



## NOTICE OF PUBLIC MEETING

**The Adel City Council will meet in regular session in the council chambers at Adel City Hall,  
301 S. 10<sup>th</sup> Street, Adel, Iowa, on Monday, August 28, 2017, at 6:00 PM**

### AGENDA

#### PUBLIC HEARING

1. Proposed Authorization of a Loan Agreement and the Issuance of Not to Exceed \$1,800,00 Storm Water Revenue Capital Loan Notes

#### COMMENTS FROM THE PUBLIC

#### CONSENT AGENDA

- a) Consider Approval of Beggars' Night for Tuesday, October 31 from 6:00 p.m. to 8:00 p.m.

#### DEPARTMENT HEAD REPORT

Update on Wireless Proposals for City Water Tower

#### NEW BUSINESS

- a) Discussion / Possible Action on Budget Committee's Discussions and Next Steps regarding Modifications to the Residential Tax Abatement Program
- b) Consider Approval of Ordinance No. 322, Revisions to Subdivision Regulations – First Reading
- c) Consider Approval of Resolution No. 17-49, Instituting Proceedings to Take Additional Action for the Authorization of a Loan Agreement and the Issuance of Not to Exceed \$1,800,000 Storm Water Revenue Capital Loan Notes
- d) Consider Approval of Agreement with McClure Engineering for Adel Storm Water Utility Improvements – Phase 1 as Required by USDA-RD
- e) Consider Approval of Legal Services Agreement with Ahlers & Cooney for Adel Storm Water Utility Improvements – Phase 1 as Required by USDA-RD

#### OTHER BUSINESS

8/24/2017 7:43:52 PM



## NOTICE OF PUBLIC MEETING

**The Adel City Council will meet in regular session in the council chambers at Adel City Hall, 301 S. 10<sup>th</sup> Street, Adel, Iowa, on Monday, August 28, 2017, at 6:00 PM**

### AGENDA

#### PUBLIC HEARING

1. Proposed Authorization of a Loan Agreement and the Issuance of Not to Exceed \$1,800,00 Storm Water Revenue Capital Loan Notes

This public hearing, which is part of the proceedings for the upcoming storm water projects, was set at the July 24 council meeting. As of Thursday, August 24, no written or oral comments have been received.

#### COMMENTS FROM THE PUBLIC

#### CONSENT AGENDA

- a) Consider Approval of Beggars' Night for Tuesday, October 31 from 6:00 p.m. to 8:00 p.m.

#### DEPARTMENT HEAD REPORT

Update on Wireless Proposals for City Water Tower

At its June 13 meeting, the Adel City Council directed City staff and McClure Engineering, the City's engineering firm, to work toward an agreement with two entities interested in providing wireless services from the City's south water tower. McClure has been reviewing the separate proposals from Minburn Communications and Todd Chapman as well as existing agreements that the City has with three other wireless providers operating on the City's north and south water towers.

McClure has determined that a structural analysis will not be necessary given the details of the two proposals. City staff will continue to work with McClure on its review of the proposals and the existing agreements. In particular, McClure has advised that the parameters of any new agreements, including the lease terms and liability of removing equipment from the water tower, be carefully considered in comparison with existing agreements.

#### NEW BUSINESS

- a) Discussion / Possible Action on Budget Committee's Discussions and Next Steps regarding Modifications to the Residential Tax Abatement Program

The City's Budget Committee, which was tasked with discussing modification proposals to the City's residential tax abatement program, will report to the full council on the two meetings the committee held this month. The committee has discussed several proposals and suggested that the full council determine the next steps in the process. If the council coalesces around a particular proposal, City staff will work with Attorney Nathan Overberg at Ahlers & Cooney to draft proceedings.

b) Consider Approval of Ordinance No. 322, Revisions to Subdivision Regulations – First Reading

After consultation with Mayor James F. Peters, this item has been placed back on the agenda for a first reading. The public hearing for this ordinance was held on August 8. The council packet includes responses from MSA Professional Services, the City’s consulting firm on this project, to written comments from the public hearing.

City Attorney John Reich has recommended that section 166.28.1 (i.e., “Granular Paving Adjacent to Subdivision”) be written as “may” instead of “shall” and that references to specific street types (e.g., arterial, collector) be struck. Reich stated that both changes provide the City with flexibility. Regarding the escrow time, MSA has suggested that five or ten years seems to be typical.

MSA has noted that no proposed revisions in the ordinance are out of the ordinary across the Des Moines metro. City staff is recommending approval of the first reading.

c) Consider Approval of Resolution No. 17-49, Instituting Proceedings to Take Additional Action for the Authorization of a Loan Agreement and the Issuance of Not to Exceed \$1,800,000 Storm Water Revenue Capital Loan Notes

The public hearing for this item was held earlier in the meeting. This resolution will take additional action for the loan portion of the upcoming storm water projects. Additional resolutions and action items for the projects will be taken at future council meetings. City staff is recommending approval.

d) Consider Approval of Agreement with McClure Engineering for Adel Storm Water Utility Improvements – Phase 1 as Required by USDA-RD

Based on USDA-RD requirements, McClure Engineering has provided an agreement for its services on the City’s upcoming storm water projects. While the City previously approved McClure’s work through the design and bidding phases, this agreement also covers the construction phase and is in the format required by USDA-RD. A representative from McClure will be on hand to answer any questions. City staff is recommending approval.

e) Consider Approval of Legal Services Agreement with Ahlers & Cooney for Adel Storm Water Utility Improvements – Phase 1 as Required by USDA-RD

This agreement with Ahlers & Cooney is required by USDA-RD for the City’s upcoming storm water projects. City staff is recommending approval.

OTHER BUSINESS

8/24/2017 8:19:52 PM



PROFESSIONAL SERVICES

# Memo

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To: City of Adel  
From: MSA Project Team  
Subject: Notes on the Subdivision Draft  
Date: May 31, 2017

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Please find the attached Adel Subdivision Ordinance Draft. The text highlighted in yellow are suggested added text that is not currently in the existing subdivision ordinance. The text that is crossed out, is in the current ordinance but is suggested to be removed going forward. There were several items that came up during the Subdivision Ordinance Update process that were discussed and addressed but not included in the subdivision ordinance because it is not the right place for these items. These items include the following:

## Fees

The fees need to be separate from the subdivision ordinance in a schedule of fees with a check list to follow in order to move on to the next phase of a development. These fees should be discussed with the city engineer to ensure costs are covered and it should be reviewed each year and adjusted as needed by City Resolution.

## Trees

This is a separate City Ordinance but the discussion was to ban street trees going forward and to require two trees of a diverse species on any new residential development.

## Overflow Easements on Built Lots

The final checklist should include shooting the four corners of the lot prior to a certificate of occupancy.

## Maintenance

The maintenance code should enforce any property mowing etc. issues that could come up on a lot that is not currently built out. Maintenance agreements should enforce the new plantings and proper erosion control and should follow SUDAS standards for steep slopes.

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Offices in Illinois, Iowa, Minnesota, and Wisconsin

1555 S.E. Delaware Ave, Ankeny, IA 50021  
(515) 964-1920 (800) 844-4122

FAX: (515) 964-4003 WEB ADDRESS: [www.msa-ps.com](http://www.msa-ps.com)

Page 1 of 1

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## CHAPTER 166

# SUBDIVISION REGULATIONS

|   |   |
|---|---|
| 166.01 Purpose  | 166.18 Fees   |
| 166.02 Definitions  | 166.19 Approval of Improvement Plans                |
| 166.03 Application of Subdivision Regulations; Area           | 166.20 Inspection During Construction               |
| 166.04 Application of Subdivision Regulations; Land Divisions | 166.21 Final Plat Filing                            |
| 166.05 Agricultural Land Exemption                            | 166.22 Form of Final Plat                           |
| 166.06 Division of Platted Lots                               | 166.23 Action by the Planning Commission            |
| 166.07 Approvals Necessary                                    | 166.24 Council Action                               |
| 166.08 Building Permits and Utility Connections Prohibited    | 166.25 Bonding Incomplete Improvements              |
| 166.09 Improvements to Be Completed                           | 166.26 Maintenance Bond                             |
| 166.10 Planning Conference                                    | 166.27 Filing of Record                             |
| 166.11 Findings of the Planning Conference                    | 166.28 Streets                                      |
| 166.12 Preliminary Plat                                       | 166.29 Blocks                                       |
| 166.13 Form of the Preliminary Plat                           | 166.30 Lots   |
| 166.14 Review and Approval of Preliminary Plat                | 166.31 Easements                                    |
| 166.15 Council Approval of the Preliminary Plat               | 166.32 Improvements                                 |
| 166.16 Effect of Approval of the Preliminary Plat             | 166.33 Modification of Requirements                 |
| 166.17 Large Development Staging Procedure                    | 166.34 Enforcement                                  |
|   | 166.35 Development Application Park Land Dedication |

## GENERAL PROVISIONS AND DEFINITIONS

**166.1 PURPOSE.** The purpose of this chapter is to provide rules, regulations and standards to guide land subdivision in the City and in the area within two (2) miles of the City limits in order to promote the public health, safety, convenience and general welfare of the City. This chapter shall be administered to ensure the orderly growth and development, the conservation, protection and proper use of land and adequate provision for circulation, utilities and services. To ensure the fulfillment of the purposes of this chapter the City, pursuant to Section 354.9 of the Code of Iowa, does hereby exercise its right of review and approval of all land subdivisions within an area of two (2) miles of the City's corporate limits.

**166.2 DEFINITIONS.** For purposes of these regulations, certain terms or words used herein shall be interpreted as follows:

1. "Alley" means a minor way, dedicated to the public use, which is used primarily for vehicular access to the back or the side of properties otherwise abutting on a street.
2. "Block" means a piece or parcel of land entirely surrounded by public highways, streets, streams, railroad right-of-way, parks, etc., or a combination thereof.
3. "Building line" means a line on a plat generally parallel to the street right-of-way, indicating the limit beyond which buildings or structures may not be erected.
4. "City Engineer" means the City official responsible for the design, supervision and maintenance of all public works of the City or a duly authorized consulting engineer retained by the City.
5. "Cul-de-sac" means a minor street having one end open to traffic and being permanently terminated by a vehicular turn-around.
6. "Days" refers to calendar days.

7. “Developer” means the owner, or agent under legal authority of the owner, or owners who undertake to cause a parcel of land to be designed, constructed, and recorded as a subdivision. This term may be used interchangeably with the term “subdivider.”
8. “Easement” means a grant by the property owner to the public, a corporation, or persons, of the use of a parcel of land for a specific purpose.
9. “Final plat” means a drawing to engineering accuracy and containing the items specified by these regulations indicating the layout of lots, blocks and public ways in a completed and improved subdivision along with legal papers required for recording.
10. “General plan” means the plan or series of plans for the future development of the City and approved, as may be required, as the guide for future development. Such plan may alternatively be called by such descriptive terms as a master plan, a comprehensive plan, or a development plan.
11. “Improvements” means changes and additions to land necessary to prepare it for building sites, and including street paving and curbing, grading, monuments, drainage ways, sewers, fire hydrants, water mains, sidewalks, pedestrian ways, and other public works and appurtenances.
12. “Lot” means a portion of a subdivision, or other parcel of land, intended as a unit for transfer or for development.
13. “Pedestrian way” means a right-of-way dedicated to public use, which cuts across a block to facilitate pedestrian access to adjoining streets or properties.
14. “Planning Commission” means the Planning and Zoning Commission of Adel.
15. “Plat” means a map drawn to scale from an accurate survey and including items set forth herein along with all certificates and statements required herein and by statute, for the purpose of recording as a subdivision of land. Without modifying adjectives it refers to land subdivision documents which have been officially recorded. In appropriate context a plat may refer to the land represented by a recorded plat and may be synonymous with the word “subdivision.” It may also be used as a verb referring to the act of preparing a plat.
16. “Preliminary plat” means a drawing with supporting documents which represents a proposal upon which a final plat is to be based. A preliminary plat is not intended as a document to be filed of record.
17. “Replat” or “resubdivision” means a plat representing land which has previously been included in a recorded plat.
18. “Street” means a right-of-way, dedicated to public use, which affords a primary means of access to the abutting property.
19. “Street, arterial” means a street of considerable continuity connecting various sections of the City, or a street primarily designated for heavy traffic.
20. “Street, collector” means a street which carries traffic from a local or residential street to an arterial street.
21. “Street, local or residential” means a street which is used primarily for access to the abutting properties.

22. "Street, service" means a local or residential street or frontage road which is approximately parallel to and adjacent to or part of an arterial street and provides access to the abutting properties and protection from through traffic.
23. "Subdivider" means the person or firm causing a plat to be prepared.
24. "Subdivision" means a parcel of land which has been platted; the act of preparing a plat.

All other terms used in these regulations shall have their normal meaning, except that terms common to engineering and surveying shall be used in their professional sense.

**166.3 APPLICATION OF SUBDIVISION REGULATIONS; AREA.** Any plat hereafter made or any subdivision or any part thereof lying within the limits of the City or in unincorporated territory within an area extending two (2) miles beyond the City limits shall be prepared, presented for approval, approved and presented for recording as herein prescribed. These regulations are enacted under the authority of Section 354.9 of the Code of Iowa and provide authorized additions to the provisions of Chapter 354 of the Code of Iowa.

**166.4 APPLICATION OF SUBDIVISION REGULATIONS; LAND DIVISIONS.** The regulations contained herein apply to the subdivision of a lot, tract or parcel of land into three (3) or more lots, tracts or other division of land for the purpose of sale, transfer or of building development, whether immediate or in the future, including the resubdivision or replatting of land or lots. These regulations shall apply to each situation where there is a dedication of a street, alley, easement or land for other public uses. The above provisions shall not be construed to limit the acceptance of deeds to right-of-way or land for other purposes by the Council or other agency of government when such acceptance is in the public interest and not for the purpose of circumventing these regulations.

**166.5 AGRICULTURAL LAND EXEMPTION.** The division of land for agricultural use into parcels, all of which are ten (10) acres or more in area and have four hundred (400) feet or more of street or road frontage and which do not involve the creation of any new street or road, easement or other dedication, shall be exempt from the requirements of these regulations, provided however, that the provisions of applicable statutes and regulations are complied with.

**166.6 DIVISION OF PLATTED LOTS.** The division or consolidation of existing platted lots or parts of existing platted lots by description for the purpose of sale or development shall not be considered a subdivision within the scope of these regulations. However, any existing platted lot containing in excess of fifteen thousand (15,000) square feet which is to be divided into three (3) or more parcels intended as primary building sites or when such division involves a dedication to public use, such division shall fall within the jurisdiction of these regulations. The division and sale of a minor portion of any parcel of land for the purpose of adding land to an adjoining building site, when said adjoining parcel of land constitutes more than fifty percent (50%) of the newly created building site, shall not be counted as a division in determining the jurisdiction of these regulations.

**166.7 APPROVALS NECESSARY.** No plat or subdivision falling within the jurisdiction of these regulations shall be recorded or presented for recording under the provisions of Chapter 354 of the Code of Iowa until all provisions and approvals set forth herein have been met or obtained.

**166.8 BUILDING PERMITS AND UTILITY CONNECTIONS PROHIBITED.** No officer, employee, or agent of the City shall issue any building permit, make any water or sewer connection, or issue any permit for any water or sewer connection for any building or buildings constructed or proposed to be constructed on land divided contrary to the provisions of these regulations. No officer, agent or employee of the City shall perform or cause to be performed any construction or maintenance upon any street or public way purported to be dedicated as a public street or public way by virtue of being shown on a plat, unless such plat shall have been approved as provided by these regulations. The previously noted prohibitions shall not apply to any plat or dedication legally filed of record before the enactment of these regulations by the City.

**166.9 IMPROVEMENTS TO BE COMPLETED.** No final plat shall be approved for recording unless street and utility improvements necessary to serve the intended occupants of the subdivision have been completed in a satisfactory manner, as set forth herein, or other assurances are executed, as provided herein, that such improvements will be completed. The standards and details of design contained in sections 166.28 through 166.30 are intended only as minimum requirements and the subdivider should use standards consistent with the site conditions to assure an economical, pleasant, and durable neighborhood. All subdivisions shall conform to the comprehensive plan approved by the Commission and adopted by the Council.



## PLATTING PROCEDURES

**166.10 PLANNING CONFERENCE.** Any owner, developer or agent wishing to subdivide a parcel of land shall contact the City and arrange for a planning conference with the City Administrator and Public Works Director. This conference shall be for the purpose of determining the general requirements to be met in developing the subdivision. If the subdivision does not involve new streets or utilities, the planning conference may be waived.

**166.11 FINDINGS OF THE PLANNING CONFERENCE.** The proceedings of the planning conference shall be informal and no records need to be kept. It shall be the responsibility of the subdivider to determine the areas of agreement among the conferees and the problems which must be explored further through individual conferences with departments charged with administering the provision of utilities, streets, drainage and other public facilities. During the conference the general features to be required in the subdivision will be determined. All agreements arrived at by the conferees shall be subject to ratification by the Planning Commission as a whole.

**166.12 PRELIMINARY PLAT.** After the subdivider has determined the general features to be required in the subdivision, the subdivider may proceed to cause a preliminary plat to be prepared. An application in writing for tentative approval of the preliminary plat, together with six (6) 24 x 36-inch prints and two (2) 11 x 17-inch prints thereof, shall be filed with the Planning Commission at least two (2) weeks before the meeting of the Planning Commission at which the preliminary plat is to be acted upon, along with the subdivision fee in accordance with the fee chart most recently approved by the Council.

**166.13 FORM OF THE PRELIMINARY PLAT.** The preliminary plat shall be drawn to a scale of one hundred (100) feet to an inch, or larger scale as may be approved by the Planning Commission, and shall show the following information:

1. The proposed name of the subdivision.
2. North point, scale and date.
3. The names and addresses of the subdivider and of the engineer or surveyor.
4. The tract designation and other description according to the real estate records of the City or County Auditor and Recorder, also the designation of the proposed uses of land within the subdivision.
5. The boundary lines (accurate in scale) of the tract to be subdivided.
6. Contours with intervals of five (5) feet or less, referred to official City datum.
7. The names of adjacent subdivisions or the names of record owners of adjoining parcels of unsubdivided land.
8. The location, widths, and names of all existing or platted streets or other public ways within or adjacent to the tract, existing permanent buildings, railroad rights-of-way, and other important features, such as section lines, political subdivision or corporation lines, and school district boundaries.
9. Existing sewers, water mains, culverts, or other underground structures, within the tract and immediately adjacent thereto with pipe sizes, grades, and locations indicated.

10. All parcels of land intended to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purpose of conditions or limitations of such reservation, if any.
11. The layout, names, and widths of proposed streets, alleys and easements.
12. A plan of proposed water distribution system, sanitary sewers and storm sewers showing pipe sizes and the location of valves, fire hydrants, and fittings.
13. The layout, numbers, and scaled dimensions of proposed lots.
14. Indication of any portion of the subdivision for which a final plat is to be proposed when the subdivision is to be developed in stages.
15. The layout of proposed sidewalks.
16. The proposed zoning classification(s) for the subdivision as well as the existing zoning classifications of surrounding properties.

**166.14 REVIEW AND APPROVAL OF PRELIMINARY PLAT.** Upon receipt of the preliminary plat, the City shall cause copies thereof to be distributed to the representatives of any utility entities not under control of the Public Works Director. The recommendations of the utility companies shall be reported to the Planning Commission. The Planning Commission shall approve or disapprove a preliminary plat within sixty (60) calendar days of receipt unless a longer time is agreed upon with the subdivider. Upon approval or disapproval by the Planning Commission, the preliminary plat and the Planning Commission's recommendation shall be transmitted to the Council.

**166.15 COUNCIL APPROVAL OF THE PRELIMINARY PLAT.** The Council shall approve or disapprove the preliminary plat not later than the fourth regular meeting following the receipt of the report from the Planning Commission. The Council may give notice and hold public hearings.

**166.16 EFFECT OF APPROVAL OF THE PRELIMINARY PLAT.** Approval of the preliminary plat as set forth herein shall constitute authority to proceed with construction of the subdivision and preparation of the final plat subject to approval of detailed plans and specifications for improvements as set forth herein. The subdivision shall be constructed and the final plat prepared in conformity with the approved preliminary plat. Material deviation from such approved preliminary plat shall require resubmission for approval. Approval of a preliminary plat shall not constitute authority to sell lots, record the plat, advertise the future or conditional sale of lots based on the preliminary plat, or authority to construct permanent buildings in reliance upon the preliminary plat layout.

**166.17 LARGE DEVELOPMENT STAGING PROCEDURE.** In order to discourage premature subdivision and uneconomic improvements, the following procedure is provided for large development schemes:

1. When a developer or group of developers has in its control an area of land which such developer or group wishes to plat, the size of which is so large that the majority of the lots would take more than a year to sell, the developer may cause to be prepared a preliminary plat for the entire area.
2. On such preliminary plat, successive development divisions may be designated.

3. Upon approval of the preliminary plat, the developer may cause a final plat to be prepared for one or more development divisions, provided the order of development allows for logical provision of streets and utilities.
4. Each development division shall be considered as a final plat, and provisions of these regulations shall apply individually to each development division presented as a separate filing for record.

**166.18 FEES.** ~~Before delivering the preliminary plat to the office of the Planning Commission for approval, the subdivider shall pay to the Clerk a plat processing fee which shall not be refundable. The amount of the fee shall be set from time to time by resolution of the Council. The Clerk shall receipt stamp proof of the payment of said fee upon the face of each copy of the preliminary plat. Said fee shall not be considered payment for supervision of construction.~~

1. Before a preliminary plat, final plat or plat of survey shall be considered by the Commission, the applicant or agent shall deposit with the Clerk a fee according to a schedule adopted from time to time by resolution of the Council. The appropriate fees shall be deposited following Council action on the preliminary plat, final plat or plat of survey. In the event that said fees are insufficient to reimburse the City for engineering charges incurred by the City in the examination and review of the preliminary plat, final plat or plat of survey, the subdivider shall be responsible for any additional fees incurred by the City for such engineering charges.

2. In addition to the plat filing fees, the subdivider shall be responsible for just and reasonable costs incurred by the City during the course of construction of the improvements for inspection, testing, or other work deemed necessary by the City to assure proper construction in accordance with the approved construction drawings and applicable standards and ordinances.

3. The City shall annually, by resolution, determine the hourly rate which it shall pay for professional engineering services which shall be deemed to be the maximum rate which may be imposed upon any subdivider during such annual period.

**166.19 APPROVAL OF IMPROVEMENT PLANS.** After approval by the Council of the preliminary plat, the subdivider may proceed to prepare and submit plans, profiles and specifications for improvements to the Public Works Director for approval. Such plans, profiles and specifications shall conform to design standards and standard specifications of the City and shall be in essential conformity with the approved preliminary plat. The Public Works Director shall give his or her approval in writing and no field changes shall be made without the approval of the Council.

**166.20 INSPECTION DURING CONSTRUCTION.** The City shall cause inspections to occur during construction, the cost of which will be borne by the subdivider. The subdivider will coordinate inspections with the City Engineer. A complete set of as-built plans indicating locations of water, sewer and storm sewer hookups will be provided to the City.

**166.21 FINAL PLAT FILING.** Within two (2) years of the approval by the Council of the preliminary plat, the subdivider shall file a final plat of the area covered by said preliminary plat in the office of the Planning Commission. Sufficient copies shall be submitted to facilitate review and approvals. If a final plat is not filed within two (2) years of the aforesaid approval of the preliminary plat, the latter shall be subject to review, revision or cancellation of approval by the Council.

**166.22 FORM OF FINAL PLAT.** The scale shall be one (1) inch equals one hundred (100) feet or larger. In the event that the entire plat cannot be drawn on one sheet, it shall be submitted in two or more sheets of the specified dimensions along with an index sheet of the same dimensions showing the entire development in simplified form at a smaller scale. The

original shall be submitted for checking and signature and shall become a permanent public record upon recording. Duplicate originals may be submitted for signatures and may become the property of the subdivider. The final plat shall portray the following information:

1. Name of subdivision, points of the compass, scale of the plat, name of subdivider, date and name, address and seal of the surveyor. Location of boundary lines, in relation to section, quarter section, all of which comprise a legal description of the property. All locations shall be tied to a Land Survey corner which has the approval of the County Engineer.
2. The lines of all streets and alleys and other lands to be dedicated with their widths and names shall conform to existing street name patterns and shall also portray the lines of the sidewalks on said streets.

3. All lot lines and dimensions and numbering of lots and blocks according to a uniform system. Statutory systems shall be complied with if applicable.
4. Indication of building lines with dimensions if such lines are desired.
5. Easements for any right-of-way provided for public use, drainage, services or utilities, showing dimensions and purpose.
6. All dimensions, both linear and angular, necessary for locating the lines of lots, tracts, or parcels of land, streets, alleys, easements and the boundaries of the subdivision. The linear dimensions are to be expressed in feet and decimals of feet. The plat shall show all curve data necessary to reconstruct on the ground all curvilinear boundaries and lines and radii of all rounded corners.
7. Closure. The perimeter and blocks of the plat shall close to an allowable unadjusted error of one in five thousand. Latitudes and departure computations shall be submitted. All lines in the plat shall meet this standard of accuracy.
8. The description, location and elevation of all bench marks.
9. The description and location of all permanent monuments set in the subdivision.
10. Names in dotted lettering of adjacent plats with location of adjoining streets shown by dashed lines.
11. Legal description of the lands being subdivided.
12. Certificate of dedication signed and acknowledged by all parties having any title interest in the land subdivided and consenting to the preparation and recordation of the plat as submitted.
13. Engineer's certificate and seal.
14. Certificates of approval in legally correct form and places for the signatures of the following: notary public acknowledging dedication, the Chairperson of the Planning Commission, the Mayor and City Clerk. Other certificates as may be required by law may be recorded as separate instruments accompanying the plat.

Fees for signage are due upon filing of the final plat in accordance with the fee chart most recently approved by the Council.

**166.23 ACTION BY THE PLANNING COMMISSION.** The Planning Commission shall consider the final plat at the regular meeting during the month following the month of filing and shall either approve or disapprove the plat. If the Planning Commission finds that the final plat has been prepared in compliance with these regulations and in substantial compliance with the preliminary plat, such plat shall be approved. In the event of disapproval, specific points of variance with the aforesaid requirements shall be spread upon the record of this Planning Commission and a copy shall be transmitted to the subdivider. The Planning Commission may approve final plats at a special meeting called in accordance with the rules and regulations of the Planning Commission. Upon approval or disapproval, the Planning Commission shall within ten (10) days transmit to the Council the final plat along with the report of the Planning Commission.

**166.24 COUNCIL ACTION.** The Council shall consider the final plat along with the report of the Planning Commission not later than the second regular meeting following the date of filing with the Clerk. If the Council finds that the plat has been prepared in compliance with the preliminary plat, such final plat shall be approved. In the event of disapproval, the record shall show the specific points on which the final plat varies from these regulations or the

preliminary plat. The Council may give notice of and hold any public hearings.

**166.25 BONDING INCOMPLETE IMPROVEMENTS.** In lieu of final completion of the improvements required herein before approval of the final plat, the subdivider shall post a performance bond approved by the City Attorney. Such bond shall insure to the City that improvements will be completed by the subdivider within one (1) year after approval by the Council. The bond amount shall be not less than the estimated cost of completing the improvements and inspections as specified by these regulations, other ordinances, resolutions or regulations of the City, and by the plans and specifications as approved for the preliminary plat. If the improvements are not completed within the specified time, the Council may use the bond or any necessary portion thereof to complete said improvements. Failure of the Council to take action on the bond immediately shall not bar the Council from taking appropriate action within a reasonable time.

2. Letters of Credit. The owner or developer may submit a letter of credit in lieu of a performance bond for sidewalk and erosion control improvements. Said letter of credit shall be from any approved bank or savings and loan in a form approved by the City Attorney, which letter, among other things, shall comply with the following requirements:

A. Shall run in favor, of the City;

B. Be in an amount determined by the City Administrator and approved by the Mayor and City Council to be sufficient to complete the improvements and installations in compliance with the regulations set forth in this chapter;

C. Be issued by any approved bank or savings and loan association within the County;

D. Specify that, in the event the owner or developer fails to complete the required improvements and installations within one year of the date of the approval of the plat, the bank or other assuring institution, shall pay to the City, upon demand, a sum sufficient to complete said improvements, or the face amount thereof, whichever amount shall be the lesser.

**166.26 MAINTENANCE BOND.** Before approval of the final plat, the subdivider shall post a maintenance bond for an amount to be approved by the Public Works Director and the Council. Said maintenance bond shall cover a period of four (4) years from the project completion date as determined by the Public Works Director. The maintenance bond shall be conditioned on the subdivider's maintaining all improvements in good repair.

*(Ord. 239 – Jan. 08 Supp.)*

**166.27 FILING OF RECORD.** After the final plat has been approved and all signatures required herein have been affixed, the subdivider will deliver the plat and all necessary papers to the County Recorder as provided in Chapter 354 of the Code of Iowa, and the subdivider shall file satisfactory evidence of such recording in the office of the Clerk before the City shall recognize the plat as being in full force and effect. All filing fees shall be paid by the subdivider.

## DESIGN STANDARDS

### 166.28 STREETS.

1. Streets Must Conform with the General Plan. The arrangement, character, extent, width, grade and location of all streets shall conform to the General Plan of the City and to any plans which may be adopted by the Planning Commission or the Council.
2. Continuation of Existing Streets. New streets shall normally continue as an extension of existing streets unless good planning indicates a different solution. Street patterns shall take into consideration access needed to develop adjoining properties and shall conform to topography so as to provide the best building sites. Sketches of a proposed street system for adjoining property may be required if it is owned or under the control of the subdivider. Street names shall take the name of existing streets on the same general alignment. New street names shall be approved by the Planning Commission and not be so similar to existing names as to cause confusion.
3. Traffic Circulation. When possible, local or residential streets shall be planned so as to discourage through traffic and to conveniently channel traffic onto the collector and arterial streets.
4. Dead-end Streets Prohibited. Dead-end streets are prohibited, except that where the General Plan indicates a street is to continue past the subdivider's property, a temporary dead end may be allowed until such time as the street is continued.
5. Cul-de-sacs. Cul-de-sacs will be permitted where topography and other conditions justify their use. They may be up to 600 feet in length, as approved by the Planning Commission and Council. If necessary, a landscape plan shall be submitted for cul-de-sac islands, the maintenance of which shall be the responsibility of the adjacent owners.
6. Half Streets. Half streets are prohibited.
7. Angle of Intersection. Streets shall be laid out so as to intersect as nearly as possible at right angles, except where topography and other conditions justify variations. The minimum angle of intersection of streets shall be seventy-five (75) degrees.
8. Street Jogs. Street jogs with centerline off-sets of less than one hundred fifty (150) feet shall be avoided.
9. **Granular Paving Adjacent to Subdivision.**

(5) A developer may be required to extend or expand existing off-site public infrastructure as necessary to fully improve a proposed subdivision, or the City Council may, at its sole discretion, require a proposed subdivision to be delayed until such extension or expansion can be funded and construction by the city or other governmental entity.

(3) Costs; responsibilities. Developers shall be fully responsible for the entire costs of improving all collector and local streets within a subdivision, and for the costs of paving a width of not less than 15.5 feet of roadway along all arterial street frontages by providing a cash escrow to be held in a city account or by posting surety therefore, and turn lanes that serve or will serve the subdivision whether located within the subdivision or on an arterial street.

10. Street Grades. Street grades shall conform with the overall drainage pattern of the locality of the subdivision and shall fall within the minima and maxima as follows: arterial street – 6%; local or residential and collector streets – 10%. No street grade shall be less than 0.5%.

11. Vertical Sight Distances. Change of grade shall conform to current standards of the City for the type of street in question, provided that in no case shall there be constructed a sight distance of less than one hundred (100) feet, measured four (4) feet above pavement surface at the ends of the tangent.

12. Horizontal Sight Distances. A tangent at least one hundred (100) feet long shall be introduced between reverse horizontal curves on collector and arterial streets. When connecting street lines deflect from each other at any one point by more than ten (10) degrees, they shall be connected by a curve with a radius adequate to insure a sight distance of not less than one hundred (100) feet for collector streets and of such greater radii as the Planning Commission shall determine for arterial streets and in other special cases.

13. Pedestrian Ways. Pedestrian ways may be required by the Planning Commission so as to allow cross access for pedestrians in very long blocks. In general, blocks of eight hundred (800) feet or more in length should have a pedestrian way near the center of the block.

14. Standard Right-of-way Widths. For all streets, alleys and other thoroughfares hereafter dedicated and accepted, the minimum right-of-way widths shall not be less than the minimum dimensions for each classification of public way as follows:

A. Arterial Streets – Seventy (70) feet or as set forth in the General Plan or other plan adopted by the Planning Commission or the Council.

B. Collector Streets – Sixty (60) feet.

~~C. Local or Residential Streets – Sixty (60) feet. except when adjacent to a railroad or arterial street with limitation of access, then the width may, if appropriate to the circumstances, be fifty (50) feet.~~

D. Cul-de-sac – sixty (60) feet with a ~~110-foot~~ 130' diameter turn-around at the closed end. Cul-de-sacs are subject to approval by City on project-by-project basis; provide areas designated for snow removal storage from cul-de-sac.

E. Alleys – twenty (20) feet.

F. Pedestrian Ways – ten (10) feet.

For details of grades and pavement widths, see provisions under the heading of Improvements. Reserve strips controlling access to streets shall be allowed under conditions adequate to protect future public interests.

## 166.29 BLOCKS.

1. Block Length. Intersecting streets determining block lengths shall be provided at such intervals as to serve cross traffic adequately and to meet existing streets and customary subdivision practice in the immediate area. Blocks shorter than four hundred fifty (450) feet and longer than one thousand two hundred (1,200) feet in residential districts should be avoided. Blocks longer than six hundred (600) feet should be avoided in business districts.

2. Block Width. The width of a block shall be sufficient to allow for two (2) tiers of lots with alley or utility easement if required. Blocks intended for business or



industrial use shall be of such width as may be best suited for the contemplated use of the property, taking into consideration the probable arrangement of parking and truck loading and maneuvering upon the property.

3. Very Large Lots and Blocks. When a tract is subdivided into larger than normal lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and opening of future streets and appropriate resubdivision with provision for adequate utility connections for such resubdivision. Easements for the future openings and extension of such streets may, at the direction of the Planning Commission, be made a requirement of the plat.

### **166.30 LOTS.**

1. Minimum Lot Dimensions. Lot sizes shall meet or exceed the requirement of the Zoning Regulations as to lot size and shall as near as practical meet or exceed the typical lot size for existing building sites in the immediate vicinity. Each lot shall be a buildable site after taking into account all yard spaces required by the Zoning Regulations. Excessive lot depth in relation to width shall be avoided. In general, the ratio of width to depth should be one to one and one-half (1:1.5).

2. Corner Lots Wider. Corner lots in residential areas shall be enough wider than inside lots so as to allow an appropriate setback from both streets.

3. Side Lines Perpendicular. Side lines of lots shall be approximately at right angles to straight street lines and radial to curved street lines.

4. Double Frontage. Lots with street frontage at both front and rear shall be avoided except when backing on an arterial street.

5. Street Frontage. Each lot shall have frontage on a street. An alley shall not suffice as a sole means of access.

6. Reversed Frontages and Key Lots. Reversed frontages at cross street intersections shall be avoided except where it will match existing development. Key lots, being those inside lots fronting on side streets, shall be avoided except where they are matching existing development and other lots are excessively deep. Key lots shall be prohibited where they disrupt utility or drainage easements. Reverse frontage and normal corner lots when adjacent to a key lot shall have additional width to allow full front yard setbacks on both streets. Homes on streets with several reversed frontage lots shall be required to face the same direction.

7. Outlots shall be prohibited.

### **166.31 EASEMENTS.**

1. Utility Easements. Utility easements shall be twenty (20) feet wide, falling half on adjoining lots along rear lot lines. They shall be planned for easy and continuous access for maintenance, shall be continuous through the block and shall connect as nearly in line as possible with adjoining easements. To facilitate the use of easements, rear lot lines in curvilinear platting shall form straight lines for as long a distance as feasible. Side lot easements may be ten (10) feet wide. Where topography dictates, the full width of an easement may fall on one lot.

2. Drainage Easements. Drainage easements for storm sewers or open channels may be required where storm drainage cannot be practically carried under streets or on other rights-of-way. Open channel drainage easements may be required where there is evidence that the natural drainage for a large area traverses the subdivision. Drainage easements shall be sufficient in width so that motorized equipment may be used in their maintenance.

### **166.32 IMPROVEMENTS.** Every subdivision shall contain normal improvements before

acceptance or have such improvements assured by the posting of a bond or other device as set forth herein. Improvements shall include:

1. Monuments. Permanent monuments shall be set at each corner at the perimeter of the subdivision and at the corner of each block within the subdivision and at the corner of each lot. All monuments shall be metallic, at least thirty (30) inches long, and installed with an inert cap indicating the Iowa registration number of the land surveyor.

2. ~~Compaction. When any building is filled to a depth in excess of five (5) feet, said fill shall be laid down in six (6) inch layers and each layer shall be given six (6) passes with a sheepsfoot roller with optimum moisture present. As an alternative, compaction equal to the bearing strength of the natural ground shall be met by Proctor test or other test which may be approved by the Public Works Director or duly authorized representative.~~

3. Storm Drainage. Storm drainage shall be provided with sufficient capacity to handle all surface water traversing the subdivision. The design of waterways, pipes, culverts and catch basins shall ~~shall~~ ~~may~~ conform with standard practice, specific plans and standard specifications of the City. All storm drainage piping shall be cleaned, inspected, and tested per standard specifications of the City prior to acceptance.

4. Sanitary Sewers. Sanitary sewers shall be installed for service to each lot according to standard specifications of the City ~~and shall meet the Iowa Department of Natural Resources regulations.~~ The City may require over-sizing of the system to allow greater capacity for future use, and in said event, there shall ~~shall~~ ~~may~~ be an arrangement or an agreement whereby the developer will be reimbursed in a satisfactory manner. ~~Where public water supply and sanitary sewers are reasonably available, the Subdivider shall connect to these systems. Where the public systems are not available, the Subdivider shall indicate the type of water supply and sewage treatment proposed to be provided. The subdivider shall include dry sewers where public sewer system is not available unless this requirement is waived by the City Council. All sewer piping shall be cleaned, inspected, and tested per standard specifications of the City prior to acceptance.~~

5. Water Supply. Water supply shall be completed to each lot in accordance with the design standards and standard specifications of the City. Fire hydrants shall be installed in a pattern approved by the City. All public water supply plans and specifications shall meet the Iowa Department of Natural Resources and City regulations. The City may require over-sizing of the system to allow greater capacity for future use, and in said event, there shall be an arrangement or an agreement whereby the developer will be reimbursed in a satisfactory manner.

6. Grading. Grading shall be completed to official grade on all streets for the full width of the right-of-way, and fills shall be compacted sufficiently to assure adequate support for permanent paving, as set forth by City specifications.

7. Paving. Paving of a permanent type shall be completed on all streets in accordance with the standard specifications of the City and in conformity with any official street plans which may be adopted by the Planning Commission or by the Council.

A. Minimum pavement thickness shall be six (6) inches reinforced or seven (7) inches of non-reinforced Portland cement concrete.

B. Six (6) inches of granular material to be approved by the Public Works Director shall be placed under all new roads.

C. An appropriate amount of ballast shall also be used when deemed necessary by the Public Works Director.

D. A minimum of ~~six-inch (6")~~ ~~five-inch (5")~~ subdrains on both sides of the street to drain water from the street and provide an outlet for sump pumps shall be installed and connected to proper storm sewer drains. In some cases, a separate "mini" storm sewer system may be required.

E. ~~Six-inch (6") concrete driveways.~~ ~~Five-inch (5") concrete driveways.~~

F. Curb and gutter – 6” x 30” (standard vertical) or roll back 6” radius.

Typical cross sections of streets will be provided by the Public Works Director. Standard installations for sanitary sewer, storm drainage and water supply shall be installed before paving, even though such facilities cannot be connected with the City system at the time of approval of the plat.

8. Minimum Paving Widths. For all streets and other thoroughfares, the minimum paving widths shall not be less than the minimum dimensions for each classification of public way as follows and **consistent with the Major Streets Plan**:

- A. Arterial Streets\* – Thirty-one (31) foot paving back to back of curb.
- B. Collector Streets – **Thirty-one (31)** ~~Twenty-eight (28)~~ foot paving back to back of curb.
- C. Local or Residential Street – **Twenty-nine (29)** ~~Twenty-six (26)~~ foot paving back to back of curb.
- D. Cul-de-sac Turn-around – **Ninety (90)** ~~Eighty (80)~~ foot paving back to back of curb.

**\*Greater widths may be required. Each situation will be reviewed on a case by case basis.**

9. Utilities. All utility services shall be made available to each lot in such a manner as will eliminate the necessity for disturbing the street paving, curbs, gutter, and drainage structures when connections are made. All utilities shall be placed underground and in accordance with standard specifications of the City.

10. Inspections and Testing. An appropriate number of inspections and tests determined by the City Engineer shall be provided for by the subdivider so as to meet the requirements of the engineer. All test results shall be submitted to the City and a letter certifying that all improvements have been completed according to the City with be provided by the City Engineer. All inspection and testing costs will be borne by the subdivider.

11. Final Plans. Upon completion of construction of any such utilities or improvements, one (1) set of reproducible tracings of complete as-built final plans, dated, signed and certified by the engineer in charge, shall be filed with the Clerk showing all features as actually installed, including materials, size, location depth or elevation, numbers, ends of lines, connections, wyes, valves, storm sewer drains, inlets and all other pertinent information. There shall be no connections made to such utilities serving the subdivision until the foregoing has been complied with.

12. Sidewalks. **The subdivider shall provide for the installation of sidewalks along all newly created lots, including sidewalks on adjacent existing streets. Sidewalks shall be built according to the standards and specifications of the City. The subdivider shall indicate in the application for approval of a preliminary or final plat those sidewalks that will be constructed at the time of installation of public improvements, and those that the subdivider would like the Council to defer until a later date. If the Council agrees to defer construction of the sidewalks, sidewalks shall be constructed at the time a principal structure is built upon the adjacent lot or lots or within five (5) years of plat approval, whichever is earlier. Notwithstanding the above, the Council may require the sidewalk's construction at the time adjacent roadway construction takes place or at any other time as noted in the final plat approval. At the time sidewalk construction is required as provided above, such construction shall be completed at the sole cost and expense of the person or entity that owns the property or lot at the time of construction. Construction of a sidewalk in accordance with standard specifications of the City adopted by the Council is required. The sidewalks shall be installed when the lot is developed.**

- a) **Sidewalks shall be five (5) feet wide and located within the right-of-way with the outer edge one (1) foot from the right-of-way line.**
- b) **Sidewalks will be installed by developer on streets adjoining the subdivision and having double frontage lots prior to final plat approval. The sidewalks will**

be installed on street side that adjoins the subdivision unless waived by the City Council.

c) Sidewalks will be indicated on the final plat.

13. Driveway Approaches. Driveways shall be hard surface (asphalt or concrete) from the traveled portion of the street to the property line and shall be installed when the lot is developed.

14. Developers shall provide for the perpetual maintenance of any and all subdivision improvements that are not dedicated to the city or other governmental entity, by establishing an owner's association or other person, whether an individual or individuals, in a manner and form that is acceptable to the city. Such improvements may include but are not limited to storm water detention and infiltration basins; buffer yards, landscaping, fencing or walls, and other screening; subdivision signs, directional signs, traffic signs and pavement markings; and on-site lighting.

## MODIFICATIONS AND ENFORCEMENT

**166.33 MODIFICATION OF REQUIREMENTS.** The strict application of the terms of these regulations may be modified by three-fourths ( $\frac{3}{4}$ ) vote of the Council upon the recommendation of the Planning Commission in the event that it is found that any specific provision is impractical in its application to a specific parcel of land because of characteristics peculiar to said parcel and the intent of these regulations will not be compromised.

**166.34 ENFORCEMENT.** The Public Works Director shall be responsible for the enforcement of these regulations. All employees and officials of the City shall report in writing to the Public Works Director any violation or suspected violation of these regulations.

**166.35 DEVELOPMENT APPLICATION PARK LAND DEDICATION.**

1. This Park Land Dedication section is effective for any plat that has not received final approval prior to adoption.
2. For purposes of this section the term "development application" shall mean any presentation or filing with the City for residential development purposes of any subdivision of land over which the City has subdivision review and approval authority, or the filing or presentation of any site plan, PUD, PUD specific plan, permitted conditional use plan or development, subdivision master plan or area development plan, over which the City has approval authority or a declaration of horizontal property (condominium) regime pursuant to Iowa Code Chapter 499B.
3. All persons making a development application shall dedicate to the City, within the land covered by the development application, land for park and recreational purposes sufficient to meet the requirements of this section.
4. In each tract of land covered by a development application, there shall be reserved and dedicated to public use ten (10) acres of land for park purposes for each one thousand (1,000) people, based upon the projected population of the completed development application as calculated in accordance with this section. Such dedication shall be prorated to the amount indicated by the projected population to the nearest one thousand (1,000) square feet of land to be dedicated, but in any event, no dedication of land for park use shall contain a total for park usage of less than ten thousand (10,000) square feet of land so dedicated. For purposes of this section, property subject to a horizontal property condominium regime under Iowa Code Chapter 499B shall be treated as single-family detached.
5. For purposes of this section, population in the completed area covered by the development application will be determined by multiplying the number of housing units projected in the area covered by the development application for each use category times the anticipated average per unit as given below. The quantity calculated for each residential type shall be added together and the sum shall be the projected population for purposes of the development application. For the purposes of this section, the following population estimates per residential type will be used:
  - A. Single-family detached: 2.90 people.
  - B. Single-family attached: 2.59 people.
  - C. Multi-family unit: 1.82 people.

6. The City may require that all land dedicated under this section be configured or located to optimize aggregations of land and thus may require that the dedicated land be adjacent to the land affected by other development applications or to otherwise maximize usefulness of the land in accordance with the City's Comprehensive Plan **and Parks & Trails Master Plan**.
7. This section shall not apply to any development application which does not include residential development, provided, however, to the extent any development application includes residential uses then dedication of park land shall be required to the extent determined in accordance with this section.
8. For purposes of this section the water area of ponds, streams, retention basins, detention basins and other bodies of water, or the land area of buffer park easements and site plan open space requirements, shall not be included in determining any area dedicated for park purposes.
9. The dedication of land for park purposes shall include dedication of a corridor or point of connection for public pedestrian access, the areas of which shall be included in determining compliance with this section.
10. The required land dedication under this section shall be reduced when the person making the development application provides public access by easement to recreational facilities, playgrounds, unobstructed open spaces, ball fields, soccer fields, tennis courts, basketball courts, volleyball courts, picnic shelters, recreational trails and other similar non-duplicated recreational facilities which have been (or will be) constructed and maintained by the applicant. There shall not be any credit for swimming pools, clubhouses, and other similar facilities. In order to determine the credit the City shall ascertain the fair market value of the land required to be dedicated under this section and from such value subtract the cost of the recreational facilities constructed by the applicant and provided under this section. The person making the development application shall then only be required to dedicate land equal in value to the remainder.
11. As an alternative to dedication under this section, any person filing a development application may provide jointly with other persons for the dedication of land in an amount at least equal to the amount required under this section, at a location which is not part of the land for which approval is sought, provided such alternative is within the same neighborhood park area as the land for which a development application has been made, that the alternative jointly provided will provide for a park with a total land area of at least five (5) acres, consistent with the Comprehensive Plan and that such alternative dedication of land is or has actually been dedicated to the City and has been accepted by the City for use in accordance with the Comprehensive Plan **and Parks & Trails Master Plan**.
12. Where application of the formula set forth in subsection 4 of this section results in a dedication requirement of less than ten thousand (10,000) square feet the person making or filing the development application may elect to dedicate ten thousand (10,000) square feet of land or fulfill their obligation by participating in an option provided by subsection 10 of this section, but such alternative participation shall be based upon the actual calculation under subsection 4 of this section and not upon the equivalent of ten thousand (10,000) square feet of land.
13. Subsections 10 and 11 of this section notwithstanding, any entity required to comply with this section may present an alternate plan which meets the purposes of this section as a means of complying herewith. It will be the burden of the entity presenting such plan to establish that such plan meets the purposes of this section.



Any such plan shall be first reviewed by the Plan and Zoning Commission. Any alternate proposal must directly and proportionately benefit the development. A plan may include a payment in lieu of land dedication equal to the fair market value of the land to be dedicated. Such payment may be used only for park and recreation facility purposes consistent with the Comprehensive Plan.

14. This section shall not apply to any development application containing three (3) or fewer single-family residential units. A person making or filing a development application shall not divide land into separate plats in order to seek a waiver under this provision. Where a development application is made for multiple contiguous tracts within any two (2) years the City may treat all the development applications as one for purposes of this section.

15. No declaration of a condominium regime and under Iowa Code Chapter 499B, nor any conversion of an apartment to a condominium under Iowa Code Section 499B.3 shall be completed before the person or entity filing the declaration shall have complied with the land dedication requirements of this chapter.

16. If any subsection or provision of this section is held invalid by a court of competent jurisdiction, such holding shall not affect the validity of any other provisions of this section which can be given effect without the invalid portion or portions and to this end each subsection and provision of this section is severable.

17. Any person making or filing a development application or any person, entity, or developer affected by any decision made by any department acting under this chapter, may appeal to the City Council by filing notice of appeal with the City Clerk and a filing fee of one hundred dollars (\$100.00) payable to the City of Adel to be credited to the general fund of the City. Such appeal shall be taken within ten (10) days from the decision of the department acting under this chapter and shall set out in detail the reasons and grounds for the appeal. The City Clerk shall forthwith transmit to the City Council all papers constituting the record upon which the action appeal is taken. An appeal stays all proceedings in furtherance of the appeal.

18. The City Council shall upon the filing of an appeal fix a reasonable time for a hearing, giving public notice thereof as well as due notice to the parties in interest. All interested persons may offer oral or written testimony at the public hearing on the appeal. A vote of three (3) members of the City Council may affirm, modify, or reverse any decision of any department acting under this chapter.

19. Any person, entity, or developer aggrieved by any appeal decision of the City Council may within thirty (30) days from the date of the City Council rendering a decision, appeal therefrom to the district court of Dallas County, Iowa, in accordance with the rules of civil procedure, division XIV, entitled "certiorari."

*(Sec. 166.35 – Ord. 297 –Jan. 14 Supp.)*

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## 166.28 Streets

### 1. Granular Paving Adjacent to Subdivision.

A. A developer may be required to extend or expand existing off-site public infrastructure as necessary to fully improve a proposed subdivision, or the City Council may, at its sole discretion, require a proposed subdivision to be delayed until such extension or expansion can be funded and construction by the city or other governmental entity.

B. Costs; responsibilities. Developers shall be fully responsible for the entire costs of improving all collector and local streets within a subdivision, and for the costs of paving a width of not less than 15.5 feet of roadway along all arterial street frontages by providing a cash escrow to be held in a city account or by posting surety therefore, and turn lanes that serve or will serve the subdivision whether located within the subdivision or on an arterial street.

*There needs to a time limitation on escrow account or surety.*

*Discussion item for City Council and City Attorney.*

14. Standard Right-of-way Widths. For all streets, alleys and other thoroughfares hereafter dedicated and accepted, the minimum right-of-way widths shall not be less than the minimum dimensions for each classification of public way as follows:

A. Arterial Streets – Seventy (70) feet or as set forth in the General Plan or other plan adopted by the Planning Commission or the Council.

B. Collector Streets – Sixty (60) feet.

~~C. Local or Residential Streets – Sixty (60) feet. except when adjacent to a railroad or arterial street with limitation of access, then the width may, if appropriate to the circumstances, be fifty (50) feet.~~

D. Cul-de-sac – sixty (60) feet with a ~~110-foot~~ 130' diameter turn-around at the closed end. Cul-de-sacs are subject to approval by City on project-by-project basis; provide areas designated for snow removal storage from cul-de-sac.

*The 130' is excessive. A 130' diameter cul-de-sac with 90' diameter pavement will have 20' from back of curb to ROW. Typical for a dead street, the distance between back of curb to ROW is 17' (assuming 60' ROW and 26' back to back). Request Right-of-way width requirement be adjusted to maintain typical distance from back of curb to ROW for a uniform green space.*

*Diameter varies throughout communities from 104' diameter in Bondurant, to 130' in Dallas Center. Staff wanted it to increase from 110' diameter previously to allow for greater ease in snow removal.*

E. Alleys – twenty (20) feet.

F. Pedestrian Ways – ten (10) feet.

**166.32 IMPROVEMENTS.** Every subdivision shall contain normal improvements before acceptance or have such improvements assured by the posting of a bond or other device as set forth herein. Improvements shall include:

7. Paving. Paving of a permanent type shall be completed on all streets in accordance with the standard specifications of the City and in conformity with any official street plans which may be adopted by the Planning Commission or by the Council.

A. Minimum pavement thickness shall be six (6) inches reinforced or seven (7) inches of non-reinforced Portland cement concrete.

B. Six (6) inches of granular material to be approved by the Public Works Director shall be placed under all new roads.

***The six (6) inches of granular material should only be required if recommended by a geotechnical engineering report or geotechnical engineering report is not provided. City of Waukee allows public streets to be constructed on 12" of compacted natural subgrade. City of Urbandale does not list a requirement. The City current uses this approach even though the Subdivision ordinance is not listed as such. We recommend updating now to eliminate in confusion in the future.***

***This varies across communities. Requiring a geotechnical report is a good practice. Having granular material under roadways works two-fold, one it provides support to the pavement, and two, it helps to drain the pavement base and move water away from underneath the roadway. This increases the life of the pavement and overall roadway. This was not added and we suggest leaving it as is.***

C. An appropriate amount of ballast shall also be used when deemed necessary by the Public Works Director.

D. A minimum of **six-inch (6")** ~~five-inch (5")~~ subdrains on both sides of the street to drain water from the street and provide an outlet for sump pumps shall be installed and connected to proper storm sewer drains. In some cases, a separate "mini" storm sewer system may be required.

***Subdrains should only be required if granular subbase is required.***

***If granular subbase is required subdrains shall be required as well.***

E. **Six-inch (6")** concrete driveways. ~~Five-inch (5")~~ concrete driveways.

F. Curb and gutter – 6" x 30" (standard vertical) or roll back 6" radius.

***Typical cross sections of streets will be provided by the Public Works Director. Standard installations for sanitary sewer, storm drainage and water supply shall be installed before paving, even though such facilities cannot be connected with the City system at the time of approval of the plat.***

8. Minimum Paving Widths. For all streets and other thoroughfares, the minimum paving widths shall not be less than the minimum dimensions for each classification of public way as follows and **consistent with the Major Streets Plan**:

A. Arterial Streets\* – Thirty-one (31) foot paving back to back of curb.

B. Collector Streets – **Thirty-one (31)** ~~Twenty-eight (28)~~ foot paving back to back of curb.

C. Local or Residential Street – **Twenty-nine (29)** ~~Twenty-six (26)~~ foot paving back to back of curb.

***City of Waukee allows for 26 foot streets for cul-de-sacs. City of Urbandale allows 26 foot streets for all local streets. The 29 foot local street does not allow for any***

**additional benefit over a 26 foot street. SUDAS preferred width is 26 foot for local streets. Only 1 lane of parking with 1 lane of traffic can operate on a 29 foot street. The additional width will likely lead to higher speeds as well as future maintenance of an additional 3 feet by the City. Request to be listed at minimum of twenty-six (26) foot with asterisk of greater widths may be required.**

**SUDAS recommends 26' width on low volume local roads with parking on one side where two lanes of travel are not required.**

**It was the intention of City staff to increase this 26' minimum by the 3 feet to allow for additional room for vehicles to flow and potentially allow for two free flowing lanes of travel when there is 1 lane of parking. SUDAS recommends the minimum for two free flowing lanes of travel with one lane of parking to be 31' in width.**

**Waukee and Ankeny require 31' in width, Dallas Center requires 31' unless council approves 26' width.**

D. Cul-de-sac Turn-around – **Ninety (90)** ~~Eighty (80)~~ foot paving back to back of curb.

**\*Greater widths may be required. Each situation will be reviewed on a case by case basis.**

**This should probably be applicable to Collector and Local Streets as well.**

**Agreed if City would like to review each roadway on a case by case basis.**

12. Sidewalks. The subdivider shall provide for the installation of sidewalks along all newly created lots, including sidewalks on adjacent existing streets. Sidewalks shall be built according to the standards and specifications of the City. The subdivider shall indicate in the application for approval of a preliminary or final plat those sidewalks that will be constructed at the time of installation of public improvements, and those that the subdivider would like the Council to defer until a later date. If the Council agrees to defer construction of the sidewalks, sidewalks shall be constructed at the time a principal structure is built upon the adjacent lot or lots or **within five (5) years of plat approval**, whichever is earlier. Notwithstanding the above, the Council may require the sidewalk's construction at the time adjacent roadway construction takes place or at any other time as noted in the final plat approval. At the time sidewalk construction is required as provided above, such construction shall be completed at the sole cost and expense of the person or entity that owns the property or lot at the time of construction. **Construction of a sidewalk in accordance with standard specifications of the City adopted by the Council is required. The sidewalks shall be installed when the lot is developed.**

**Most Cities (including Waukee) do not require sidewalk bonds except adjacent to public lots (parks), association outlots, and double frontage lots. Any sidewalks constructed prior to home/building construction will likely need to be replaced due to being damage during construction.**

**Agreed that sidewalks constructed prior to home/building construction will potentially need to be replaced due to being damaged during construction. However, the City should have something in place to enforce the construction on sidewalks if empty lots sit undeveloped for years on end.**

- a) Public sidewalks with a minimum width of five feet shall be constructed from portland cement concrete ("PCC") along the frontages of all public streets and along not less than one side of all common private access drives, unless alternative routing such as a rear

lot walkway or open space trail system is approved by the City Council in lieu thereof. Pedestrian and bicycle trail systems shall have a minimum width of eight feet when located within a park or open space corridor, and ten feet when located within or in proximity to a street right-of-way, and shall be constructed of PCC unless an alternative material is approved by the City Engineer. Base preparation and all other construction specifications shall be fully compliant with SUDAS standards as adopted and amended by the city.

b) Sidewalks will be installed by developer on streets adjoining the subdivision and having double frontage lots prior to final plat approval. The sidewalks will be installed on street side that adjoins the subdivision unless waived by the City Council.

c) Sidewalks will be indicated on the final plat.

*This item needs to be removed. State ordinance does not allow for any engineering items or improvements to be shown on the Final Plat per 2017 ruling. Copy of ruling can be provided if need be.*

*Agreed, this should be removed. Per March 2017, Land Surveyors Board Decision. No engineering items shall be shown on plats. We were unaware of this recent decision by the Land Surveyors Board. The document is attached.*

*We also feel that sidewalks should also be removed from Section 166.22 Section 2.*