

# **City of Urbandale**

# **Subdivision Regulations**

1999

# Subdivision Regulations

## TITLE VII CHAPTER 3

### of the CODE OF ORDINANCES of the CITY OF URBANDALE, IOWA, 1999

**1.1 PURPOSE.** In accordance with the Comprehensive Plan, the City of Urbandale has adopted a Zoning Ordinance to assist in controlling the future development of the City by regulating the use of land, size of lots, height and bulk of buildings, size of yards and open spaces around buildings, density of population, and the locations and uses of buildings and structures for residential, commercial, industrial and other purposes. The subdivision of land must be coordinated with the Zoning Ordinance for the purpose of guiding future development of the City as outlined in the Comprehensive Plan. Subdivision Regulations prescribe the way land is to be divided and made ready for development. It is essential to establish minimum standards for design and development which will provide for future services and accurate records while meeting public safety, health and general welfare requirements.

The regulations contained herein shall apply to the subdivision of a lot, tract or parcel of land into three or more lots, tracts or other division of land for the purpose of sale, transfer or building development whether immediate or future, including the replatting of land or lots. They shall also apply to any situation where there is a dedication of streets, alleys, easements or land for other public use.

No plat or subdivision shall be recorded or officially recognized by the City of Urbandale until all provisions and approvals set forth in these regulations have been met.

**1.2 JURISDICTION.** The Ordinance is adopted by the City of Urbandale in accordance with the provisions of Chapter 409 of the 1977 Code of Iowa, and amendatory acts thereto, governing the subdivision of all lands within the corporate limits of the City, and Chapter 409.14 of the Code of Iowa, governing subdivision of all lands within two (2) miles of the corporate limits.

In accordance with Section 409A.9 of the Code of Iowa, 1991, any and all land within the following described areas which lie outside of the City's boundaries as they may currently exist or hereafter be established, are hereby designated to be areas of review for subdivisions outside the City's boundaries:

The South one-half, and the South one-half of the Northwest Quarter, of Section 13; the Southeast Quarter of Section 14; the East one-half of Section 23; Section 24; Section 25, except the Southwest Quarter; and the Northeast Quarter of Section 26; all in Township 79 North, Range 26 West of the 5<sup>th</sup> P.M., and all now included in and forming a part of Dallas County, Iowa.

The Southwest Quarter and the West one-half of the West one-half of the Southeast Quarter of Section 17; the South one-half of Section 18; the North one-half and the Northwest Quarter of the Southwest Quarter of Section 19; and the Northwest Quarter of Section 20; all in Township 79 North, Range 25 West of the 5<sup>th</sup> P.M., and all now included in and forming a part of Polk County, Iowa.

**1.3 DEFINITIONS.** For the purpose of this Ordinance, certain terms and words are hereby defined. Words used in the present tense shall include the future, the singular number shall include the plural and the plural, the singular; the word shall is mandatory, and the word may is permissive.

**Alley:** A public right-of-way, other than a street, twenty (20) feet or less in width affording means of access to abutting property.

**Architect:** An architect properly licensed and registered in the State of Iowa.

**Auditor's Plat:** A plat prepared at the order of the County Auditor to clarify property boundaries and descriptions for the purposes of assessment and taxation.

**Block:** An area of land within a subdivision that is entirely bounded by streets and the exterior boundary or boundaries of the subdivision.

**Building:** Any structure used, designed, or intended for the protection, shelter, enclosure or support of persons or property.

**Building Line:** Building lines shall be shown on all lots intended for residential, commercial and industrial use. Such building lines shall not be less than required by the Zoning Ordinance. No building may be erected between such line and the public right-of-way.

**City:** The City of Urbandale, Iowa.

**Commission:** The Planning and Zoning Commission of Urbandale, Iowa.

**Comprehensive Plan:** The Comprehension Master Plan for the City of Urbandale, Iowa, prepared by the Planning and Zoning Commission and adopted by the City Council pursuant to the laws of the State of Iowa. This Plan consists of all texts, maps, and sketches constituting the ideal pattern of development in the City, and includes any part of such Plan whether separately adopted or as an amendment to such plan, or parts thereof.

**Council:** The City Council of Urbandale, Iowa.

**Cul-de-sac:** A short local street having one end open to vehicular traffic, the other end being permanently terminated by a vehicular turn-around.

**Developer:** The owner or agent under legal authority of the owner or owners, who undertakes to cause a parcel of land to be designed, constructed and recorded as a subdivision.

**Department:** The Department of Community Development.

**Director:** The Director of the Department of Community Development.

**Easement:** A grant by the property owner for a specific purpose or purposes, of a strip of land to the general public, a corporation, or a certain person or persons, and within the limits of which the owner of the land shall not erect any permanent structures but shall have the right to make any other use of the land subject to the terms of the easement which is not inconsistent with the rights of the grantee.

**Engineer:** An engineer properly licensed and registered in the State of Iowa.

**Final Plat:** A map or plan drawn to precise engineering accuracy and dimension showing the specific layout of the subdivision and including items set forth in Section 1.7 of these regulations, along with accompanying material, for the purpose of recording as a subdivision of land.

**Final Plat Approval:** Approval given by the City Council, after recommendation by Planning and Zoning Commission, to the Final Plat maps and accompanying material which together constitutes final platting in accordance with the requirements contained herein to be filed with the Polk County Recorder.

**Frontage Street:** 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.

**General Plan:** Same as Comprehensive Plan.

**Grading Plan:** A drawing of a proposed subdivision with plans and specifications for grading and drainage.

**Improvements:** Changes and additions to land necessary to prepare it for development; and including street paving and curbing, grading monuments, drainage ways, sewers, fire hydrants, water mains, sidewalks, pedestrian way and other public and private works and appurtenances.

**Intersection:** The area of the roadway where two or more streets join one another at or approximately at right angles.

**Landscape Architect:** A landscape architect properly licensed and registered in the State of Iowa.

**Lot:** A portion of a subdivision or other plot or parcel of land which is, or in the future may be, offered for sale, conveyance, transfer of ownership or for improvement.

**Maintenance Bond:** A surety bond or cash deposit posted by a Contractor and made out to the City in an amount equal to the full cost of the improvements which are required by this Ordinance. The bond amount shall be estimated by the City Engineer or City Council, and said surety bond or cash deposit being legally sufficient to secure to the City that said improvements shall be kept in good repair from the time of acceptance by the City of said improvements for such period as is specified by this Ordinance.

**Master Plan:** Same as Comprehensive Plan.

**Park Plan:** The Comprehensive Parks and Open Space Plan prepared and adopted by the Urbandale Parks and Recreation Commission, pursuant to the laws of the State of Iowa and including any part of such plan, whether separately adopted or as an amendment to such plan, or part thereof.

**Parking:** The area between the back of the curb and the right-of-way line.

**Pedestrian Ways:** Paths or walks restricted to pedestrian, bicycles and other non-motor vehicles.

**Performance Bond:** A surety bond or cash deposit posted by a Contractor made out to the City in an amount equal to the full cost of the improvements. The bond amount shall be that of the contract price, and said surety bond or cash deposit being legally sufficient to secure to the City that said improvements will be constructed in accordance with the terms of the contract documents.

**Plat:** A map, drawing or series of drawings on which the Developer's plan of the proposed subdivision is presented and which he submits for approval and intends to record, in final form. It may also refer to the act to preparing a plan or map.

**Pre-application:** An advanced meeting held prior to preliminary platting between the Developer, the Department of Community Development, and other appropriate representatives as necessary, consisting of a sketch plan and planning conference as specified in Section 1.5 of these regulations.

**Preliminary Plat:** A plan, map or drawing of the subdivision showing the tentative layout of streets, lots, utilities, easements, open space and items specified in Section 1.6 of these regulations.

**Preliminary Plat Approval:** The approval given by the City Council, after Planning and Zoning Commission recommendation, to the Preliminary Plat of a subdivision which will form the basis for preparation of a Final Plat.

**Proprietor's Plat:** A plat as defined herein submitted by the owner of the land being platted, his agent, or other private entity acting with the consent of the owner.

**Replat:** A final plat consisting in total or in part of land which has previously been included in a recorded plat.

**Right-of-Way:** The land occupied by a street, railroad, public or private utility line, or storm sewer, sidewalk or for another special use. Also, that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots on parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Dedication to the City or transfer of title (to private agency) shall be by warranty deed.

**Roadway:** That portion of the street available for vehicular traffic, and where curbs are laid, the portion from back to back of curbs.

**Sketch Plan:** A schematic layout of the proposed development as specified in Section 1.5. It shall serve only as a guide for development and to enable the Developer to save time and expense in reaching general agreement with the Department as to the form of the Plat and the objectives of those regulations.

**Street:** A route for vehicular traffic, whether designated as a highway, street, avenue, road, drive, place, court, way, lane or circle, which directly or indirectly affords the principal means of access to abutting properties.

**Street Classification:** For the purpose of providing for the development of streets, highways, roads, and rights-of-way in the City of Urbandale and for the future improvement, reconstruction, realignment and necessary widening including provision for curbs and sidewalks, each existing street, highway, road, and right-of-way, and those located in approved plats as have been designated in the Comprehensive Plan and classified therein. The classification of each street, highway, road and right-of-way is based upon its location in the respective zoning districts of the City and its present and estimated future traffic volume and its relative importance and function as specified in the Comprehensive Plan. The required improvements shall correspond to each street classification contained therein, and as set forth in Section 1.8 of this Ordinance.

- a. **Local Street System:** Provides direct access to individual residences, businesses, and industrial grounds. Proposed facilities may carry local bus routes and provide intra-community continuity, but ideally should not extend through identifiable neighborhoods, and exit to other local or collector streets, or arterial streets if necessary. Normally carries, or is projected to carry, less than 1,000 vehicles per day.
- b. **Collector Street System:** Provides both land access service from within residential neighborhoods, commercial and industrial areas which collect traffic from local streets, residential neighborhoods, and channel onto the arterial system. Normally carries, or is projected to carry, 1,000 to 5,000 vehicles per day.
- c. **Minor Arterial Street System:** Provides the service of a major arterial street only to a lesser degree, and is distinguished by having a significantly lower volume of truck traffic than a major arterial. Normally carries, or is projected

to carry, 5,000 to 10,000 vehicles per day.

- d. Major Arterial Street System:** These serve the major centers of activity of a metropolitan area, the highest traffic volume corridors, and the longest trip desires; and should carry a high proportion of the total urban area traffic over 10,000 vehicles per day on a minimum of mileage. The system should be integrated both internally and between other arterials, interstate highways, and major rural connections.

**Street Right-of-Way:** The distance between property lines measured at right angles to the center line of the street.

**Street Trees:** A tree in public place, street, special easement, or right-of-way adjoining a street as provided in these regulations.

**Subdivision:** The division of land into three or more lots for the purpose of transfer of ownership or development, or, any change in existing street lines of public easement. The term when appropriate to the context, shall relate to the process of filing a final plat, subdividing, or to the land subdivided, or the resubdivision of land heretofore divided or platted into lots or other divisions of land.

- a. Major Subdivision** - Shall mean any plat which includes an interior street system.
- b. Minor Subdivision** - Shall mean any plat which does not include an interior street system.

**Subdivision Bond:** A surety bond or cash deposit posted by the Developer made out to the City in an amount equal to the full cost of the improvements which are required by this Ordinance. The bond amount shall be estimated by the City Engineer or City Council, and said surety bond or cash deposit being legally sufficient to secure to the City that said improvements will be constructed in accordance with this Ordinance.

**Surveyor:** A surveyor properly licensed and registered in the State of Iowa.

**Underpass:** A below street grade passageway used to facilitate the safe and unobstructed flow of bicycles and pedestrians.

**1.4 GENERAL PROCEDURES.** To obtain final approval of a proposed subdivision by the Commission and the Council, the Developer shall submit a Pre-application Sketch Plan, a Preliminary Plat and a Final Plat in accordance with the following procedures.

**1.4.1 Pre-Application Sketch Plan.** The Developer shall meet with the Director and other department representatives as necessary, in a planning conference to discuss the feasibility and design of the proposed development. The Sketch Plan shall contain such data and information as outlined in Section 1.5 of this Ordinance.

**1.4.2 Preliminary Plat.** If the Developer chooses to proceed after the Pre-application procedure, he shall prepare and present to the Director seventeen (17) copies of the Preliminary Plat. The purpose of the Preliminary Plat review is to determine whether the proposed subdivision will meet the design standards contained within the Ordinance and principles of the Comprehensive Plan. Payment of the plat fee shall accompany submittal of the Preliminary Plat to the Department of Community Development.

- a. The contents of the Preliminary Plat shall conform to the requirements in Section 1.6.
- b. All accompanying material must be submitted with the Preliminary Plat to the Director before a Preliminary Plat will have been considered officially received. The complete set of documents shall be submitted no later than three (3) weeks prior to the Commission meeting date.
- c. The Director shall refer copies of the material to appropriate City Departments and private agencies, who shall have fourteen (14) days in which to review and return their recommendations to the Department.
- d. The City Departments and agencies shall examine the Plat for its accuracy and compliance with the Subdivision Regulations and other regulations which may apply.
- e. The Director shall report a summary of the City Departmental and agency comments or where appropriate will attach each departmental review in the form in which it was received.

- f. The Director shall schedule a time and place so the proposed subdivision can be considered by the Commission.
- g. After receiving the Director's report, the Commission shall examine the Preliminary Plat and accompanying material for conformity thereof with these regulations. The Commission may confer with the subdivider on changes deemed advisable and the extent of such improvements to be made by him. The Commission shall approve or reject such Plan within forty-five (45) days after the date of receipt by the Commission.

The approval of the Preliminary Plat by the Commission shall be null and void unless the Final Plat is presented to the Commission within three hundred sixty-five (365) days after the date of approval of the Preliminary Plat by the City Council, or an extension is granted as specified in Section 1.4.2.h.

- h. The City Council may, with the recommendation of the Planning Commission, grant an extension of the Preliminary Plat if they are reasonably assured the improvements will be completed. If the council gives Final Plat approval to any integral part of a Preliminary Plat, the remainder will automatically be extended.
- i. Four possible situations and subsequent courses of action may occur when the Planning and Zoning Commission and City Council consider approving a Preliminary Plat:

<u>Planning Commission</u>	<u>City Council</u>	<u>Course of Action</u>
(1) Rejection	Rejection	Resubmit with necessary changes.
(2) Rejection	Approval	Proceed with Final Plat.
(3) Approval	Rejection	Request the Planning Commission to re-evaluate the Plat based upon a list of comments and reconsider its recommendation.
(4) Approval	Approval	Proceed with Final Plat.

- 1. If the Commission rejects the Preliminary Plat, it shall send a letter to the Developer and describe the reasons for their action, within fifteen (15)

days following the meeting at which the action was taken.

2. The Commission shall send the Preliminary Plat along with its recommendations (either for approval or denial) to the City Council for its consideration.
3. The Council shall act not later than thirty (30) days following receipt of the Commission's recommendation.
4. If the Council rejects the Preliminary Plat, as recommended by the Commission, the Council shall send a letter to the Developer describing the reasons for the action.

**1.4.3 Final Plat.** The procedure for applying for final plat approval shall be the same as outlined in Section 1.4.2 except in regard to specific articles designated in Section 1.7. Payment of the Final Plat fee shall accompany submittal of the Final Plat to the Department of Community Development.

- a. Before the City Council approves the Final Plat, all of the required improvements shall be constructed and maintenance bonds shall be posted, or Subdivision Bonds shall be posted for improvements. The final acceptance of the plat will not constitute final acceptance by the City of any improvements until the improvements are inspected by the City Engineer who shall submit a statement that all improvements have been completed in conformance to City specifications, at which time they will be accepted by Council.
- b. All accompanying material shall be reviewed and approved, including but not limited to, easements, deeds, restrictive covenants and homeowners association documents.
- c. The Developer shall file the Plat in the office of the Polk County Recorder.

**1.4.4 Auditor's Plat.** With regard to Auditor's Plat as distinguished from Proprietor's Plats, the Commission and Council shall have the right to waive provisions governing preliminary approval and public improvements outlined herein, providing there is on file with the Department a copy of the request of the Polk County Auditor ordering such Plat and a letter from said Auditor stating that the Plat as submitted meets the requirements for which he has ordered the Plat. The City Council may request an Auditor's Plat be prepared if it has reason to believe an area should be (re) platted (boundary disputes, unclaimed lands, etc.).

**1.5 PRE-APPLICATION REQUIREMENTS.** The Pre-application requirements shall consist of a planning conference and a sketch plan.

**1.5.1 Planning Conference.** Any owner, developer, or appointed agent wishing to subdivide a parcel of land shall contact the Director and arrange for a planning conference. The purpose of such a conference is to eliminate unnecessary conflicts between the Developer and the City. During the conference, the Developer shall present a sketch plan to acquaint the Director with the proposal. The Director shall inform the Developer of the general requirements to be included in the subdivision.

**1.5.2 Participants, Time and Place.** The participants in the planning conference shall be the Director and other staff members necessary, and the Developer or his agent; engineer, architect, landscape architect or surveyor. Other interested parties may attend. The time and place shall be arranged by the Director.

**1.5.3 Contents of the Sketch Plan.** The sketch shall show the generalized overall plat for the development of the site. Three (3) copies of the sketch, with a scale of at least 1" = 100' and contours at 2' intervals, shall be submitted to the Community Development Department at least seven (7) days before the conference. Included as a part of the sketch plan shall be the following elements:

- a. Location and size of the site.
- b. A vicinity map covering sufficient area to show nearby street patterns, off-site natural features, land uses and zoning.
- c. Existing land use and zoning of the site, including roads, railroads and structures.
- d. Name and location of adjoining subdivisions.
- e. Site analysis of physical characteristics:
  1. Topography and slope of land.
  2. Surface drainage considerations.
  3. Soils survey information.
  4. Vegetation and Tree cover.
  5. Other geographic features (such as views, high points and ridgelines).
- f. Generalized Development Proposals:
  1. Street and pedestrian systems.
  2. Location of structures other than single family homes.
  3. Utility systems.
  4. Areas of public open space or parks.

5. Approximate density and types of units.
- g. Additional Information:
  1. Name of development, date, North Arrow, scale and title "Sketch Plan".
  2. Name and address of Developer.
  3. Name and address of consultants.

**1.5.4 Conclusions of the Conference.** The Director and Developer shall determine the points of agreement and conflict between the conferees. The Department will have an additional fourteen (14) days in which to review and make a written response to the plan before application is made for Preliminary Plat. Although comments may be made by the Director, the Planning and Zoning Commission and the City Council have the authority to reject or approve any proposed subdivision. No fee shall be required for the pre-application procedure.

**1.5.5 Official Action.** The Director shall advise the Commission and Council of the proposed development. No official action will be taken unless there is cause to believe the plan will be rejected at which time the Director may request official action from both the Commission and the Council.

**1.6 PRELIMINARY PLAT REQUIREMENTS.** After preliminary conclusions concerning the feasibility and design of the subdivision have been reached, a Preliminary Plat and the required supplemental material shall be presented to the Department of Community Development. 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 public interest. The Preliminary Plat shall be complete and accurate in accordance with the preliminary nature of the proposed plat, and substantial enough to justify the validity of the proposed improvements. The form of the Preliminary Plat shall follow the requirements set forth herein.

Planned Unit Developments may require a Preliminary Plat if the Tentative Approval material is inadequate or out-of-date.

**1.6.1 Processing.** The processing for the Preliminary Plat shall be in conformance with Section 1.4.2.

**1.6.2. Contents of Preliminary Plat.** The following information shall appear on the Preliminary Plat: (The Developer and/or his engineer shall also complete the checklist for approval of Preliminary Plats as found in Appendix A)

- a. Name of subdivision, date, north arrow, scale of at least 1" = 50', contours at 2' intervals, and official description of the property being platted.
- b. Title "Preliminary Plat".
- c. Name and address of recorded owner and developer.
- d. Name and address of recorded engineer and/or land surveyor.
- e. A vicinity map with a scale of at least 1"=800' covering sufficient surrounding area to show existing and proposed street patterns, land uses and other applicable off-site features affecting the project, and zoning.
- f. Zoning classification of the area.
- g. Location and names of adjoining subdivisions, the numbers of the adjoining lots therein, and the names of the owners of adjoining acreage parcels.
- h. Existing and proposed location, names and widths of all streets, alleys, roads, and highways in or adjoining the area being subdivided.
- i. Existing location of buildings, railroads, underground utilities, easements, and other rights-of-way.
- j. Areas to be dedicated or reserved for public use such as schools, parks, playgrounds and open space.
- k. Proposed Utility Service: (Location and size)
  1. Source of water supply and distribution system.
  2. Provision for sewage disposal and collection system.
  3. Provision for storm, open, and other drainage systems. (Grading plan where necessary)
- l. Boundaries of the proposed subdivisions shall be indicated by a heavy line and shall be labeled "Subdivision Boundary".
- m. Building setback lines or restrictions with dimensions.
- n. Lot numbers.
- o. Proposed lot lines with approximate dimensions and the square foot area of non-rectangular lots.
- p. Location of proposed pedestrian easements.
- q. Number of lots proposed within each zoning district.
- r. Number of lots per acre by gross density including one-half of abutting right-of-way and parcels.
- s. Temporary (during construction) and permanent (after construction) erosion control measures to be included in the project as specified in Title VII, Chapter 8, of the Urbandale Municipal Code.

**1.6.3 Accompanying Material.** Attorney's opinion, in triplicate, showing that the fee title to the subdivision land is in owner as shown on the plat and showing any encumbrances that may exist against said land.

**1.7 FINAL PLAT REQUIREMENTS.** Within three hundred sixty-five (365) days after the Council grants approval to the Preliminary Plat, the Developer shall present a Final Plat to the Department of Community Development. Only that part of the Preliminary Plat which is proposed by the Developer for recording at any one time must be submitted in final form. The Final Plat may reflect the entire plat or an integral unit thereof. Failure to file a Final Plat within 365 days from the date of approval shall render such approval null and void unless the Developer is granted an extension in accordance with Section 1.4.2.h.

Planned Unit Developments shall meet final platting requirements.

**1.7.1 Processing.** Processing of the Final Plat shall be in conformance with Section 1.4.3.

**1.7.2 Contents of Final Plat.** The following information shall appear on the Final Plat: (The Developer and/or his engineer shall also complete the checklist for approval of Final Plats as found in Appendix A)

- a. Name of subdivision, date, north arrow, and scale of at least 1" = 50'.
- b. Legal description of property being platted.
- c. Boundary lines of subdivision area with accurate distances, bearings and boundary angles.
- d. Exact name, width, lot designation and center line of all streets within the subdivision.
- e. Curve data including delta angle, length of arc, degree of curve, radius and tangent.
- f. Description and location of all permanent monuments set in the subdivision including ties to original government corners.
- g. Lot designation.
- h. Building setback or restriction lines with dimensions.
- i. Easements for public utilities showing width and use intended.
- j. Certification of Registered Land Surveyor.

### **1.7.3 Accompanying Material.**

- a. Certified and approved plans and profiles (and special provisions to specifications where required) of all streets, alleys, sanitary and storm sewers, water mains, sidewalks (rear yard) and other appurtenances.
- b. Any protective covenants or restrictions to be imposed upon the plat shall be submitted for approval.
- c. A deed to the City, properly executed, for all streets, intended as public streets, and for any other property intended for public use.
- d. Executed easements to the City on forms approved by the City Attorney for public utilities, sanitary sewers, storm sewers, water mains, or open space walkways showing width, use and restrictions intended.
- e. The following certificates:
  1. By the owner and spouse, if any, that the subdivision is with the free consent and is in accordance with the desire of the owners. This certificate must be signed and notarized.
  2. From the County Treasurer that the subdivision land is free from taxes.
  3. From a qualified abstractor of the records of the Clerk of the District Court that the subdivision land is free from all judgments, attachments, mechanics, or other liens of record in his office.
- f. Subdivision Bond on public improvements not completed at the time of filing of the Final Plat.
  1. Pavements.
  2. Sanitary sewers.
  3. Storm sewers.
  4. Sidewalks.
  5. Water Mains.
- g. Maintenance Bond on completed public improvements.
  1. Pavements - 4 Years.
  2. Sanitary Sewers - 4 Years.
  3. Storm Sewers - 4 Years.
  4. Water Mains - 4 Years.

**1.7.4 State Law.** All Final Plats shall be in accordance with Chapter 409 of the Code of Iowa.

## **1.8 DESIGN AND IMPROVEMENT STANDARDS.**

### **1.8.1 Site Considerations.**

- a. The natural features of the landscape shall be preserved where possible. Unstable soils, steep slopes, and inadequate surface drainage produces health and safety problems which shall be avoided.
- b. Streams, flood plains, natural drainage ways, and wetlands shall be preserved in their natural state with encroachments restricted. Iowa Natural Resources Council criteria prevail where applicable.
- c. Existing tree masses shall be noted on preliminary plats and attempts made to leave all desirable trees standing.

### **1.8.2 Street Layout.** Streets shall:

- a. Conform with the Comprehensive Plan, and any applicable Ordinances adopted by the City Council.
- b. Provide for the continuation or completion of any existing streets, and for continuity within and through the development to serve adjoining undeveloped lands.
- c. Be planned to discourage through traffic on local street and to conveniently channel traffic onto collector and arterial streets. The street circulation system shall be established to achieve economical use of land for building sites, minimize the cost of roadway construction, and provide uniform, efficient, and safe traffic conditions.
- d. At intersections, be at right angles wherever possible. Unless otherwise permitted by the City, streets with a center line off-set of less than 150 feet on local streets, 300 feet on collector streets, and 600 feet on arterial streets, shall not be acceptable. Access to major arterials may be controlled by Ordinance.
- e. Be designed to bear a reasonable relationship to the topography.

- f. Be prohibited from dead ending unless such dead ending is temporary and designed to connect with future streets in adjacent land that has not been platted. A temporary turn around may be provided until such time as the street can be continued.
- g. Not be accepted for half width paving unless recommended by the Director and the City Engineer.
- h. Be identified with names that will not duplicate or be confused with the names of existing or platted streets. Streets that will be a continuation of existing streets shall be called by the names of the existing streets. Street names are subject to approval by the City. All new streets shall be named in the following manner:

<u>General Directions</u>	<u>Long</u>	<u>Short (Less Than 1000')</u>
North and South	Street	Place
East and West	Avenue	Court
Diagonal	Road	Way
Curving & Cul-de-sac	Drive	Lane or Circle

**1.8.3 Major Thoroughfares.** If a new subdivision involves frontage on an arterial street, limited accessway, freeway or parkway, the street layout shall provide motor access to such frontage by one of the following means:

- a. A parallel street supplying frontage for lots.
- b. 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.
- c. Where either of the above mentioned arrangements is used, deed, covenants, or other means should prevent any private residential driveways from having direct access to the roadway.

**1.8.4 Cul-de-sacs.** Cul-de-sacs may be permitted provided such streets generally do not exceed six hundred (600) feet in length measured from the center line of the intersecting street to the center of the turn around nor serve more than forty (40) dwelling units, provided that greater lengths and numbers of units served may be approved if dictated by sound design practices due to exceptional topography or other limiting factors. A permanent turn around shall be provided at

the end of the cul-de-sac in accordance with the following minimum standards, provided that other turn around configurations may be considered on an individual basis:

	<u>Turn Around Radius</u>	<u>Return Radius</u>
Right-of-way	52.5 feet	80 feet
Paving	40.0 feet	92.5 feet
Planting Island (Optional)	15.0 feet	None (Circular)

All lots fronting on a cul-de-sac except patio home and townhouse lots shall have a minimum frontage of fifty (50) feet at the right-of-way line and a minimum width of seventy (70) feet at the building line. Patio home lots shall have a minimum frontage of thirty-five (35) feet at the right-of-way line and a minimum frontage of fifty (50) feet at the building line. Townhouse lots shall have a minimum frontage of twenty (20) feet at the right-of-way line where fronting on a public street.

**1.8.5 Design Standards for Streets.** Streets and rights-of-way shall meet the following standards:

Classification	Width	Max. Curve Radius	Width of. Right-of-way	Pavement Depth	Max Grade	Max. Rate of Change of Grade
Local Street	26' C&G	250'	50'	7" PCC	10%	3.0
Collector	31' C&G	300'	60'	7" or 8" PCC	8%	2.5
Minor Arterial	42' C&G	400'	80'	8" PCC	6%	2.0
Major Arterial	By Individual Design Approved by the City					
Heavy Industrial	24'+6'Imp	400'	80'	9" PCC	6%	1.5
	31' C&G			8" PCC		

NOTE: "C&G" means "Curb and Gutter"  
 "PCC" means "Portland Cement Concrete"  
 "Imp." means "Improved"

- a. **Paving:** All streets shall be Portland cement concrete on compacted earth subgrade and constructed in accordance with standard specifications for Portland cement concrete paving.

- b. **Plans:** Paving plans shall be prepared and certified by a registered professional Civil Engineer, submitted in three (3) copies, and approved by the City Engineer prior to commencing construction.

#### 1.8.6 Design Standards for Public Utilities and Sidewalks

- a. **Water Mains:** All water main construction shall be in accordance with standard specifications for water mains.
  - 1. Plans shall be prepared by a registered professional Civil Engineer submitted in four (4) copies, and approved by the Urbandale Water Department and Iowa Department of Environmental Quality prior to commencing construction.
  - 2. Mains shall be 6" or larger as necessary to meet service and fire flow demand, and complete with necessary valves, stop boxes, and fittings. Fire hydrants shall be spaced a maximum of 500' in residential areas; 300' in multi-family, commercial, and industrial areas; and not greater than 250' from major structures.
- b. **Sanitary Sewers:** All sanitary sewers and appurtenant facilities shall be constructed in accordance with standard specifications for sanitary sewers.
  - 1. Plans shall be prepared by a registered professional Civil Engineer, submitted in four (4) copies, and approved by the City Engineer, appropriate sewer district, and Iowa Department of Environmental Quality prior to commencing construction.
  - 2. Sewer lines and appurtenances shall be designed to meet waste water flow requirements and standards established and adopted by the City, Sewer District, and regulatory agencies.
- c. **Storm Sewers and Drainageways:** Storm sewers and drainageways shall be constructed in accordance with standard specifications for storm sewers.
  - 1. Plans shall be prepared by a registered professional Civil Engineer, submitted in three (3) copies, and approved by the City Engineer.
  - 2. Storm sewers and appurtenances, and drainageways shall be designed to accommodate a: ten (10) year storm in multi-family, commercial and

industrial areas; fifty (50) year storm in drainageways over one (1) square mile; Iowa Natural Resources Council criteria in drainageways over two (2) square miles.

3. Storm sewers shall be extended as far as necessary to accommodate footing drain water discharge.
  4. On-site storage will be considered a viable alternative to retention/detention of excessive storm water run-off from a subdivision.
- d. Sidewalks:** Sidewalks shall be constructed in accordance with Title VI, Chapter 1, of the Urbandale Municipal Code. Plans shall be prepared and submitted in seven (7) copies for all sidewalks in a rear or side lot location and approved by the City Engineer and Director of Community Development prior to construction.
- e. Construction Plans:** It is recommended that construction plans for improvements be submitted in the following manner where practicable:
1. Combine paving and storm sewer plans on one (1) set of drawings. (Three (3) copies required)
  2. Combine sanitary sewer and water main plans on one (1) set of drawings. (Six (6) copies required)
  3. Combine rear lot sidewalk and drainageway plans on one (1) set of drawings. (Seven (7) copies required and copies forwarded to private utility companies for coordination with their installation)
- f. Specifications:** All proposed construction in addition to, not covered by, or in variation to standard specifications shall be constructed in accordance with special provisions submitted to, and approved by, the City Engineer.

**1.8.7. Inspection.** All construction shall be inspected by the City Engineer or his designated representative. Laboratory and field tests shall be taken when necessary. No construction will be permitted without proper inspection or accepted with unfavorable inspection or test reports. Inspection costs will be paid to the City by the Developer at cost of salaries + benefits + administrative costs + laboratory testing fees.

**1.8.8 Acceptance.** Streets and dedicated public utilities will be accepted by the City only upon:

- a. Approval of the Final Plat.
- b. Posting of all Maintenance Bonds.
- c. City Engineer's certification of compliance with plans and specifications.
- d. Payment of all inspection costs and laboratory fees.

**1.8.9 Bond Requirements.**

- a. Subdivision bonds for improvements shall be in full force and effect until acceptance of the improvements by the City at which time the maintenance bonding period shall commence. Maintenance bonds will then be in full force and effect throughout the duration of the bond.
- b. The amount of all bonds, or acceptable collateral shall not be less than the estimated cost of the dedicated improvements, including all inspection services and tests conducted by the City. The amount of the estimate of the bond or acceptable collateral must be approved by the City Engineer.

**1. Subdivision Bond.** The subdivider may post a surety bond, cash bond, or certified check with the City, guaranteeing that said improvements will be constructed within a period of one (1) year from final acceptance of the plat, however, if surety bond, cash bond, or certified check 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 inspection by appropriate City personnel certifying the improvements have been completed in conformance with specifications and standards of the City and Ordinances of the City. No public funds will be expended in the subdivision until such improvements have been completed and accepted by the City.

**2. Maintenance Bond.** The subdivider shall be responsible for the installation and/or construction of all required improvements, and shall warrant the design, material, workmanship, installation, and/or construction of such improvements for a period of four (4) years from and

after satisfactory completion for concrete payment, sanitary sewers, storm sewers and water mains, and two (2) years from and after completion for sidewalk. Such warranty shall be by bond or other acceptable collateral, shall be subject to review by the City Attorney, and 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, attributed to, or otherwise arising from such defective improvements. The contractor may post the required maintenance bond in lieu of the subdivider.

**1.8.10 Private Facilities.** Private facilities for sanitary sewer and water will be permitted only in Agricultural Zoning Districts where public facilities are not available. All similar facilities intended for usage by the general public shall meet the requirements of Section 1.8.6. Where private facilities are operational, and public facilities are available, or become available in the future, connection to same shall be completed within one (1) calendar year from date of this Ordinance, or the date of acceptance of future improvement. Private facilities permitted under this section shall be approved by the Polk County Board of Health.

**1.8.11 Private Utilities.** All private utilities, including but not limited to, gas, electric power, telephone, and cable T.V. lines shall be located underground throughout all residential zoning districts. The specific location shall be shown on the Preliminary Plat. The Developer shall be responsible for complying with the utility requirements of this and other City Ordinances. The Developer shall also be responsible for making the necessary arrangements including any construction or installation charges with each of the serving utilities. Transformers, switching boxes, terminal boxes, meter cabinets, pedestals, and other facilities necessarily appurtenant to such underground utilities shall be underground if possible. Such facilities shall be placed within easements or public rights-of-way provided for each particular facility. Overhead utilities with underground service lines, may be permitted in commercial and industrial zoning districts. This section shall also apply to similar zoning districts incorporated within Planned Unit Developments.

**1.8.12 Open Spaces.** The complete open space system, as indicated in the Urbandale Parks and Open Space Comprehensive Plan, is broken down into the following levels of open space and basic functional characteristics:

- a. **Primary Open Space.** A major public outdoor recreation area which may be dedicated to the City in a critical environmental area. Such an outdoor space can be used for major public pedestrian and bicycle routes or any other

recreation facility. It may also serve as a primary utility corridor.

1. Size - 200' Minimum width. Maximum varies.
2. Sidewalk and drainage standards shall prevail.

**b. Secondary Open Space.** A limited public outdoor recreation area in a critical environmental area or drainageway usually located at the rear of lots, which may be provided to the City by deed or easement. Such an outdoor area can be used for collectors of public pedestrian and bicycle routes or any other recreation facility. It may also serve as a utility corridor.

1. Size - 50' minimum width - 80' desirable
2. Sidewalk and drainage standards shall prevail.

**c. Tertiary Open Space.** An easement for a semi-public rear yard recreational area, which may include a minor drainage area. Such an outdoor space may be used for local pedestrian and bike routes and utility easements:

1. Size - 20' Minimum width - 10' on side lots.
2. Sidewalk and drainage standards shall prevail.
3. The property owner shall be responsible for maintenance and upkeep.

**1.8.13 Easements.** Easements for public and private utilities, open space, walkways, and water courses, shall be provided where needed. Such easements shall be a minimum of ten (10) feet total width for private utilities only, and fifteen (15) feet total width for combined private utility and walkway easements. Proper coordination shall be established between the Developer, Department of Community Development, and the utility companies for the establishment of utility easements. Perpetual unobstructed easements of at of at least ten (10) feet in total width may be required along side lot lines with satisfactory access to the rear lot lines or road where necessary. Drainage easements may vary in width depending upon drainage requirements. Easements for dedicated public utilities shall be a minimum of ten (10) feet on either side of the center line of the utility. Easements shall be identified on the Preliminary and Final Plats, shall be by separate written document approved by the City Attorney and Engineer, and filed in conjunction with the Final Plat.

#### **1.8.14 Dedication and Reservation of Public Sites.**

- a. Public Sites.** Careful consideration shall be given to the selection of suitable sites for schools, parks, playgrounds, walkways, open space, and other common areas for the public use which are needed to conform to the Comprehensive Plan. All provisions for such public spaces shall be indicated on the Preliminary Plat in order to determine the adequacy of the site to the City of Urbandale's and appropriate school district standards for land requirements.
- b.** The Developer shall dedicate land and/or money to the City of Urbandale for public use as parks and open spaces in accordance with Title VIII, Chapter 3 of the Urbandale City Code.

**1.8.15 Building Permits.** Building permits will not be issued to allow construction on lots fronting on platted streets until all dedicated improvements are in place and ready for connection thereto.

#### **1.8.16 Miscellaneous Requirements.**

- a. Railroads.** If a railroad is involved, the subdivision plan shall:
  - 1. Provide a grade railroad crossing protective devices installed in accordance with the Manual for Uniform Traffic Control Devices, at the Developer's expense.
  - 2. Be so arranged as to permit, where necessary, future grade separations at highway crossings of the railroad.
  - 3. Border the railroad with a parallel street at a sufficient distance from it to permit deep lots to go back onto the railroad; or to form a buffer strip for park, commercial or industrial use.
  - 4. Provide an unobstructed easement along the railroad right-of-way for fire fighting purposes.
- b. Bench Marks.** Bench marks are permanent objects, indicating elevations and serving as a reference in topographical and other surveys. Refer to Chapter 2 of these Regulations for a complete description of the requirements for Bench marks.

- c. **Street Signs.** The Developer shall furnish and cause to be erected at all intersections, metal street identification signs, and steel posts set in concrete in accordance with standards approved by the City Council.
- d. **Planting Screens.** Planting screens may be proposed by the Developer or required by the City along rear or side lot lines which border any divided highways, major arterials, or frontage roads, and shall be illustrated on the Preliminary Plat. Tree varieties and locations are subject to approval by the City Council upon the recommendation of the Planning Commission.
- e. **Street Lights.** Installation of street lights by Iowa Power and Light Company shall be required which are in accordance with design and specification standards approved by the City. Plans for steel pole street lights with underground distribution shall be submitted for approval by the City for residential zoned areas. The Developer shall pay the cost differential between steel pole underground and wood pole street lights with overhead distribution. Wood pole overhead lighting may be permitted in commercial and industrial zoned areas.
- f. **Rear lot Sidewalk Lighting.** To be installed by the Developer and dedicated to the City in accordance with City standards.
- g. **Fencing.** All fences and visual obstructions shall conform to the requirements of the Urbandale Zoning Ordinance. The Developer shall be required to furnish and install fences wherever the Planning and Zoning Commission determines that a hazardous condition may exist. The height, material, and design of the fence shall be approved by the Department of Community Development and noted on the Final Plat.
- h. **Debris and Waste.** No cut trees, debris, earth, rocks, stones, soil, junk, rubbish or other waste materials of any kind shall be left or deposited on any lot or street at the time of the issuance of a Certificate of Occupancy on a subdivision. Nor shall any of the above be left or deposited in any area of the subdivision at the time of expiration of the performance bond or dedication of public improvements.

- i. **On-site Burial.** On-site burial may be permitted only under the following conditions:
  1. Buried material shall contain no garbage.
  2. The burial site shall not be within fifty (50) feet of any proposed structure, street, or utility line.
  3. The site/material shall be treated with a vector rodent control agent.
  4. The material shall be mixed with earth, compacted to maximum density, and covered with a minimum of two (2) feet of earth.
  5. The proposed burial site and material to be buried shall be approved by the City.

**1.9 REPLATTING.** If at the discretion of the City Council, it is deemed desirable, a replat may be required according to State law of an area previously platted if the following conditions prevail: Building permits are requested on lots which are in fact, combinations of previously platted lots of record and the consolidation is not necessitated by the application of the existing zoning.

**1.10 FEES.** Before a Preliminary Plat or Final Plat is accepted for review by the Department, the Developer or his agent shall deposit with the Department of Community Development the following fees:

	Preliminary	Final
Major Plat	\$100.00	\$150.00
Minor Plat	\$50.00	\$75.00
Auditor's Plat*	NA	\$10.00

\* The Developer is responsible for filing fees with the Polk County Auditor's Office in conjunction with recording the Final Plat.

Such fees shall be conveyed to the general fund of the City.

**1.11 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 City Council, upon recommendation of the Commission, may vary or modify such requirements so that the subdivider is allowed to develop his property in a reasonable manner, but so, at the same time, the public welfare and interest of the City and

surrounding area is protected and the general intent and spirit of these regulations is preserved. Such variations shall be in keeping with the intent and stated objectives of the Comprehensive Plan.

**1.12 ENFORCEMENT.** 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. The City 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 and streets have been approved in accordance with the provisions contained herein and accepted by the City Council as a public street.

**1.13 PENALTIES FOR VIOLATION.** Violation of the provisions of this Ordinance, or failure to comply with any of its requirements, shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with its provisions shall, upon conviction thereof, be fined not more than One Hundred Dollars (\$100.00) or imprisoned not more than thirty (30) days. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

**1.14 CHANGES AND AMENDMENTS.** Any provision of these regulations may be changed and amended from time to time by ordinance by the City Council; provided, however, that such changes and amendments shall not become effective until after study and report by the Commission.

**1.15 SAVING CLAUSE.** If any section, provision, or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this Ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

**1.16 EFFECTIVE DATE.** This Ordinance shall be in effect after its final passage, approval and publication as provided by law.