

CHAPTER 154: SUBDIVISION CONTROL

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SHORT TITLE, PURPOSE, APPLICATION, DEFINITIONS

§ 154.01 SHORT TITLE.

This chapter and ordinances supplemental or amendatory thereto shall be known as the subdivision control code, formerly Chapter 74 of the city code of 1967. (Ord. 1978-6, passed 4-4-78)

§ 154.02 PURPOSE.

The purposes of this chapter are to promote the health, safety, and general welfare of the residents of the city; to assist orderly, efficient, and integrated development of the city; to promote an adequate, efficient, and safe street and road system; to assure planning for and provision of an adequate and safe water supply and sewage disposal system; to provide for adequate utilities and public improvements; to prevent loss and injury from fire, floods, and other hazards, to safeguard the interests of the public, homeowner and subdivider; and to protect the natural resources of the city.(Ord. 1978-6, passed 4-4-78)

§ 154.03 APPLICATION.

The regulations established by this chapter shall apply to all subdivisions or parts of subdivisions or lands defined in §154.04, lying wholly or partly within the city or its official planning jurisdiction. (Ord. 1978-6, passed 4-4-78)

§ 154.04 DEFINITIONS.

For the purposes of this chapter, the following words and phrases shall have the following meanings ascribed to them respectively.

“ALLEY.” A minor public way, primarily for vehicular access to the rear or side of properties otherwise abutting on a street.

“BLOCK.” An area of land within a subdivision which is entirely bounded by streets, highways, railways, or waterways, or the exterior boundaries of the subdivision.

“BOARD OF PUBLIC WORKS.” The board of public works and safety of the city.

“BUILDING SETBACK LINES (FRONT YARD SETBACK).” A line on a plat between which line and the adjacent street line, buildings or structures may not be erected.

“COMMISSION.” The city plan commission.

“DISPOSITION.” A contract of sale resulting in the transfer of equitable title to an interest in subdivided land; an option to purchase an interest in subdivided land; a lease or an assignment of an interest in subdivided land; or any other conveyance of an interest in subdivided land.

“DWELLING UNIT OR UNITS.” A place of residence that may be located in either a single or multiple dwelling unit building.

“EASEMENTS.” Areas other than streets and alleys which are reserved, conveyed, or dedicated for specialized or limited purposes.

“EVIDENCE.” Any map, table, chart, contract, or any other document of testimony prepared or certified by a qualified person to attest to a specific claim or condition which evidence must be relevant and competent and must support the position maintained by the subdivider.

“FLOOD” or “FLOODWATER.” The water of any watercourse which is above the banks or outside the channel and banks of such watercourse.

“FLOOD HAZARD AREA.” Any floodplain, floodway, or floodway-fringe district, or any combination thereof as shown on the zoning map of the city, provided such area, for purpose of participation in the National Flood Insurance Program under the Federal Insurance Administration only, shall include any area designated as a flood hazard area on the most current Federal Insurance Administration Flood Hazard Boundary Map, as revised from time to time, in addition to area otherwise designated as a flood hazard area by the zoning ordinance, which is Chapter 70 of the city code of 1967.

“FRONT YARD SETBACK.” A line on a plat between which line and the adjacent street line, buildings or structures may not be erected.

“IMPROVEMENT PLAN.” A map, engineering drawing, text, or other supporting materials detailing the improvements required or proposed for a subdivision and showing how these will be constructed or provided.

“LOT.” A parcel or portion of land separated from other parcels or portions by description as on a subdivision or record of survey map or by metes and bounds for purpose of sale, lease, separate use, or building development.

“MASTER PLAN.” A complete plan or any part of such plan for the development of the city as prepared and adopted by the city plan commission.

“NECESSARY LAND.” That land to be dedicated for school or park purposes shall mean that amount of suitable acreage which is required by the commission or board of public works in connection with the formulas and standards provided in this chapter.

“PLAT.” A map and supporting materials of certain described land, prepared in accordance with the subdivision regulations as an instrument for recording of real estate interests with the county recorder.

“PRELIMINARY PLAN.” The map or maps of a proposed subdivision and specific supporting materials, drawn and submitted in accordance with the requirements of this chapter to permit the evaluation of the proposal prior to detailed engineering and design.

“PUBLIC HEARING OR HEARING.” A hearing, held by the plan commission, pursuant to notice stating the matter to be heard, the time and place of the hearing, published in a newspaper of general circulation in the city, unless otherwise designated by statute, at least 7 days prior to the date set for the hearing, for the purpose of affording the public an opportunity to be heard with regard to such matter. In the event that any applicable statute specifies a different manner of notice or is otherwise in conflict, the requirements of the statute shall control and shall be followed in lieu of these notice requirements.

“SKETCH PLAN.” A drawing of a proposed subdivision, drawn and submitted in accordance with the requirements of §154.30 in order for the plan commission to evaluate the design characteristics and feasibility of a proposed subdivision at an early state in the planning.

“STREET.” A public thoroughfare which affords principal means of vehicular access to abutting property whether indicated as a street, highway, thoroughfare, drive, parkway, expressway, road, avenue, boulevard, land, or otherwise.

“SUBDIVIDER OR DEVELOPER.” Any person, firm, partnership, joint venture, association, or corporation who shall participate as owner, promoter, developer, or sales agent, in the planning, platting, development, promotion, sale, or lease of a subdivision.

“SUBDIVISION” or “SUBDIVIDED LAND.” Any parcel of land in the city or its official planning jurisdiction including land to be used for condominiums, apartments, or any other multiple dwelling units unless such land when previously subdivided was accompanied by a filing which complied with the provisions of this chapter with substantially the same density, or which is divided into 2 or more parcels, separate interests, or interests in common, unless exempted under divisions (a) or (B) below.

(A) The terms “SUBDIVISION” and “SUBDIVIDED LAND” as defined in this section shall apply to the division of any parcel of land, shown as a unit, as part of a unit or as contiguous units on the last preceding transfer of ownership, into 3 or more parcels or lots for the purpose, whether immediate or future, of transfer of ownership, or improvement of one or more of these parcels of land for residential, commercial or industrial structures or groups of structures. All divisions of land meeting the above described definition of a “SUBDIVISION” or “SUBDIVIDED LAND” shall have a plat recorded in the office of the county recorder.

(B) Unless the method of disposition is adopted for the purpose of evading this chapter, the terms “SUBDIVISION” and “SUBDIVIDED LAND” as defined in this section, shall not apply to any division of land:

(1) Created by order of any court in this state or by operation of law;

(2) Created by lien, mortgage, deed of trust, or any other security instrument;

(3) Created by a security or unit of interest in any investment trust regulated under the laws of this state or any other interest in any investment entity;

(4) Created as cemetery lots; or

(5) Created by the acquisition of an interest in land in the name of a husband and wife or other persons in joint tenancy or as tenants in common and such interest shall be deemed for purposes of this section as only one interest.

PROCEDURES FOR SUBMISSION, REVIEW, AND APPROVAL OF SUBDIVISION

§ 154.10 APPLICATION.

(A) Any subdivider desiring to subdivide or lay out any subdivision of land situated within the corporate limits of the city or its official planning jurisdiction, shall, prior to the sale of any lot, lots or lands in such proposed subdivision, obtain final approval of the subdivision and record in the office of the county recorder, a correct final plat of subdivision, in the manner and form hereinafter prescribed.

(B) A subdivider desiring the approval of a plat for the subdivision of any lands, as referred to above, shall make application as set forth in this chapter.

(C) The plan commission is authorized in specific cases to grant variance from the terms of this chapter which will not be contrary to the public interest, where owing to special conditions, fully demonstrated by the facts presented, a literal enforcement of the provisions of this would result in unnecessary hardships and so that the spirit of the chapter shall be observed and substantial justice done. (Ord. 1978-6, passed 4-4-78)

§ 154.11 SKETCH PLAN.

(A) Filing of sketch plan. A sketch plan of a proposed subdivision, conforming with the requirements of §154.30, shall be filed in the office of the city building inspector, who shall refer it to the plan commission.

(B) Plan commission action. The plan commission shall review the sketch plan and upon written request filed in the office of the city building inspector, communicate its comments, suggestions, and recommendations to the subdivider by providing a copy of the minutes of the plan commission meeting at which the sketch plan was reviewed. The plan commission shall by motion, approve, disapprove, or approve with modifications the sketch plan. If the sketch plan is disapproved, it may be amended and refiled by the subdivider for further reconsideration by the plan commission. (Ord. 1978-6, passed 4-4-78)

§ 154.12 PRELIMINARY PLAN.

(A) Filing of preliminary plan. Within 60 days from the date of the plan commission's approval of a sketch plan, a preliminary plan, conforming with the requirements of §154.40 through 154.44, shall be filed in the office of the city building inspector, together with the appropriate filing fee specified in §154.130. Ten copies of the preliminary plan shall be filed. The city building inspector shall refer the preliminary plan to the plan commission.

(B) Referral and review. Upon receipt of the complete preliminary plan, the city building inspector shall distribute copies of the preliminary plan to any agency or person affected by or interested in the proposed subdivision. The agency or person shall make recommendations or comments to the plan commission within 10 days after receipt. Recommendations shall be in writing and filed in the office of the city building inspector, who shall refer them to the plan commission at its meeting for consideration of the plan as provided in §154.12(C).

(C) Public hearing. Upon receipt of the preliminary plan and recommendations or comments from agencies or persons to whom copies of the preliminary plan were distributed pursuant to §154.12 (B), the plan commission shall set a date for a public hearing on the preliminary plan, notifying the applicant-subdivider in writing of the date, time, and place. Notice of the meeting shall be published in the manner described in §154.04. The public hearing may be continued if the plan commission, in its discretion, deems it necessary to afford all interested persons an opportunity to be heard or if it is necessary for the plan commission to make an informed and reasoned judgment on the preliminary plan.

(D) Plan commission action. Within 90 days after the filing of a preliminary plan, unless the time is extended by agreement of the subdivider, the plan commission shall approve or disapprove the preliminary plan. The decision of the plan commission shall be recorded in the minutes of the meeting. If the preliminary plan is disapproved, the reason for the disapproval shall be recorded in the minutes of the meeting in clear and concise terms, together with a clear and concise statement of what, if any, changes to the preliminary plan will render the plan acceptable. A copy of the plan commission minutes, containing the approval of a preliminary

plan shall be referred to the board of public works for its information and to the subdivider, upon written request. If the plan commission does not take action within 90 days from the date the preliminary plan is filed or within the period of any extension, the preliminary plan shall be deemed approved and the subdivider may proceed in the manner hereinafter provided. (Ord. 1978-6, passed 4-4-78)

§ 154.13 IMPROVEMENT PLAN.

(A) After the approval of the preliminary plan but before the commencement of any construction work or the filing of the final plat, the subdivider shall file 3 complete copies of an improvement plan, conforming with the requirements of §154.50, in the office of the city building inspector, who shall refer the plan to the plan commission, board of public works, and city engineer, who shall make recommendations to the board.

(B) Action on improvement plan. The plan commission and the board of public works shall each inspect the improvement plan for compliance with the provisions of this chapter, standard engineering practices, and any other applicable ordinances, statutes, rules, or regulations.

(1) The board of public works shall, within 10 working days after the receipt of a copy of the improvement plan, approve or disapprove the same, with regard to plans and specifications for sewer and water lines only. The decision of the board of public works shall be recorded in the minutes of the meeting of the board at which the matter was considered. In the event the board of public works disapproves these portions of the improvement plan, it shall record the reasons in clear and concise language in the minutes of its meeting, and shall also record a clear and concise statement of what, if any, changes will render these portions of the improvement plan acceptable.

(2) A copy of the minutes of the meeting of the board of public works shall be delivered to the office of the city building inspector, who shall refer it to the plan commission.

(3) After the board of public works has approved the improvement plan with regard to water and sewer lines, and a copy of the minutes of the board of public works containing such approval has been received by the plan commission, the plan commission shall within 30 days meet for the purpose of considering the improvement plan. The plan commission shall determine whether the plan conforms with the approved preliminary plan and whether the improvement plan complies with all applicable requirements of this chapter, all other ordinances, statutes, rules, or regulations. The decision of the plan commission shall be recorded in the minutes of the meeting at which the improvement plan is considered and shall be stated in clear and concise terms. In the event the improvement plan is disapproved by the plan commission, the reasons shall be stated in clear and concise terms, together with a statement of what changes in the plan, if any, will render the plan acceptable. A copy of the minutes shall be delivered to the subdivider, upon written request. If the plan commission does not take action on the improvement plan within 30 days from the date the minutes of the meeting of the board of public works containing a recordation of its approval of the plan were received by the plan commission, the improvement plan shall be deemed approved and the subdivider may proceed in the manner

hereinafter provided. (Ord. 1978-6, passed 4-4-78)

§ 154.14 FINAL PLAT.

(A) Time for filing. A final plat which complies with the requirements of §§154.60 through 154.62 shall be filed in the office of the city building inspector, within 18 months from the date of the plan commission's approval of an improvement plan.

(B) Installation of improvements or bond required. All improvements required to be installed in any subdivision shall be installed prior to the filing of a final plat, or in the event all improvements shall not have been installed at such time, a bond, together with sufficient and satisfactory surety in the manner and form hereinafter specified, shall be filed simultaneously with the final plat. The bond and surety shall be sufficient to pay the cost of installing any and all improvements not installed at the time of the filing of the final plat. If all of the required improvements have been installed, a certification of such fact shall be endorsed by the city engineer on the final plat.

(C) Bond and surety requirements. A bond shall:

(1) Run to the city;

(2) Be in an amount determined by the plan commission to be sufficient to complete the improvements and installations in compliance with this chapter and any ordinance of the city;

(3) Be with surety satisfactory to the plan commission;

(4) Specify the time for the completion of the improvements and installations.
(Ord. 1978-6, passed 4-4-78)

§ 154.15 BONDING PROCEDURE AND FINAL PLAT APPROVAL.

(A) Notice of intent to file bond. In the event the subdivider desires to file a bond, with surety thereon, in lieu of completing the installation of all required improvements prior to filing a final plat for approval, he shall notify the city building inspector in writing of such intention within 90 days from the date of the plan commission's approval of the improvement plan. The city building inspector shall refer such notice to the city engineer who shall prepare a cost estimate of the cost of installation of all required improvements based upon the information and specifications supplied by the subdivider in the preliminary plan and the improvement plan. Within 30 days from the receipt of the notice, the city engineer shall deliver the cost estimate to the city building inspector, who shall refer the cost estimate to the plan commission.

(B) Determination of amount of bond. The plan commission shall, within 15 days from the date of receipt of the cost estimate by the city building inspector, meet and determine the amount of the bond which shall be filed by the subdivider based upon the city engineer's cost estimate and any other relevant factors. The determination of the amount of the bond shall be

recorded in the minutes of the plan commission and a copy of the minutes shall be mailed to the subdivider. The subdivider shall then file a final plat and a bond, in satisfactory form, in the amount determined by the plan commission, together with surety thereon satisfactory to the plan commission, in the office of the city building inspector, who shall refer the bond and surety to the plan commission for approval of the surety on the bond and the final plat.

(C) Approval of surety on bond and final plat. If the plan commission determines that the surety on the bond filed by the subdivider is satisfactory, a certification shall be endorsed on the surety document or shall be appended thereto and the approval shall be recorded in the minutes of the plan commission. The bond and surety shall be filed by the plan commission in the office of the city clerk. If the plan commission disapproves the surety, its action shall be recorded in the minutes of its meeting together with a statement in clear and concise language specifying the reason or reasons for the disapproval and what, if anything, can remedy the defect of the surety as submitted. A copy of such minutes, in the event the surety is disapproved, shall be mailed by the city building inspector to the subdivider, who shall cure such defects and resubmit the surety for approval by the plan commission. In the event the plan commission disapproves the surety, it shall not consider the final plat until such time as the surety on the bond is approved. In the event the plan commission approves the surety on the bond, the plan commission shall proceed with consideration of the final plat. No final plat shall be considered or approved by the plan commission until the required bond has been filed by subdivider and the surety has been approved by the plan commission.

(D) Approval of final plat. In the event the plan commission approves the surety on the subdivider's bond, it shall commence its consideration of the subdivider's final plat and shall either approve or disapprove the final plat within a reasonable time. If the plan commission approves the final plat, it shall affix the signature of its president thereto, which signature shall be attested to by the secretary, and such approval shall be recorded in the minutes of the plan commission meeting at which the final plat was approved. If the plan commission disapproves the final plat, it shall record its reasons in clear and concise language in the minutes of the meeting of the plan commission at which the final plat was disapproved and shall mail a copy of the minutes to the subdivider. (Ord. 1978-6, passed 4-4-78)

§ 154.16 SUBMISSION OF FINAL PLAT IN SECTIONS.

(A) Final plat in sections. Subject to the provisions hereof, in the event a proposed subdivision contains more than 45 lots and the preliminary plan and the improvement plan have been approved by the plan commission, upon written request by the subdivider stating concisely the reasons therefor showing the proposed sectional divisions and stating the sequence in which final plat approval will be requested for the sections, the plan commission may permit a final plat to be submitted for approval in sections, for example, "Cottonwood Subdivision - Section No. 1, Cottonwood Subdivision - Section No. 2, etc."

(B) Written request filed with building inspector. Such written request of the subdivider shall be filed in the office of the city building inspector who shall refer the request to the plan commission. The plan commission may, prior to its determination, request that the city engineer determine what improvements, if any, would have to be installed in the event the second or third

section of the subdivision, as the case may be, were not completed.

(C) Plan commission approval. The plan commission shall determine whether the subdivider's written request for permission to obtain final plat approval in sections is reasonable, and in making such determination shall consider, among other things, whether a demonstrable hardship would be imposed upon the subdivider if he was required to obtain approval of a final plat covering the entire subdivision as proposed in the preliminary plan. If the plan commission determines that a final plat may be approved in sections, such determination shall be recorded in the minutes of its meeting, together with a concise statement of the terms and conditions of its approval.

(D) Improvement covenant and bond. If the plan commission has determined that subdivider's request should be granted, it shall require a written covenant from the subdivider whereby the subdivider covenants and agrees that, in the event any section or sections of the subdivision are not completed within 2 years from the date of the approval of the final plat for the preceding section, the subdivider will construct any additional improvements determined by the plan commission to be necessary for the protection, health, and welfare of the citizens of the city and any other improvements necessary to bring the existing section or sections of the subdivision in conformity with this chapter, the city zoning ordinance and master plan, including but not limited to, the installation of cul-de-sacs or connecting streets and sewer and water lines, and that the subdivider will dedicate so much land, rights-of-way, or easements as may be necessary for the installation of such improvements.

(E) Maximum number of final plat sections and lots. A preliminary plat may not be divided into more than 3 sections for final plat approval in sections, containing not more than 90 lots in all of the sections and not more than 45 lots in each section.

(F) Time for approval of sections. If the plan commission determines that a final plat may be submitted in sections, the second or third sections shall each be submitted for final plat approval not later than 2 years after final plat approval of the respective preceding section, and in this regard, the time limitation set forth in §154.14 (A) is altered to the extent and in the manner herein provided.

(G) Final plat in sections, procedure. After the plan commission has determined that the final plat approval may be in sections, the subdivider shall proceed to obtain final plat approval for the first section thereof by filing, in the office of the city building inspector, a complete final plat prepared in accordance with the requirements of §154.60 clearly indicating and identifying each section, a separate final plat of the first section for which final approval is sought, which shall be drawn in the same manner and form as prescribed in §154.60 and containing the same information required therein, his covenant running to the city containing his promise to make required conveyances or dedications and to install required improvements, together with a bond, with satisfactory surety thereon, in an amount determined by the plan commission, guaranteeing performance of such covenant, and shall comply with §§154.14 (b), 154.14 (c) and 154.15 in the event that all required improvements have not been installed in the section prior to the filing of the final plat for the section.

(H) Final plat in sections, plan commission approval. The documents filed by the subdivider in the office of the city building inspector, pursuant to and as required in §154.16 (G) shall be referred by the city building inspector to the plan commission for its consideration. The plan commission shall first consider the approval of the bond and surety guaranteeing the subdivider's covenant and upon approval thereof, shall proceed with the consideration of the approval of the bond, if any, required under §154.15, which consideration shall be in the same manner as provided in §154.15 (D). Thereafter, the plan commission shall commence its consideration of the subdivider's final plat section and shall either approve or disapprove the final plat section within a reasonable time. If the plan commission approves the final plat, it shall affix the signature of its president thereto, which signature shall be attested to by the secretary, and such approval shall be recorded in the minutes of the plan commission meeting at which the final plat section was approved. If the plan commission disapproves the final plat section, it shall record its reasons therefor in the minutes of the meeting of the plan commission meeting at which the final plat section was disapproved, in clear and concise language, and shall mail a copy of such minutes to the subdivider. After the first final plat section has been approved by the plan commission, at such time or times that final approval of the remaining sections is desired, the same procedure as above established for obtaining approval of the first section, shall be followed, except that the covenant and bond guaranteeing its performance shall not be required when final approval is sought for the final section.

(I) Installation of improvements in event of default. In the event final plat approval for the next subsequent section is not applied for within the 2-year period following the approval of the preceding section, the subdivider shall, within 180 days, weather permitting, install all of the improvements and execute all dedications required by his covenant. In the event the subdivider fails to install such improvements, the city shall proceed upon the subdivider's bond and shall install such improvements. In the event that the subdivider's bond is insufficient to pay the cost of all of such improvements, the subdivider shall be responsible for the payment of the cost of such improvements in excess of that amount covered by the proceeds of the bond. (Ord. 1978-6, passed 4-4-78)

§ 154.17 RECORDING OF FINAL PLAT AND COVENANTS.

After the plan commission has approved a final plat for the subdivision or a section thereof, the final plat, along with any protective or restrictive covenants and any homeowner's or landowner's association declaration, shall be recorded in the office of the county recorder. In the event a final plat is in sections, each section shall be recorded upon being approved. A final plat containing all of the sections shall not be recorded until all sections have been given final approval. (Ord. 1978-6, passed 4-4-78)

RELATED PROCEDURES

§ 154.20 RESUBDIVISION PLATS.

In the event an existing subdivision is resubdivided so that the street alignment, lot design, or drainage will be changed, the area constitutes a new subdivision and the procedure for filing preliminary and final plats as outlined in this chapter is applicable and shall be followed. (Ord.

1978-6, passed 4-4-78)

§ 154.21 WITHDRAWAL OF APPROVAL.

The plan commission may withdraw any recommendation or approval by the plan commission of a plan or plats if and when it is determined that the information and specifications provided by the subdivider upon which such decision was based, is false, inaccurate or not being complied with and any authority by virtue of such prior decision, shall terminate. (Ord. 1978-6, passed 4-4-78)

§ 154.22 EXPIRATION OF APPROVAL.

Except as otherwise provided, approval of a preliminary plan shall be effective for 18 months only. Thereafter approval of the preliminary plan shall have expired unless a final plat has been submitted to the plan commission prior thereto, or a mutually agreed upon extension has been granted by the plan commission, which extension shall be recorded in the minutes of the plan commission meeting in clear and concise terms. (Ord. 1978-6, passed 4-4-78)

§ 154.23 DEDICATION AND RESERVATION OF LAND FOR PARK AND RECREATION PURPOSES.

The plan commission may require as a condition to the approval of a final subdivision plat, the dedication or reservation of lands, payment of fees in lieu thereof, or a combination of both, for park and recreational purposes. Dedication requirements shall be accomplished by conveying said lands to the city by a duly recorded legal instrument upon approval of the final plat, and the deposit of such fees into a special park fund established for this purpose, as the plan commission shall have determined is in accordance with the limitations, principles and standards enumerated herein. (Ord. 1978-6, passed 4-4-78)

SKETCH PLAN REQUIREMENTS

§ 154.30 INFORMATION.

Every sketch plan shall be legibly drawn and shall contain the following information.

(A) Adequate information to readily determine the location of the proposed subdivision including property boundaries, true north, a site sketch and indication of scale. (Scale should be one inch equals 50 feet to a maximum of one inch equals 200 feet.)

(B) Significant natural and man-made features on the site and the vicinity including existing topographic contours at 5 feet intervals drawn from available data such as the United States Geological Survey (USGS) maps.

(C) The approximate number of lots, lot size, layout, and acreage of the proposed subdivision.

(D) Zoning of the property and the contemplated use of the property as it pertains to the zoning.

(E) The name, address, and phone number of the owner and developer of the property.

(F) Any further information that the applicant feels would be vital to the proposed division of property.

(G) Relevant site characteristics and analysis applicable to the proposed subdivision including the following, which shall be submitted by the subdivider with the sketch plan:

(1) Reports concerning streams, lakes, topography, and vegetation.

(2) Reports concerning geologic characteristics of the area significantly affecting the land use and determining the impact of such characteristics on the proposed subdivision.

(3) Maps and tables concerning suitability of types of soil in the proposed subdivision, in accordance with the national cooperative soil survey. (Ord. 1978-6, passed 4-4-78)