



TITLE 11 SUBDIVISIONS

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CHAPTER 1: GENERAL PROVISIONS

11-1-1 Short Title

This Title shall be known and may be cited as the “Subdivision Regulations” of Mason City, referred to herein as the “Regulations.”

11-1-2 Purpose

The purpose of this Title is to encourage orderly community development and provide for the regulation and control of the extension of public improvements, public services, and utilities, the improvement of land, and the design of subdivisions, consistent with the City’s approved comprehensive plan and other specific community plans.

These Regulations support comprehensive plan policies for the creation of new neighborhoods and the revitalization of existing neighborhoods that are walkable, served by public utilities, and have good access to commercial services, schools, recreational amenities and open space.

11-1-3 Jurisdiction

These Regulations apply to all subdivisions of land, as defined herein, located within the corporate limits of the City, or within two (2) miles of the corporate limits of the City, pursuant to Section 354.9 of the Code of Iowa.

11-1-4 Applicability

- A. SUBDIVISION REQUIRED: No land shall be subdivided or lots conveyed within the corporate limits or the two (2) mile extraterritorial area of the city, with the exception under Section 11-1-5 of this chapter, until the following conditions are satisfied:
1. The subdivider or his/her agent shall submit a preliminary plat of the parcel to the Zoning Division in the Development Services Department.
 2. The subdivider shall obtain a recommendation to approve, modify or disapprove the preliminary plat by the Commission and approval of the preliminary plat by the Council.
 3. The final plat of the parcel is reviewed by the Administrative Officer and approved by the Council.
 4. The approved final plat is filed with the County Recorder and County Auditor.
- B. BUILDING PERMITS: No building permit shall be issued for construction on any lot, parcel or tract where a subdivision, lot split or boundary line adjustment is required by this Title, unless and until a final plat, lot split or boundary line adjustment has been approved and recorded in accordance with this Title.
- C. LOT SPLITS: Lot splits, as defined, require prior approval of the Administrative Officer as specified in Chapter 11-3-3 of this Title.

D. BOUNDARY LINE ADJUSTMENTS: Boundary line adjustments between adjoining parcels require prior approval of the Administrative Officer as specified in Chapter 11-3-2 of this Title.

11-1-5 Criteria for Subdivisions in Undeveloped Areas

A. Premature subdivisions are prohibited within the Z1 District. A rezoning to another district is required prior to, or concurrent with, any subdivision.

B. No subdivision in an undeveloped area shall be approved unless the following criteria are met:

1. The site is contiguous to an existing neighborhood or can be readily connected to an existing neighborhood or corridor by a collector street.
2. The site is able to be served by public utilities within a reasonable distance as determined by the City Engineer and Development Review Committee (see Title 12, Chapter 7 of this Code).
3. A concept plan has been submitted, showing how the proposed subdivision will fit into a complete planned neighborhood of at least forty (40) acres in size. The concept plan must be drawn to scale and demonstrate how the proposed subdivision's transportation and utility network will connect to the broader area included in the concept plan to provide an interconnected development that uses land, transportation and public utility resources efficiently and effectively.

11-1-6 Relationship to Other Laws, Titles and Plans

In addition to the requirements of this Title, all plats of land must comply with all other applicable city, county, state and federal statutes or Regulations. These Regulations are expressly designed to supplement and be compatible with the City's Zoning Title, Comprehensive Plan and other City plans and Regulations. Plats may be disapproved on the basis of the above and other Council-approved plans and policies that may be adopted.

11-1-7 Waiver or Modification of Requirements

A. MODIFICATION OF REQUIREMENTS: Upon recommendation of the Commission, the Council may vary, modify or waive the requirements of Chapter 4, "Design Standards and Required Improvements", of this Title, provided one of the following qualifying circumstances are met:

1. If the subdivider can demonstrate that strict compliance with the requirements of this Title would result in extraordinary hardship because of excessive costs due to non-self-inflicted conditions; and if the subdivider can demonstrate that strict compliance with the requirements of this Title would conflict with the

objectives of these subdivision regulations and the Mason City Comprehensive Plan; or

2. If a subdivider can demonstrate that strict compliance with the requirements of this Title would result in subdivision design that would compromise public health or safety, or could result in the substantial degradation of natural features.
3. Not with standing the above, the Council may not approve a waiver that is in conflict with the requirements of Title 12 of this City Code, unless a Variance has been approved by the Zoning Board of Adjustment as prescribed in Title 12 of this City Code.

B. CRITERIA FOR COUNCIL ACTION: The Council may act to vary, modify or waive a requirement only if it finds that the public safety and interest is protected and that such variance, modification or waiver will not hinder development of neighboring properties and that the variance, modification or waiver will not nullify the intent or purposes of this Title or of other Titles this Code.

11-1-8 Fees

The Council shall from time to time establish by resolution a schedule of reasonable fees, sufficient to recover incurred costs, to be charged for the review of plats under these regulations.

11-1-9 Selling Before Approval; Penalties

- A. Land which forms part of a subdivision requiring Council approval under these Regulations shall not be sold before Council grants final subdivision approval, except pursuant to an agreement expressly conditioned on final subdivision approval.
- B. It shall be unlawful for any person to transfer or sell any division which requires approval under this Title without first having obtained approval by the City. Each such attempt, agreement, transfer or sale shall be deemed a separate violation.
- C. In addition to the foregoing, the City may institute injunctive, mandamus or other appropriate action or proceedings to prevent any pending sale or transfer or to prevent any further sale or transfer in violation of this Title.
- D. Penalties. A violation of any provision of this Title shall be considered a misdemeanor and punished accordingly. Each day that a violation occurs and/or is permitted to exist constitutes a separate offence.

11-1-10 Validity; Severability

Should any section, sentence, clause or provision of this Title be declared by a court to be invalid, the same shall not affect the validity of this Title as a whole or the remaining portions of this Title.

CHAPTER 2: DEFINITIONS

11-2-1 Interpretation

For the purpose of this Title, certain terms and words are hereby defined. Words used in the present tense shall include the future, the singular number shall include the plural and the plural number includes the singular; the word “shall” is mandatory, the word “may” is permissive; the word “person” includes a firm, association, organization, partnership, trust, company or corporation as well as an individual; the words “used” or “occupied” include the words “intended, designed or arranged to be used or occupied”.

11-2-2 Definitions

ADMINISTRATIVE OFFICER: That person designated by the City Administrator as the officer responsible for the administration and enforcement of this Title.

ALLEY: A way which affords a secondary means of access to abutting property.

BLOCK: An area of land within a subdivision that is entirely bounded by streets, railroad rights of way, rivers, tracts of public land or the boundary of the subdivision.

BOUNDARY LINE ADJUSTMENT: An adjustment of lot or parcel lines between owners of contiguous officially platted lots or parcels where no more than the same number of lots or parcels, or fewer numbers of lots or parcels, exist after the adjustment. A Boundary Line Adjustment also includes the removal of internal or common boundary lines to consolidate two or more lots or parcels having common ownership into one.

BUILDING PERMIT: A document issued under the authority of the City Building Official which authorizes the construction of a structure on a lot.

COMMISSION: The Mason City Planning & Zoning Commission.

COMPREHENSIVE PLAN: The Mason City Comprehensive Plan, as adopted and as amended from time to time.

COUNCIL: The Council of the City of Mason City, Iowa.

CUL-DE-SAC: A street having one end connecting to another street, and the other end terminated by a vehicular turnaround.

DEDICATION OF PLAT: A document, submitted for recording with the final plat, which sets out the legal description of the property platted, contains a signed and properly acknowledged statement that the plat is

made with the free consent and in accordance with the desires of the owner, dedicates street and other public property and easements, and may include private restrictions or covenants.

DEVELOPMENT REVIEW COMMITTEE: The committee authorized to complete concept plan review of a plat of subdivision, per Title 12, Chapter 12-7 of the City Code.

EASEMENT: An authorization by a property owner for another to use a designated part of the property for a specified purpose.

FRONTAGE: That side of a lot abutting on a street and regarded as the front of the lot.

IMPROVEMENTS: Changes to land necessary to prepare it for building sites, including but not limited to grading, filling, street paving, curb paving, sidewalks, walkways, water mains, sewers, drainageways and other public works and appurtenances.

LOT: A portion of a subdivision or other parcel or tract intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.

LOT, CORNER: A lot situated at the intersection of two (2) streets.

LOT, DOUBLE FRONTAGE: Any lot which is not a corner lot which abuts two (2) streets.

LOT SPLIT: The division of a single parcel into two (2) lots, each sufficiently sized for development.

OWNER: The legal entity holding Title to the property being subdivided, or such representative or agent as is fully empowered to act on its behalf.

PLAT: A map, drawing or chart on which a subdivider's plan for the subdivision of land is presented, which he submits for approval and intends, in final form, to record.

PLAT OF SURVEY: The graphical representation of a survey of one or more parcels of land, including a complete and accurate description of each parcel within the plat, prepared by a registered land surveyor.

PRIVATE RESTRICTIONS OR COVENANTS: Contracts or agreements entered into between private parties and which constitute a restriction on the use of all private property within a subdivision for the benefit of property owners, and to provide mutual protection against undesirable aspects of development which would tend to impair stability of values.

PUBLIC WAY: A right-of-way across or within a block for use by the public.

STREET: Public or private property, not an alley, intended for vehicular circulation. In appropriate context, the term “street” may refer to the right-of-way bounded by the property lines of such property or may refer to the paving installed within such right-of-way.

STREET, ARTERIAL: A street primarily intended to carry traffic from one part of the city to another and not intended to provide access to abutting property.

STREET COLLECTOR: A low to moderate capacity street which serves to move traffic from minor streets to major or arterial streets.

STREET, MAJOR: A street which has or is planned to have continuity to carry traffic from one section of the city to another.

STREET, MINOR: A street of limited continuity used primarily for access to abutting properties and the local needs of a neighborhood.

SUBDIVIDER: The owner of the property being subdivided, or such other person or entity empowered to act on the owner’s behalf.

SUBDIVISION: The division of land into three (3) or more parts for the purpose, whether immediate or future, of transfer of ownership or building development. The term, when appropriate to the context, may refer to the process of subdividing or to land subdivided. However, the sale or exchange of small parcels of land to or between the owners of adjacent platted lots, where such sale or exchange does not create any additional lots, shall not be considered a subdivision.

SUBDIVISION PLAT: The graphical representation of a subdivision of land, prepared by a registered land surveyor, having a number or letter designation for each lot within the plat and a succinct name or Title that is unique for the county where the land is located.

SUBDIVISION, MAJOR: All subdivisions not classified as minor subdivisions, including any size subdivision requiring any new street or extension of the local government facilities, or the creation of any public improvements.

SUBDIVISION, MINOR: Any subdivision which contains not more than four (4) lots fronting on an existing street, not involving any new street or road, or the extension of municipal facilities or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Comprehensive Plan, Zoning Map, Zoning Title or these Regulations.

SUBDIVISION, PREMATURE: Any subdivision that is not served by municipal utilities and/or does not comprise all or a portion of an existing or planned neighborhood, as specified in Chapter 11-1-6.

SURVEYOR'S CERTIFICATE: A document, signed, sealed and dated by a registered land surveyor, which contains the legal description of the property and a statement by the registered land surveyor that the plat was prepared by the surveyor or under the surveyor's direct personal supervision.

UTILITIES: Systems for the distribution or collection of water, gas, wastewater, stormwater, electricity, digital communications and telephone and cable television service.

CHAPTER 3: PROCEDURES

11-3-1 In General

This section includes the processes and requirements for all land division applications within Mason City and the City's extraterritorial jurisdiction.

11-3-2 Boundary Line Adjustments Review and Approval

The purpose of this section is to prescribe uniform procedures allowing for approval of minor changes to the boundaries of parcels between owners of adjacent parcels of land or to remove one or more common property lines and combine two or more parcels into one. Such adjustments shall be reviewed administratively, as follows.

- A. Applications shall be submitted by the landowner on a form as established by the Administrative Officer and shall be accompanied by the following:
1. In the case of a Boundary Line Adjustment between two parcels with structural improvements, a boundary survey including all the information required by Chapter 354 of the Code of Iowa. In the case of a Boundary Line Adjustment consolidating two or more parcels or lots, or a Boundary Line Adjustment between two unimproved parcels or lots, a site plan drawn to scale showing the boundaries and dimensions of the two parcels.
 2. Legal descriptions of the new parcels resulting from the Boundary Line Adjustment.
 3. The location of all buildings, utility easements and access (proposed or existing) for all parcels involved including adjoining property.
 4. A draft copy of the deed to be recorded with the boundary survey showing the appropriate conveyance to complete the Boundary Line Adjustment.
- B. The parcel being conveyed shall be combined with the existing adjoining parcel onto one deed and recorded with the boundary survey or site plan.
- C. The Administrative Officer shall approve or deny the application based upon the boundary survey and other relevant information upon determination that all resulting parcels meet the requirements of the Zoning Title and that all resulting parcels have access to an adjoining public roadway by actual road frontage or easement.
- D. If the Administrative Officer finds that the proposed Boundary Line Adjustment does not comply with all requirements in this section, the Boundary Line Adjustment shall be denied. Such denial shall be issued in writing and shall state how the proposed Boundary Line Adjustment does not conform to all adopted codes and standards.

Decisions of denial may be appealed to the Zoning Board of Adjustment pursuant to Title 12-5-1 of the City Code.

11-3-3 Lot Split Review and Approval

The purpose of this section is to prescribe a process for the division of parcels into two (2) lots, known as lot splits, when a formal subdivision is not required. Such divisions shall be reviewed administratively, as follows:

A. Applications shall be submitted by the owner on a form as established by the Administrative Officer and shall be accompanied by the following:

1. In the case of a lot split of a parcel or lot with structural improvements, a boundary survey including all the information required by Chapter 354 of the Code of Iowa. In case of a lot split of an unimproved parcel or lot, a site plan drawn to scale showing the boundaries and dimensions of the two resulting parcels.
2. Legal descriptions of the new parcels resulting from the lot split.
3. The location of all buildings, utility easements and access (proposed or existing) for all parcels involved, including adjoining property.
4. A draft copy of the deed to be recorded with the boundary survey showing the appropriate conveyance to complete the lot split.

B. The Administrative Officer shall approve or deny the lot split based upon the boundary survey or site plan and other relevant information. No lot split shall be approved unless it meets the following criteria:

1. The resulting parcels meet the minimum lot size required for the zoning district in which they are located.
2. Structures on the resulting lots will meet the required setbacks and other bulk standards for the zoning districts in which they are located.
3. Both parcels have access to an adjoining public roadway by actual road frontage or easement.
4. Neither this process nor any former lot split process has perviously been used to sever a lot from the parent tract.

C. If the Administrative Officer finds that the proposed lot split does not comply with all requirements in this section, the lot split shall be denied. Such denial shall be issued in writing and shall state how the proposed lot split does not conform to all adopted codes and standards. Decisions of denial may be appealed to the Zoning Board of Adjustment pursuant to Title 12-5-1 of the City Code.

11-3-4 Pre-Application Conference

In order to convey critical information regarding the subdivision process, a pre-application conference is encouraged, but not required, prior to the submission of an application for a plat of subdivision. The conference shall include the Administrative Officer, City Engineer, other appropriate City staff, and utility company representatives where advisable. The purpose of the pre-application conference is:

- A. To acquaint the applicant with the subdivision Regulations and related requirements of the City;
- B. To list the requirements that the applicant must comply with prior to the submission of the preliminary plat;
- C. To establish the applicable street widths for the subdivision under the provisions of Chapter 11-4-4;
- D. To describe the standard engineering specifications adopted by the City;
- E. To determine whether the applicant wishes to request waivers of any subdivision regulations as established in Section 11-1-7 of this Title.

11-3-5 Concept Plan

The applicant shall submit a concept plan for review by the Development Review Committee, prior to the submittal of any plat. The concept plan is intended to reflect the general intentions of the applicant with regard to layout of lots, streets and utilities, and to provide a basis for discussion and revision before substantial engineering costs are incurred. Developers are discouraged from preparing plat documents until the concept plan has been reviewed by the Development Review Committee. The concept plan shall include the following information:

- A. The proposed layout of streets and utilities, emphasizing connections to adjacent neighborhoods and corridors;
- B. Approximate location of lots, location of stormwater facilities, and open space;
- C. Generalized land uses proposed, such as residential, commercial or mixed-use;
- D. General topography, based on existing topographic maps or other resources (a survey is not required for the concept plan);
- E. Approximate locations of any buildings or structures located on the property;
- F. Surrounding land uses and approximate location of buildings on abutting properties;
- G. Sensitive features of the property, including streams, wooded areas, known or potential wetlands, known archaeological sites, etc.

H. For proposed subdivisions in areas not previously developed, the concept plan shall be accompanied by a conceptual build out showing how the proposed subdivision will fit into a complete planned neighborhood of at least forty (40) acres in area, per section 11-1-5 of this Title.

11-3-6 Concept Plan Review

Upon receipt of a concept plan, the Administrative Officer and the Development Review Committee shall meet with the developer to review the concept plan in the context of the standards of this Chapter, other City Code requirements and Comprehensive Plan policies. The Administrative Officer will determine if the proposed subdivision is a major or minor subdivision and shall schedule review of the concept plan by the Development Review Committee, which review shall occur within twenty (20) days of receipt of the concept plan. Comments of the Development Review Committee are intended to provide guidance to the applicant in preparing the preliminary plat and do not constitute an official decision on the application.

11-3-7 Applicability of Preliminary and Final Plat Requirements

Preliminary and final plat requirements are applicable to all major subdivisions. The owner and developer of a minor subdivision, as defined, may choose to omit the preliminary plat submission and approval process.

11-3-8 Preliminary Plat Requirements

Following the concept plan review, any subdivider requesting preliminary plat approval shall file the following information with the Administrative Officer prior to the deadline established by the Commission:

- A. Application form and filing fee, as established by a resolution of the Council.
- B. One (1) original and two (2) copies of the preliminary plat drawn at a scale of one inch equals one hundred feet (1" = 100') or larger, on a sheet size not exceeding twenty four inches by thirty six inches (24" x 36"). The preliminary plat shall be clearly marked "Preliminary Plat" and shall show the following:
 1. Subdivision name, scale, north point and date.
 2. The name and address of the property owner and the name and address of the person or firm preparing the plat.
 3. A key map showing the general location of the subdivision in relation to surrounding streets and development.
 4. All adjacent streets and subdivisions and names of the owners of record of all adjacent unplatted properties.
 5. Legal description of the property included in the proposed subdivision.

6. Approximate total area of the proposed subdivision.
7. Existing and proposed zoning of the proposed subdivision and adjoining property.
8. Existing and proposed topography of the site showing contours at vertical intervals of not more than two feet (2') if the slope of the site is less than ten percent (10%), and at vertical intervals of not more than five feet (5') if the slope is ten percent (10%) or greater.
9. The general location and areas of any existing water courses, wetlands, floodplains, trees, wooded areas, prairie resources or other environmentally sensitive areas on or within two hundred feet (200') of any portion of the proposed subdivision. If any portion of the area within the proposed preliminary plat lies within the City's regulatory flood plain, the boundaries of the flood plain and location and elevation of established cross sections shall be placed on the preliminary plat or on an addendum.
10. Locations of existing easements including, but not limited to, easements, drainage easements and access easements, lot lines, streets, public utilities, water mains, sanitary sewers, storm sewers, drainpipes, culverts, stormwater detention facilities and any other public improvements on the property.
11. Layout of proposed blocks and lots, including the dimensions of each, and the lot and block number in numerical order.
12. The location, width, grades, dimensions and proposed names of all proposed streets (public and private) and utility and other easements.
13. Proposal for drainage of the land, including proposed storm sewers, ditches, swales, bioswales, rain gardens, culverts, bridges, stormwater management facilities and other structures.
14. Proposed utilities, including sanitary sewers, water lines, fire hydrants, gas mains, electric utilities, streetlights and other facilities.
15. Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or public or semipublic purposes.
16. Proposed easements, showing locations, dimensions, purposes and limitations.
17. A summary description of any covenants or private restrictions to be incorporated in the final plat.
18. Any other pertinent information.
19. The City approval block consisting of the signature of the Administrative Officer and the date and resolution number

approving the preliminary plat, shall be located on the first page of the plat.

- C. One eleven inch by seventeen inch (11" x 17") black line copy of the preliminary plat as outline in subsection B of this section.
- D. One digital copy of the preliminary plat containing the elements as outlined in subsection B of this section in a format compatible with the City's Geographic Information System or other format acceptable to the City.
- E. One digital copy of the preliminary plat containing the elements as outlined in subsection B of this section in a format as specified by the Administrative Officer.
- F. One digital copy of the legal description of the subdivision in a format specified by the Administrative Officer.

11-3-9 Preliminary Plat Review Procedure

- A. Upon receipt of a complete preliminary plat application, the Administrative Officer shall distribute copies of the preliminary plat to the City Engineer and other affected City departments and public utility companies for review, and shall schedule the plat for review by the Commission. All City departments tasked with review of the plat shall report their findings as to the plat's compliance with City standards to the Commission prior to its consideration of the plat. The Administrative Officer shall also provide notice of the date, time and place of the public hearing before the Commission regarding the preliminary plat application. The notice shall be published in the City's newspaper of record and be made by U.S. Mail at least 10 calendar days prior to the hearing to the owners of record of all properties within 350 ft. of the area included in the preliminary plat.
- B. The Commission shall review the plat, together with all staff reports, to determine whether the plat conforms to the Titles and comprehensive plan of the City. The Commission shall, within forty-five (45) days following receipt of the completed application, conduct a public hearing on the proposed preliminary plat unless such time period shall be extended by agreement between the subdivider and the City. After due consideration of the plat, the Commission shall make a recommendation to the Council. The Commission may recommend to approve, to approve subject to modifications or to deny the preliminary plat. If such recommendation is to approve subject to modifications or to deny the preliminary plat, the reasons for the decision shall be stated in the recommendation. Any preliminary plat that is not reviewed by the Commission within forty-five (45) days following receipt of the application shall be forwarded to the Council without the Commission's recommendation.
- C. The Council shall review the recommendation of the Commission and shall review the plat to determine whether the plat conforms to the Titles and the Comprehensive Plan of the City. Following such

review, the Council may approve, approve subject to modifications, or deny the preliminary plat. The Council shall set forth in its official records its reasons for denying the plat or approving the plat subject to modifications. The Council shall take action on the plat within forty-five (45) days following action by the Commission, unless such time period shall be extended by agreement between the subdivider and the City. If the Council shall fail to take action on the plat within said forty five (45) days, the plat shall be deemed approved.

- D. The Administrative Officer shall notify the developer and City Engineer of the Council's decision. If the preliminary plat is approved, the Administrative Officer shall provide a copy of the approved preliminary plat and the resolution approving the preliminary plat to the City Engineer and developer.

11-3-10 Duration and Effect of Approval

The approval of the preliminary plat by the Council shall be effective for one year unless, upon written request of the owner and subdivider, the Council grants an extension of time. Such extension request must be received no fewer than 30 days prior to the expiration of the approval. The request should include the status of the subdivision's improvements, a comprehensive list of improvements to be completed during the extension, the estimated dollar cost of the remaining improvements, and justification for the extension. If the final plat is not filed within one year and no extension is granted by the Council, all previous actions of the Council with respect to the plat shall be deemed null and void. Approval of the preliminary plat shall confer upon the applicant the following assurances during the period of approval effectiveness:

- A. The general terms and conditions under which the preliminary plat was approved will not be changed.
- B. The subdivider may submit on or before the expiration date of such approval the final plat of all or part of the property contained in the preliminary plat for approval.
- C. The approval of the preliminary plat by the Council shall constitute authorization for the installation of improvements as required by this Title, and as shown on the preliminary plat; provided, no such improvement shall be constructed or installed until and unless complete plans and specifications for the construction of such improvements have been approved by the City Engineer.

11-3-11 Final Plat Requirements

Any subdivider requesting final plat approval shall file the following information with the Administrative Officer prior to the deadline as established by the Commission:

- A. Application form and filing fee, as established by a resolution of the Council.

- B. A copy of the deed, certificate of Title, land contract or any other recorded legal documentation showing verification of ownership of said parcel being subdivided.
- C. A surveyor's certificate (original and 1 copy).
- D. A dedication of plat (original and 1 copy).
- E. A statement of restrictions of all types that run with the land and become covenants in the deeds of the lots.
- F. Evidence that all required improvements have been completed in accordance with the construction plans as approved and in substantial compliance with the approved preliminary plat. In lieu of completion of improvements prior to final plat approval, the subdivider shall post a performance bond, escrow or any other evidence of financial responsibility acceptable to the City, guaranteeing that improvements not completed shall be completed within a period of one (1) year from the date of approval of such final plat. If the improvements are not completed within the specified time, the Council may use the bond, escrow or other approved financial instrument or any necessary portion thereof to complete the same.
- G. A street tree planting plan approvable by the City and bearing a signature block for the City Forester.
- H. One signed original and two black line copies of the final subdivision plat drawn at a scale of one inch equals one hundred feet (1" =100') or larger, on a sheet fifteen inches by eighteen inches (15" x 18") in size. The final plat shall be clearly marked "Final Plat" and shall show the following:
 - 1. Subdivision name, scale, north arrow and date.
 - 2. The name and address of the property owner and the name and address of the person or firm preparing the plat.
 - 3. All adjacent streets and subdivisions.
 - 4. The legal description of the property included in the subdivision.
 - 5. All dimensions, both linear and angular, necessary for locating boundaries of the subdivided area, the lots, streets, alleys, easements and any other similar public or private uses.
 - 6. All monuments to be of record.
 - 7. All distance, bearing, curve and other survey data as required by Chapter 355, Code of Iowa.
 - 8. The location, width, dimensions and names of all public streets to be dedicated for public use and private streets provided for by perpetual easement.
 - 9. Block and lot numbers.

10. The location and purpose of any easement and/or private restriction shown on the plat.
 11. In the case of a minor subdivision where no preliminary plat was required or approved, a grading plan showing areas of excavation and stockpiling, soil erosion control methods which will be practiced, and quantities involved in the soil erosion control methods.
 12. If any portion of the area within the proposed final plat lies within the City's regulatory flood plain, the boundaries of the flood plain and location and elevation of established cross sections shall be placed on the final plat or on an addendum.
 13. If more than one sheet is used, each sheet shall clearly show the number of the sheet, the total number of the sheets included in the plat, and match lines indicating where other sheets adjoin.
 14. The required City signature block executed by the mayor, and the date and resolution number approving the final plat shall be 5.4" x 1.5" or 2.2" x 3.7" in size, located in the lower right hand corner of the first page of the plat. A signature block for the Mayor shall be located on all subsequent pages. Any exceptions must be approved by the Administrative Officer.
- I. One eleven inch by seventeen inch (11" x 17") black line copy of the final plat as outline in Section H of this section.
 - J. One digital copy of the final plat containing the elements as outlined in subsection B of this section in a format compatible with the City's Geographic Information System or other format acceptable to the City.
 - K. One digital copy of the final plat containing the elements as outlined in subsection B of this section in a format as specified by the Administrative Officer.
 - L. One digital copy of the legal description of the subdivision in a format specified by the Administrative Officer.
 - M. One archival copy of the plat meeting the specifications outlined in subsection B of this section in a format and on media acceptable to the City Engineer.

11-3-12 Final Plat Review Procedures

- A. Upon receipt of a complete final plat application, the Administrative Officer shall distribute copies of the final plat to the City Engineer and other affected City departments and public utility companies for review, and shall schedule the plat for review by the Council. All City departments tasked with review of the plat shall report their findings as to the plat's compliance with City standards to the Council prior to its consideration of the plat.

B. The Council shall review the final plat and all staff reports to determine whether said plat is in substantial conformity to the approved preliminary plat and whether said plat conforms to the Titles and the comprehensive plan of the City. If the plat is found to be in substantial conformity to the approved preliminary plat and conforms to the Titles and comprehensive plan of the City, the Council shall approve the plat by resolution. The Council shall take action on the plat within sixty (60) days following the filing of the completed application with the Administrative Officer, unless such time period is extended by agreement between the subdivider and the City. If the Council does not take action within sixty (60) days, the final plat shall be deemed approved.

11-3-13 Installation of Improvements

The Council may require that all public improvements described on the approved preliminary plat for a major subdivision be installed and dedicated prior to approval of the final plat. If the Council does not require such installation, the Council shall require the subdivider to post a performance bond, escrow or other evidence of financial responsibility equal to 100% of the cost of the installation of the improvements, in a form acceptable to the City, guaranteeing that improvements not completed shall be completed within a period of one year from the date of approval of such final plat. If the improvements are not completed within the specified time, the Council may use the bond, escrow or other approved financial instrument or any necessary portion thereof to complete the same. The City shall return or release the instrument of financial responsibility when all of the required improvements have been installed and approved and accepted by the City Engineer.

CHAPTER 4: DESIGN STANDARDS AND REQUIRED IMPROVEMENTS

11-4-1 In General

- A. The standards contained in this Title shall be considered the minimum standards necessary to protect the public health, safety and general welfare.
- B. Design of subdivisions shall comply with the standards of this Title, demonstrate consistency with the comprehensive plan, and take into consideration the natural features of the site and patterns of adjacent development.
- C. 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.

11-4-2 Blocks

- A. 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 non-residential destinations and public gathering places.
- B. 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. 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 mid-block pedestrian connections may be required. Block faces are measured from centerline to centerline.
- C. Block faces in residential subdivisions should have a width sufficient to accommodate two (2) tiers of lots. One (1) tier of lots may be permitted for blocks adjacent to arterial streets, railroads or waterways.
- D. Block faces should be at least six hundred feet (600') in length along arterial streets to limit the number of intersections and maintain the capacity of the street. The City may approve shorter block faces in high density commercial areas or other areas with high pedestrian counts.

11-4-3 Lots

- A. The size and shape of all lots shall comply with all requirements of the zoning Title. Lots 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.

Design Standards and Required Improvements

- B. Lots with multiple street frontages must be large enough to accommodate appropriate setbacks and adequate vehicular sight clearance on all street frontages.
- C. All lots shall abut a public street or upon an approved private street. Each lot shall contain at least the minimum frontage required by the zoning district in which the property is located, or if no minimum lot width is required, at least fifty feet (50') in width.
- D. Lots fronting on or having direct access to arterial streets shall be avoided. Where unavoidable, lots shall be so arranged as to minimize the number of access points.
- E. Double frontage lots may be permitted only where lots abut an arterial street or major street and a minor street, and provided that such lots shall front only on a minor street.
- F. All side lot lines shall be at approximate right angles to straight street lines or approximately radial to curved street lines, except where a variation will provide a better street and lot layout. For the purpose of this subsection, "approximate right angles" means angles between eighty (80) and one hundred degrees (100°).
- G. At least fifty percent (50%) of blocks shall be oriented having one axis no greater than fifteen degrees (15°) of geographical east/west. The east/west lengths of said blocks shall be longer than the north/south lengths of those blocks.

11-4-4 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 order to ensure 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. Streets shall be located in accordance with the following standards:

1. Arterial and collector streets and trails must be located and extended in general accordance with the Comprehensive Plan and the City's Master Trails 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 wherever possible and practical.
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.

Design Standards and Required Improvements

4. Use of cul-de-sacs and other roadways with a single point of access is discouraged. Cul-de-sacs should be utilized to avoid disturbance to environmentally sensitive areas, respond to access limitations along adjacent principal arterial streets, or where other unusual features prevent the extension of the street to the property line or the interconnection to other streets within or abutting the subdivision.

B. STREET DESIGN STANDARDS:

1. **RELATION TO EXISTING STREETS AND NATURAL FEATURES:** Any collector or arterial street shall continue the alignment and width of any such street on any abutting area when continuation is necessary for convenient movement of traffic, effective fire protection, and efficient provision of utilities.
2. **ALIGNMENT:** Streets shall align with existing streets. Street jogs with centerline offsets of less than one hundred twenty-five feet (125') are prohibited except where topographic or other physical conditions justify a variation from the standard.
3. **LOCAL AND MINOR COLLECTOR STREETS:** Local and minor streets shall be designed to discourage through traffic from outside the immediate neighborhood while safely connecting to major collector or arterial streets.
4. **HALF STREETS:** No half streets shall be permitted. Streets designed to create a border for the tract shall be platted as whole streets according to their use and classification.
5. **DEAD-END STREETS:** Dead end streets are prohibited except where a street is planned to continue past the subdivider's property. A dead end street shall not exceed six hundred feet (600') in length and shall terminate in a temporary circular right-of-way with a minimum radius of forty feet (40').
6. **RELATION TO FLOODPLAINS:** All new streets and roads, public and private, serving subdivisions intended for residential development shall be designed at an elevation of one foot (1') above the 100-year flood elevation, except that the Council may waive this requirement in cases where topographic or special conditions exist.
7. **STREET TYPES:** Table 11-4-1, "Standards for Street Design", 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. The standards may be varied based on the recommendations of the City Engineer. When designing a subdivision, street types should be chosen based on the intended function of the street and anticipated level of traffic.

Table 11-4-1 Standards for Street Design

TYPE	AADT EST.	UNITS SERVED	R.O.W.	PAVEMENT WIDTH FROM BACK OF CURB	SIDEWALKS	CONDITIONS/COMMENTS
Principal Arterial	10,000 - 20,000	n/a	80' - 100'	49'	Both Sides	Add width for parking lanes, bike lanes
Minor Arterial	5,000 - 13,000	n/a	80'	45'	Both Sides	Add width for parking lanes, bike lanes
Major Collector	3,500 - 8,000	n/a	66'	31'	Both Sides	Add width for parking lanes, bike lanes
Minor Collector	1,500 - 3,500	n/a	66'	31'	Both Sides	Add width for parking lanes, bike lanes
Local Nonresidential Street	0 - 1,500	n/a	66'	31'	Both Sides	Accommodates parking both sides
Local Residential Street	0 - 1,500	n/a	60'	27' - 31'	Both Sides	Parking on both sides = 31' Parking 1 side = 27'
Loop or Eyebrow Street	150 - 350	30 max.	50'	25' - 27'	1 Side	Parking 1 side
Cul-de-sac	120 - 150	20 max.	60'	27'; 45'R turnaround	1 Side	Accommodates parking both sides Maximum length: 600'
Commercial Alley	n/a	n/a	20'		n/a	No parking
Residential Alley	n/a	n/a	16' - 20'		n/a	No parking

8. **DEDICATION:** All platted streets within the City shall be dedicated to the City for public use, except as approved by the Council. Requests for private streets will be considered, provided that connectivity to adjacent properties is not needed and the responsibilities for maintenance, snow removal, garbage service, and street sweeping are clearly established.

9. **MAINTENANCE AND SERVICES:** If private streets are approved, the subdivider must submit a legally binding instrument setting forth the procedures to be followed for maintaining private streets and providing garbage service, snow removal, street sweeping, and for financing these services. Such costs shall be shared by all owners of property located within the subdivision, or designated portion thereof, through the use of an owners association or other entity satisfactory to the City. 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 owners of lots so designated in the subdivision.

10. **STREET NAMES:** Streets which are or will become extensions of existing streets shall be given the same name as existing streets. New street names shall not duplicate or sound similar to existing street names. All street names shall be subject to the approval of the Council.

Design Standards and Required Improvements

C. IMPROVEMENTS REQUIRED: The subdivider shall grade and improve the entire street or alley right-of-way and provide suitable paving, including curb and gutter on all streets. All streets and alleys shall be of such width and shall be so designed and constructed as to meet the standards of the City, and shall be subject to the approval of the City Engineer.

1. Sidewalks shall be installed adjacent to all lots within the platted area and between such lots and all entrances to the subdivision. Sidewalks adjacent to or within outlots reserved for future right-of-way shall be installed prior to the time the outlot is dedicated as a street. Any owner of a developed lot who purchases all or part of an adjacent undeveloped lot shall install sidewalks on the undeveloped lot within ninety (90) days of purchase.
2. The City may required, as a condition for approval of the plat, dedication and improvement of a multi-purpose trail in lieu of a sidewalk in order to meet the needs of the platted area and other areas. In such event, the City shall pay the subdivider the difference in cost between constructing the sidewalk and constructing the trail. The trail, upon final approval and acceptance by the City, shall become the property of the City.
3. The City may require, as a condition for approval of the plat, dedication and improvement of a street having a width greater than necessary to meet the needs of the platted area, but necessary to meet street requirements of both the platted area and other areas. In such event, the City shall pay the subdivider the difference in cost of improving the wider street and the street of a width adequate to meet the needs of the platted area alone. The streets, upon final approval and acceptance by the City, shall become the property of the City.