

## CHAPTER 180

# SUBDIVISION CONTROL

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**180.01 TITLE.** This chapter may be known as the “Subdivision Regulations of Carlisle, Iowa.”

**180.02 JURISDICTION.** This chapter governs the review of subdivision plats and or plats of survey for divisions of all lands within the corporate limits of the City, and within two miles adjacent to said corporate limits. The authority to review subdivision plats or plats of survey within two miles of the corporate limits of the City is established pursuant to Section 354.9, Subsections 1 and 2, of the *Code of Iowa*.

**180.03 DEFINITIONS.** For the purpose of this chapter, certain terms and words are herein defined.

1. “Architect” means a registered architect authorized to practice architecture as defined by the laws of the State.
2. “Arterial thoroughfare” means a street used primarily for fast, intense volume, mixed vehicular, through traffic.
3. “Block” means an area of land within a subdivision that is entirely bounded by streets, highways, parks, railroad or similar fixed land division and/or the exterior boundaries of the subdivision.
4. “Building line” means setback lines and outlines the buildable area of a lot which remains after the required yard areas have been provided for. Building lines shall be shown on all lots intended for residential use of any character by ordinance. Such building lines shall not be less than required by the Zoning Regulations. Where the subdivided area is not under zoning control, the Commission shall require building lines in accordance with the needs of each division.
5. “City Inspector” means the person appointed by the City Council to act in that capacity.
6. “Collector streets” means those streets that carry traffic from minor streets to the major system of arterial streets and highways, including the principal entrance streets of a residential development and streets for circulation within such a development.
7. “Commission” means the Planning and Zoning Commission of the City.
8. “Cul-de-sac” means a short, minor street, having one end open to motor traffic, the other end being permanently terminated by a vehicular turnaround.
9. “Design Standards Manual” means the *Des Moines Metropolitan Design Standards Manual*.
10. “District” means a section or sections of land area depicted on the Official Zoning Map within which the regulations governing the use of buildings and premises or the height of buildings and area of sites are uniform.

11. "Easement" means a grant by the property owner of the use, for a specific purpose, of a strip of land by the general public, a corporation, or a certain person or persons, and within the limits of which the owner of the fee shall not erect any permanent structures but shall have the right to make any other use of the land subject to such easement which is not inconsistent with the rights of the grantee. Public utilities shall have the right to trim or remove trees which interfere with the use of such easements.

12. "Engineer" means a registered engineer authorized to practice civil engineering as defined by the laws of the State.

13. "Local street" means a street used primarily for access to the abutting properties.

14. "Lot" means a portion of a subdivision or other parcel of land intended for the purpose, whether immediate or future, of transfer of ownership or for building development.

15. "Maintenance bonds" means maintenance bonds issued by a responsible surety company and are required as follows:

Streets .....	4-year maintenance bond
Sanitary sewers .....	2-year maintenance bond
Storm sewers.....	2-year maintenance bond
Water mains .....	2-year maintenance bond
Sidewalks.....	4-year maintenance bond

The amount of the maintenance bond shall be 100% of the construction cost of the improvement and shall be determined by the City Engineer.

16. "Marginal access street" means a street that is parallel to and adjacent to a major thoroughfare or highway and which provides access to abutting properties and protection from through traffic, while limiting access to the major thoroughfare.

17. "Plat" means a map, drawing, or chart on which the subdivider's plan of the subdivision is presented and which the subdivider submits for approval and intends to record in final form.

18. "Roadway" means that portion of the street available for vehicular traffic, and where curbs are laid, the portion from back to back of curbs.

19. "Street" means the entire width between the property lines bounded every way of whatever nature when any part thereof is open to the use of the public, as a matter of right, for the purpose of vehicular traffic and others, and whether designated as a street, highway, thoroughfare, parkway, throughway, expressway, road, avenue, boulevard, lane, place, circle or however otherwise designated.

20. "Subdivider" means any person, individual, firm, partnership, association, corporation, estate, trust, or any other group or combination acting as a unit, dividing or proposing to divide land so as to constitute a subdivision as defined herein and includes any agent of the subdivider.

21. "Subdivision" means a division of land into three or more lots or other divisions of land for the purpose, whether immediate or future, of transfer of ownership or building development, or any change in existing street lines or public easements. The term, when appropriate to the context, relates to the process of subdividing or to the land subdivided, or the resubdivision of land previously divided or platted into lots or other divisions of land or, if a new street is involved, any division of land.

22. "Surveyor" means a registered surveyor authorized to practice surveying as defined by the Registration Act of the State.

**180.04 PROCEDURE.** In obtaining final approval of a proposed subdivision by the Commission and the Council, the subdivider shall submit a preliminary plat and a final plat in accordance with the following order and procedure:

1. The subdivider shall prepare a sketch plan for review by the City prior to preparation of a preliminary and final plat. The sketch plan shall show at minimum the proposed development to include lot size, street, general utility layout, acreage, population density, and intended use.
2. The subdivider shall prepare and file with the City Clerk four copies of a preliminary plat conforming in detail to the requirements set forth in this chapter. Six copies of the preliminary plat shall be submitted for subdivisions outside the corporate limits of the City.
3. The City Clerk shall forthwith refer two copies to the City Inspector and two copies to the Commission. In the case of a subdivision outside the corporate limits of the City, the Clerk shall refer two copies of the preliminary plat to the County Board of Supervisors and keep the County Engineer advised of the status of the plat and actions taken thereon.
4. The City Inspector shall carefully examine said plat as to its compliance with the laws and ordinances of the City, the existing street system, and good engineering practices and shall as soon as possible submit findings in duplicate to the Commission.
5. After receiving the City Inspector's report, the Commission shall study the preliminary plat and other material for conformity thereof to these regulations. The Commission may confer with the subdivider on changes deemed advisable and the kind and extent of such improvements to be made by the subdivider. The Commission, in joint session with the Council, shall approve or reject such plan within 45 days after the date of submission thereof to the Commission. If the Commission does not act within 45 days, the preliminary plat shall be deemed to be approved, provided, however, that the subdivider may agree to an extension of the time for a period not to exceed 60 days. The approval of the preliminary plat shall be null and void unless the final plat is presented to the Commission within 180 days after date of approval.
6. Before approving a preliminary plat, the Commission may in its discretion hold a public hearing on the proposed plat, notice of which shall be given by publication in a local newspaper of general distribution or by posting notices on the tract or by sending notices to affected property owners by mail. Such notice shall be given not less than four or more than 20 days prior to the public hearing.
7. Upon approval of the preliminary plat by the Commission, the subdivider may proceed with the preparation of the final plat together with any detailed construction drawings and specifications for the improvements required under this chapter.
8. Before submitting the final plat to the Commission for approval, the subdivider shall furnish all plans and information as listed in Section 180.09 of this chapter necessary for the detailed engineering consideration of the improvements required under this chapter and obtain approval of the City Inspector, which shall be endorsed thereon.
9. The final plat shall be filed in duplicate together with a certificate from the City Inspector that the final plat is substantially in accord with the preliminary plat as approved by the Commission.
10. The Commission shall then consider the final plat and if the same is approved, shall submit its recommendation of approval to the Council together with a certified copy of its resolution showing action of the Commission.
11. The Council shall then consider the plat and if the same is acceptable and in accordance with this chapter, the Council shall accept the same. If said plat is disapproved by the Council, such disapproval shall point out in writing wherein said proposed plat is objectionable.

12. The passage of a resolution by the Council accepting the plat shall constitute final approval of the platting of the area shown on the final plat, but the subdivider or owner shall cause such plat to be recorded in the office of the County Recorder of Warren County, Iowa, as provided in Chapter 354 of the *Code of Iowa*, and amendatory acts thereto, and shall file satisfactory evidence of such recording in the office of the City Clerk before the City shall recognize the plat as being in full force and effect.

**180.05 SUBDIVISION DESIGN STANDARDS.** The standards and details of design herein contained are intended only as minimum requirements so that the general arrangement and layout of a subdivision may be adjusted to a wide variety of circumstances; however, in the design and development of a plat, the subdivider should use standards consistent with the site conditions as to assure an economical, pleasant, and durable neighborhood. Construction drawings and design requirements for storm water, sanitary sewer, water mains, streets, sidewalks, street lighting, street trees and other utilities are set forth in the Design Standards Manual.

1. Blocks. No block shall be longer than 1,320 feet, except as approved by the Commission.

2. Easements. Easements for utilities shall be provided along rear or side lot lines or long alleys, as required by the City Engineer. Whenever any stream or important surface water course is located in an area that is being subdivided, the subdivider shall, at his or her own expense, make adequate provision for straightening or widening the channel so it will properly carry the surface water, and shall reserve or dedicate to the City an easement along each side of the stream. Such easements shall be for the purpose of widening, improving, maintaining or protecting the stream. The width of such easements shall be not less than 20 feet each, plus the stream design width, and the total width of the easement shall be adequate to provide for any necessary channel straightening or relocation.

3. Lots.

A. Corner lots shall be not less than 20 feet greater in width than the minimum required interior lot width so as to permit adequate building setbacks on both front and side streets.

B. Double frontage lots other than corner lots shall be prohibited except where such lots back onto a major street or highway or except in the case of large commercial or industrial lots. Such double frontage lots shall be buffered from the rear street frontage by permanent screen walls, planting screens, or other screening method deemed acceptable by the Commission. Ingress/egress shall be limited to the frontage street and is strictly prohibited on the rear street.

C. Each lot shall be provided by means of a public street with satisfactory access to an existing public street.

D. Each lot shall be provided with not less than 40 feet of access frontage to a public street.

E. No lot shall be less in size or shape required to provide an adequate building site in compliance with the Zoning Regulations.

F. For the purpose of complying with minimum health standards, the following minimum lot sizes shall be observed:

(1) Lots that cannot be reasonably served by an existing public sanitary sewer system and public water mains shall have a minimum width of 100 feet, measured at the building line, and an area of not less than two acres or the minimum permitted by the Zoning Regulations, whichever is larger.

(2) Lots that are not within a reasonable distance of a public sanitary sewer system but are connected to a public water supply main shall have a minimum width of 80 feet and an area of two acres or the minimum permitted by the Zoning Regulations, whichever is larger.

G. Side lot lines where possible shall be at right angles or radial to the street lines.

4. Concrete Monuments. Monuments shall be placed at block corners, point of curves. Iron rods shall be placed at the change in direction along lot lines and at each lot corner.

5. Streets and Rights-of-Way.

A. Alleys. Alleys may be required in business areas and industrial districts for adequate access to block interiors and for off-street loading and parking purposes. Except where justified by unusual conditions, alleys will not be approved in residential districts. Dead-end alleys shall be provided with a means of turning around at the dead end thereof.

B. Circulation. The street pattern shall provide ease of circulation within the subdivision as well as convenient access to adjoining streets, thoroughfares or unsubdivided land as may be required by the Commission. In a case where a street will eventually be extended beyond the plat, but is temporarily dead ended, an interim turnaround may be required.

C. Comprehensive Plan. All proposed plats and subdivisions shall conform to the Comprehensive Plan.

D. Continuation of Existing Streets. Proposed streets shall provide for continuation or completion of any existing streets (constructed or recorded) in adjoining property at equal or greater width, but not less than 60 feet in width, and in similar alignment, unless variations are recommended by the Commission.

E. Culs-de-sac. Whenever a cul-de-sac is permitted, such street shall comply with the minimum requirements set forth in the Design Standard Manual.

F. Dedication. A deed to the City shall be given for all streets before the same will be accepted for City maintenance.

G. Half Streets. Dedication of half streets will be discouraged. Where there exists a dedicated or platted half street or alley adjacent to the tract to be subdivided, the other half shall be platted if deemed necessary by the Commission.

H. Land Not Platted. Where the plat to be submitted includes only part of the tract owned by the subdivider, the Commission may require topography and a Master Plan of the entire tract of land under the ownership, mortgage purchase option or other agreements for deed.

I. Major Thoroughfares. When a new subdivision, except where justified by limiting conditions, involves frontage on a heavy traffic-way, the street layout shall provide motor access to such frontage by one of the following means:

(1) A parallel street supplying frontage for lots backing on the traffic-way.

(2) A series of culs-de-sac or short loops entered from and planned at right angles to such a parallel street, with their terminal lots backing onto the highways.

(3) An access drive separated by a planting strip from the highway to which a motor access from the drive is provided at points suitably spaced.

(4) A service drive or alley at the rear of the lots. Where any one of the above-mentioned arrangements is used, deed covenants or other means should prevent any private residential driveways from having direct access to the traffic-way.

J. Neighborhood Plan. If any overall plan has been made by the Commission for the neighborhood in which the proposed subdivision is located, the street system of the latter shall conform in general thereto.

K. Physical and Cultural Features. In general, streets shall be platted with appropriate regard for topography, creeks, wooded areas and other natural features which would lend themselves to attractive treatment.

L. Railroads. If a railroad is involved, the subdivision plat should:

(1) Be so arranged as to permit, where necessary, future grade separations at highway crossings of the railroad.

(2) Border the railroad with a parallel street at a sufficient distance from it to permit deep lots to back onto railroad; or form a buffer strip for park, commercial or industrial use.

(3) Provide culs-de-sac at right angles to the railroad so as to permit lots to back onto the railroad.

M. Street Grades. Streets and alleys shall be completed to grades that have been officially determined or approved by the City Engineer.

N. Street Intersections. Street intersections shall be as nearly at right angles as possible.

O. Street Names. All newly platted streets shall be named in a manner conforming to the prevailing street naming system. A proposed street that is obviously in alignment with other existing streets, or with a street that may logically be extended although the various portions be at a considerable distance from each other, shall bear the same name. Names of new streets shall be subject to the approval of the City in order to avoid duplication or close similarity of names.

P. The street layout shall provide access to all lots and parcels of land within the subdivision.

Q. Street jogs (intersections) of less than 150 feet shall be avoided.

R. New subdivisions shall make provisions for continuation and extension of thoroughfares and collector streets and roads.

S. No dead-end streets will be permitted except at subdivision boundaries.

T. Thoroughfare and collector streets in a subdivision shall extend through to the boundaries thereof, unless a terminal point within the subdivision is shown in the master street plan.

U. Minimum Rights-of-Way. The minimum rights-of-way shall be provided as follows:

Thoroughfares .....	80 feet
Residential collector streets .....	70 feet
Commercial collector streets .....	80 feet
Residential streets .....	60 feet
Local residential streets .....	50 feet

**180.06 STREET CONSTRUCTION.** All streets shall be installed according to the Design Standards Manual.

**180.07 IMPROVEMENTS.** The subdivider shall be responsible for the installation and/or construction of all improvements required by this chapter, and shall warrant the design, material, and workmanship of such improvements, installation, and/or construction for a period of two (2) years from and after completion. Such warrant shall be by bond or other acceptable collateral, shall be subject to review by the City Attorney, shall specifically assure the expedient repair or replacement of defective improvements under warranty, and shall indemnify the City from any and all costs or losses resulting from or contributed to by such defective improvements. All of the foregoing improvements shall be constructed and accepted by formal resolution of the Council. Before passage of said resolution of acceptance, the City Engineer shall report that said improvements meet all City specifications and ordinances or other requirements and agreements between the subdivider and the City. This requirement may be waived if the subdivider will post a performance bond or certified check with the City guaranteeing that said improvements will be constructed within a period of one year after final acceptance of the plat; however, if a performance bond is posted, final acceptance of the plat will not constitute final acceptance by the City of any improvements to be constructed. Improvements will be accepted only after their construction has been completed and no public funds will be expended in the subdivision until such improvements have been completed and accepted by the City. If a performance bond is posted, such bond shall be subject to review by the City Attorney prior to acceptance, shall specifically assure the expedient installation and completion of all improvements within the specified construction time period, and shall indemnify the City from any and all costs or losses of the development and construction. The Council may waive the requirements of this chapter for the construction and installation of some or all of the improvements in cases of resubdivision, where only the size, shape and arrangement of the lots are being changed; provided, however, such waiver shall be limited to existing improvements in good repair as determined by the City Engineer. Improvements not existing or in poor repair shall meet the requirements of this chapter. The Council may waive the requirements of this chapter for the construction and installation of some or all of the improvements in cases of dedication of land or right-of-way to public use where such dedication is in excess of the needs of the subdivision and is desired by a public agency in lieu of a purchase or condemnation proceeding.

1. All Improvements. All plans, specifications, installation, and construction required by this chapter shall be subject to the review, approval, and inspection by the City Engineer or other authorized City representative. The subdivider shall furnish the City Engineer with a construction schedule prior to commencement of any and/or all construction; and shall notify the City Engineer, not less than 24 hours in advance of readiness for required inspections.
2. Curb and Gutter. Curb and gutter shall be required on all streets. All curb and gutter shall be designed in accordance with the Design Standards Manual and constructed to the grade approved by the Council after receiving the report and recommendation of the City Engineer.
3. Drainage. All subdivisions shall include storm drainage plans for the positive removal of storm waters. Such plans shall be prepared by a registered Engineer, in accordance with the Design Standards Manual, and approved by the City Engineer.
4. Gas. Gas mains shall be installed underground and located to comply with the Design Standards Manual.
5. Sidewalks.
  - A. Sidewalks shall be required and shall be constructed to the grade approved by the Council after receiving the report and recommendation of the City Engineer.
  - B. All sidewalks shall be constructed in accordance with the Design Standards Manual.

6. Sewer. Where a public sanitary sewer is reasonably accessible and within 200 feet, the subdivider shall provide each lot in the subdivision with the connection to the sewer. Further, where the existing sewer may be reasonably extended through the subdivision so as to provide for continuous future development, such provisions shall be made. All sanitary sewers shall be designed in accordance with the Design Standards Manual and installed as for City and State specifications. Any plat that cannot reasonably be served by public sewer shall show results of soil percolation tests made by the Engineer preparing the plat. Such tests shall be in accordance with the Warren County Board of Health. The designing engineer shall furnish the City with three certified copies of as-built plans and certify that the facilities have been installed in accordance with the plans and specifications. As-built plans shall specifically show service line stub locations.
7. Electric Utility Cables. Underground electric cables shall be required and located to comply with the Design Standards Manual.
8. Water Lines. Where a public water main is accessible, the subdivider shall connect with such water main and provide a water connection for each lot and stubbed in to the proper line in accordance with the Design Standards Manual.

**180.08 PRELIMINARY PLAT REQUIREMENTS.** The preliminary plat of a subdivision is not intended to serve as a record plat and shall be submitted for review separately and prior to submission of the final plat. Its purpose is to show on a map all facts needed to enable the Commission to determine whether the proposed layout of the land in question is satisfactory from the standpoint of the public interest. The subdivider or a representative may call at the office of the Commission in advance of the preliminary plat in order to discuss the proposed subdivision and in order to obtain information as to the requirements necessary for approval of the plat.

1. Number of Copies and Scale. Four copies of the preliminary plat shall be submitted as prescribed for review. The scale of the map shall be one inch = 50 feet on small subdivisions and one inch = 100 feet on large subdivisions unless otherwise approved by the Commission.
2. Contents of Preliminary Plat.
  - A. Legal description, acreage and name of subdivision.
  - B. Name and address of the recorder and owner and developer.
  - C. Name of person who prepared the plat (engineer, surveyor, etc.) and date.
  - D. Tract boundary lines (labeled and indicated by a heavy line) showing dimensions, bearings angles and references to known lines or bench marks.
  - E. Location of existing lot lines, streets, public utilities, water mains, sewers, tiles, drainpipes, culverts, watercourses, bridges, railroads, existing buildings in the proposed subdivision.
  - F. Contour lines at intervals of not more than five feet, MSL.
  - G. Location and widths, other dimensions and names of proposed streets, utility easements and other open spaces dedicated for public use (parks, playgrounds, etc.).
  - H. A statement concerning the location and approximate size or capacity of utilities proposed to be installed. Connecting points to existing utilities.
  - I. The layout of proposed blocks (if used) and lots, including the dimensions of each, and the lot and block number in numerical order.
  - J. Lot areas (approximate) with area of smallest lot annotated.
  - K. Proposed building setbacks for frontage and side streets.



- L. North point and graphic scale.
  - M. Names of adjacent property owners or adjoining subdivisions.
  - N. Grades of proposed streets with a cross section of street showing roadway location, type and width of surfacing, the type of drainage and other improvements to be installed.
  - O. The drainage of the land including proposed storm sewers, ditches, culverts, bridges and other structures with special emphasis on erosion control measures.
  - P. Flood plain boundary area to be shown.
  - Q. Location and dimension of sidewalks to be installed.
3. Accompanying Material.
- A. An abstractor's title together with an attorney's opinion, in duplicate, showing that the fee title to the subdivision is in the owner as shown on the plat and showing any encumbrances that may exist against said land.
  - B. Any plat that cannot reasonably be served by public sewer shall show results of soil percolation tests made by the Engineer preparing the plat. Such tests shall be made in accordance with the specifications approved by the City Engineer.
  - C. Restrictions proposed, if any, to be included in the owner's dedication of the plat.
  - D. Written statement, of the appropriate officials, of the availability of gas and electricity to the proposed subdivision.
  - E. Written and signed statements explaining how and when the subdivider proposes to provide and install all improvements required by this chapter. Such statement shall acknowledge required inspections and approvals by the City Engineer.

## **180.09 FINAL PLAT REQUIREMENTS.**

1. Number of Copies and Scale. When and if the preliminary plat is approved, the subdivider shall submit six copies of the final plat for review by the Commission. The scale of the map shall be one inch = 100 feet on large subdivisions, unless otherwise approved by the Commission.
2. Contents of Final Plat. The final plat shall be drawn in India ink on reproducible linen or Mylar film on an 18-inch by 24-inch or 24-inch by 36-inch sheet size with a border line allowing a three-inch binding margin along the left hand narrow width and a one-half inch margin on the remaining narrow width and two long sides. The following information shall be shown on the plat.
  - A. Block lines shall be designated by heavy solid lines.
  - B. Block corners shall be shown rounded by appropriate radius with arch length (A =), chord (ch =), central angle ( $\triangle$  =), radius (R =) and Tangent (T =) shown.
  - C. Boundary lines shall be designated by a heavy line (#3 or #4 pen) of long dash/two dots, etc., and labeled "Plat Boundary."
    - (1) Boundary dimensions from angle point to angle point shall be shown for all sides of the closed traverse.
    - (2) Bearings, based on an assumed meridian approximating north, of all boundary lines or internal angles of all angle points on the boundary shall be shown.

D. Building setback lines for frontage and side streets shall be designated by a fine short dashed line, labeled "Building Setback Line" and dimensioned.

E. Centerlines of all street rights-of-way shall be designated by a fine line (#0 or #00 pen) of long dash/short dash or dot, etc., and dimensions from angle point to angle point, point of curvature to point of tangency, intersection to intersection or any combination thereof between intersections with the appropriate bearings, clearly shown. Curve data shall include arc length (A =), chord (ch =), central angle ( $\Delta$ =), radius (R =), and tangent (T =). All points of curvature (P.C.) and points of tangency (P.T.) shall be located and labeled.

F. Certification by a registered engineer and/or land surveyor in accordance with State law.

G. Easements for public utilities and drainage facilities shall be designated by fine line (#0 or #00 pen) of medium length dashes and appropriately labeled with reserved width and type of "easement."

H. Fractional lines and corners of the government township and section surveys shall be appropriately labeled and dimensioned as applicable to the plat. All plats shall be tied to a known section or fractional corners by distances and bearings or angles.

I. Legal description of the platted area shall be included on the plat.

J. Lot lines shall be designated by medium fine (#0 or #1 pen) to solid lines.

K. Lots shall be numbered consecutively, all sides dimensioned. The bearings or corner angles of all lot lines that are not parallel to the block lines shall be shown and lines intersecting a curved line shall be labeled as radial or not radial, as applicable. Dimensions of lot lines that are curved shall include appropriate curve data; arc length (A), chord (ch) and central angle ( $\Delta$ ); where the radius is not shown elsewhere it shall be shown. The area of all nonrectangular lots shall be shown to the nearest 100 square feet.

L. Permanent reference monuments shall be labeled (P.R.M.) and located.

M. Scale shall be indicated graphically as the scale in feet along with the compass point.

N. Street names, location, lot designation and right-of-way width for all streets within or abutting the plat shall be shown.

O. Surveyor's notes shall include the following as appropriate or applicable to the particular plat:

- (1) All bearings are based on an assumed meridian for computation purposes.
- (2) Block corner radii are 25 feet unless noted otherwise.
- (3) Dashed lines shown at the rear or sides of certain lots are "easements" reserved for the installation and maintenance of public utilities and drainage facilities.
- (4) Any other notes deemed necessary for the particular plat.

3. Accompanying Material.

A. A warranty deed to the City properly executed for all streets intended as public streets and for any other property intended for public use.

- B. Any protective covenants or restrictions to be imposed upon the plat shall be submitted for approval.
  - C. Plans and profiles of all streets and alleys at a 50-foot horizontal scale and five-foot vertical scale. Profiles shall show location, size and grade of all conduits, sewers, pipelines, etc., to be placed under the streets and alleys. Profiles shall be drawn with north oriented to the top or left side of the drawing.
  - D. Performance bond, if any.
  - E. Drainage plans for the positive removal of storm water.
4. Recording Plat. There shall be three copies stamped as approved by the Council:
- A. The original linen tracing shall be retained for file by the City Clerk.
  - B. One copy shall be filed with the County Recorder. The owner shall assume responsibility for filing.
  - C. One copy with accompanying resolution by the Council approving and accepting the plat shall be filed with the County Auditor. This copy must be accompanied by a statement by the proprietors and their spouses, if any, that the plat is prepared with their free consent and in accordance with their desire, signed and acknowledged before an officer authorized to take the acknowledgments of deeds. The statement by the proprietors may also include a dedication to the public of all lands within the plat that are designated for streets, alleys, parks, open areas, school property, or other public use, if the dedication is approved by the Council. Recording of the plat is the responsibility of the owner.

**180.10 FEES.** Filing fees shall be set by resolution of the Council.

**180.11 VARIATIONS AND EXCEPTIONS.** Whenever the tract proposed to be subdivided is of such unusual topography, size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in these regulations would result in substantial hardships or injustices, the Council, upon recommendation of the Commission, may vary or modify such requirements so that the subdivider is allowed to develop the property in a reasonable manner; but so that, at the same time, the public welfare and interest of the City and surrounding area are protected and the general intent and spirit of these regulations are preserved.

**180.12 ENFORCEMENT.**

- 1. No plat of any subdivision shall be recorded in the County Recorder's office or have any validity until it has been approved in the manner prescribed herein.
- 2. The Council shall not permit any public improvements over which it has control to be made from City funds or any City money expended for improvements or maintenance on any street in any area that has been subdivided after the date of adoption of these regulations unless such subdivision or street has been approved in accordance with the provisions contained herein and accepted by the Council as a public street.

**180.13 CHANGES AND AMENDMENTS.** Any provisions of these regulations may be changed and amended from time to time by the Council; provided, however, such changes and amendments shall not become effective until after study and report by the Commission and until after a public hearing has been held, public notice of which shall be given in a newspaper of general circulation at least four and not more than 20 days prior to such hearing.