performance guarantee submitted by the subdivider shall be in the form of: a) a cash deposit; b) a bond; or c) a mortgage, executed in the favor of the city on real property which is unrelated to the proposed project. The amount of the guarantee shall be in an amount or value equal to the cost of the required improvements as determined by the city engineer. (Ord. 13, 10-15-1974)

11-7-2: **DURATION:**

- A. Specified: The duration of the bond or other assurance shall be for two (2) years from the date of approval of the subdivision by the city council.
- B. Extension: An extension of time may be granted by the city council upon application by the subdivider, provided such application is submitted at least sixty (60) days prior to the expiration of the bond, and provided the issuer of the bond is willing to extend the time of the assurance.
- C. Appeal; Limited Extension: The city council may upon appeal of the subdivider grant a limited extension of the time limit, not to exceed ninety (90) days, without the necessity of fulfilling the sixty (60) day notice as required above, when it is determined by the city council that failure to perform is due to conditions beyond the control of the subdivider. (Ord. 13, 10-15-1974)

11-7-3: **DEFAULT:** In the event the subdivider is in default or fails or neglects to satisfactorily install the required improvements within two (2) years from the date of approval of the plat by the city council, or to obtain an extension of the time limit, or to pay all liens in connection therewith, the city council may declare the bond or other assurance forfeited and the city may install or cause the required improvements to be installed using the proceeds from the collection of bonds or other assurance to defray the expense thereof. (Ord. 13, 10-15-1974)

11-7-4: **FINAL DISPOSITION AND RELEASE:** The subdivider shall be responsible for the quality of all materials and workmanship. At the completion of the work, or not less than ten (10) days prior to the release date of the bond or other assurance, the city engineer shall make a preliminary inspection of the improvements and shall submit a report to the city council, setting forth the conditions of such facilities. If all liens are paid, and other conditions thereof are found to be satisfactory, the city council shall release the bond or other assurance. If the condition of material or workmanship shows unusual depreciation or does not comply with the acceptable standards of durability or if any outstanding liens are not paid, the city council may declare the subdivider in default. (Ord. 13, 10-15-1974)