

## Chapter 30

### SUBDIVISION REGULATIONS\*

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\* **Cross References:** Any ordinance dedicating or accepting any plat or subdivision in the city saved from repeal, § 1-6(7); flood protection, Ch. 14; mobile homes and recreational vehicles, Ch. 17; planning, Ch. 23; signs, Ch. 26; soil erosion control, Ch. 27; utilities and services, Ch. 34; waterways, Ch. 37; zoning, Ch. 38.

**State Law References:** Subdivision control act, MCL 560.101 et seq., MSA 26.430(101) et seq.; minimum standards, MCL 560.259, MSA 26.430(259).

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**Art. I. In General, §§ 30-1--30-20**

**Art. II. Procedure for the Preparation and Filing of Plats, §§ 30-21--30-55**

**Art. III. Plats and Data for Final Approval, §§ 30-56--30-58**

#### ARTICLE I.

#### IN GENERAL

##### **Sec. 30-1. Purpose, authority and jurisdiction.**

- (a) The rules and regulations in this chapter are intended to serve the following purposes:
  - (1) To assist orderly, efficient and integrated development within the city;
  - (2) To promote the health, safety, and general welfare of the residents of the city and environs;
  - (3) To ensure conformance of subdivision plans with the public improvement plans of the city and environs;
  - (4) To secure equitable handling of all subdivision plans by providing uniform procedures and standards for observance by subdividers, the planning commission and the council.

(b) Any subdivider of land within the city shall submit to the planning commission plats of the subdivision and plans for indicated improvements according to these regulations. In considering the approval of a plat the commission shall observe and enforce the requirements and procedures set forth herein. In the case of a plat constituting a replat of land into two (2) or more lots, all of which will be served by an existing street or streets, the commission shall have the power to vary the requirements so that substantial justice may be done and the public interest served.

(c) No subdivider proposing to make or have made a subdivision within the city shall proceed with any construction work on the proposed subdivision, including grading, before obtaining a certificate of preliminary plat approval, and shall not convey title to any lot or lots before obtaining from the council a certificate of final plat approval and acceptance of the plat by the county plat board and the office of the auditor

general of the state.  
(Code 1977, § 5.241)

### **Sec. 30-2. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alley or service drive* shall mean a passage or way affording generally a secondary means of vehicular access to abutting properties.

*Building line* shall mean a line on a plat indicating the limit beyond which buildings or structures may not be erected.

*Improvements* shall mean streets, sanitary sewers, storm sewers, water mains, curb and gutter and may include pavements, sidewalks, graded-out lawns, tree plantings, street signs, gas, electric and telephone service installations.

*Local street* shall mean a street intended to serve and to provide access to neighborhoods or subneighborhoods.

*Major street, highway, parkway* shall mean a street or road which serves or is intended to serve as a major traffic way and is designated in the major street plan.

*Major street plan* shall mean the master plan of highways, major streets or parkways adopted by the planning commission.

*Plat* shall mean the map or chart on which the subdivider's plan of subdivision is presented and which he or she submits for approval and intends in final form to record.

*Subdivide or subdivision* means the partitioning or dividing of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors or assigns for the purpose of sale, or lease of more than one year, or of building development, where the act of division creates five (5) or more parcels of land each of which is ten (10) acres or less in area; or five (5) or more parcels of land each of which is ten (10) acres or less in area are created by successive divisions within a period of ten (10) years.

*Subdivider, owner or proprietor* shall mean any individual, firm, association, syndicate, copartnership, corporation, trust or any other legal entity commencing and maintaining proceedings under this chapter to effect a subdivision of land hereunder for himself or herself or for another.

(Code 1977, § 5.242)

**Cross References:** Definitions and rules of construction generally, § 1-2.

### **Sec. 30-3. Variances.**

(a) *Hardship.* Where the council finds that extraordinary hardships may result from strict compliance with this chapter, it may vary the regulations so that substantial justice may be done and the public

interest secured; provided, that such variation will not have the effect of nullifying the intent and purpose of the general community plan or this chapter.

(b) *Conditions.* In granting variances and modifications, the council and the city engineer may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.  
(Code 1977, § 5.268)

**Sec. 30-4. Conflicting regulations.**

In applying the provisions of this chapter they shall be interpreted to be the minimum requirements. It is not intended to repeal, annul, or in any way set aside any other provisions of this Code or regulation or any plat or deed restriction that imposes greater requirements.  
(Code 1977, § 5.269)

**Sec. 30-5. Lot division.**

The division of a lot in a recorded plat is prohibited, unless approved following application to the city council. The application shall be filed with the city clerk and shall state the reasons for the proposed division. The city council may request review and comment by the city planning commission. The division to be approved by the city council shall have the suitability of the land for building purposes approved by the city zoning administrator, who may require submission of a professionally prepared boundary survey report. No building permit shall be issued, nor any building construction commenced, prior to the city council's approval. No lot in a recorded plat shall be divided into more than four (4) parts, and the resulting lots shall be not less in area than permitted by the city zoning ordinance. The division of a lot resulting in a smaller area than prescribed herein may be permitted but only for the purpose of adding to the existing building site or sites. The application shall so state and shall be in affidavit form.  
(Ord. No. 456, § 1, 12-19-88)

**Secs. 30-6--30-20. Reserved.**

**ARTICLE II.**

**PROCEDURE FOR THE PREPARATION AND FILING OF PLATS**

**Sec. 30-21. Preapplication.**

Previous to the submission of plans, it is suggested that the subdivider acquaint himself or herself with the city plans and drawings on file in the office of the city engineer and the planning commission. It is believed that considerable time and expense can be saved the subdivider in the procedure and lay out of a subdivision.  
(Code 1977, § 5.243)

**Sec. 30-22. Preliminary plat; conditional approval.**

(a) On reaching conclusions informally, as recommended in section 30-21, regarding his or her general program and objectives the subdivider shall cause to be prepared a preliminary plat, together with

improvement plans and other supplementary material as specified in sections 30-35 and 30-36.

(b) Four (4) copies of the preliminary plat at a scale of not more than one hundred (100) feet to the inch and supplementary material shall be submitted to the city engineer with written application for conditional approval at least two (2) weeks prior to the meeting of the planning commission at which it is to be considered.

(c) Preliminary plats shall be subject to the tentative approval of the council and the commission who shall take into consideration the city's requirements and the most appropriate use of the land. Particular attention will be given to the standards of design, the justification for the development of public improvements and the subdivision's conformity to the existing street plan. The width, location and arrangements of streets, the dimensions of lots, the location of utilities and other features will be studied. Tentative approval under this section shall confer upon the subdivider for a period of one (1) year from date, approval of lot sizes, lot orientation and street layout. Such tentative approval may be extended if applied for by the subdivider and granted by the council in writing.

(d) If the preliminary plat is disapproved, the reasons therefor together with a list of the changes necessary to render the plan acceptable shall be presented in writing to the subdivider.

(e) If the preliminary plat meets the approval of the commission and the council, then the subdivider may proceed to make an accurate survey of the property and prepare the final plat. Plats thus tentatively approved by the commission and the council shall bear the signature of the commission and the council and one (1) signed copy shall be filed in the office of the city engineer, one (1) signed copy in the file of the planning commission and the other (third) signed copy returned to the subdivider.

(f) Conditional approval of a preliminary plat shall not constitute approval of the final subdivision plat. Rather, it shall be deemed an expression of approval to the layout submitted on the preliminary plat as a guide to the installation of streets, sewers and other required improvements and the preparation of the final plat. Final approval of the preliminary plat approval under this section shall confer upon the subdivider for a period of two (2) years from date of approval, the conditional right that the general terms and conditions under which preliminary approval was granted will not be changed. The two-year period may be extended if applied for by the subdivider and granted by the council in writing. Written notice of the extension shall be sent by the council to the other approving authorities.

(Code 1977, § 5.244)

### **Sec. 30-23. Final or record plat; procedure for approval.**

(a) Before submission of the plat in its final and permanent form, the subdivider may submit one (1) advance paper copy to the city engineer for inspection, verification of detail and checking.

(b) The final plat shall be submitted to the city engineer for approval within two (2) years after final approval of the preliminary plat. Otherwise the approval of the preliminary plat becomes null and void unless an extension of time is applied for and granted by the council.

(c) Application for approval of the final plat shall be submitted in writing to the city engineer at least two (2) weeks prior to the meeting of the planning commission at which it is to be considered.

(d) The final plat shall be prepared by a registered professional engineer or a registered land surveyor, licensed to practice in the state and shall be presented in accordance with the provisions of the subdivision control act (MCL 560.101 et seq., MSA 26.430(101) et seq.).

(e) Five (5) permanent typed copies of the final plat and other exhibits required for approval shall be submitted.

(f) After the foregoing recommendations and certificates have been received, and provided that the final plat is found to conform with the preliminary plat as approved and the requirements of the subdivision control act (MCL 560.101 et seq., MSA 26.430(101) et seq.), the planning commission will, within forty (40) days of its first meeting after receiving the final plat, enter such approval or disapproval thereon in writing by the secretary. The approval of the final plat by the planning commission shall not be deemed to constitute or effect an acceptance by the public of the dedication of any street or other proposed public way or open space on the plat.

(g) After approval by the planning commission, the commission will deliver the five (5) copies of the final plat along with certification of title consisting of either an attorney's opinion or title insurance, to the council for approval and necessary action on any proposed dedications. If the council shall approve the final plat, it shall cause to be transcribed upon the plat its certificate of approval. Action by the council to approve or disapprove the final plat shall be taken within thirty (30) days after the action of the planning commission.

(h) The council shall have final authority to approve or disapprove any plats submitted.

(i) Approval of the final plat by the council does not in and of itself constitute acceptance for maintenance by the city of streets or other improvements which have been made.

(j) Approval of the final plat shall become null and void unless the plat is filed for record within ninety (90) days.  
(Code 1977, § 5.245)

### **Sec. 30-24. Design standards generally.**

(a) The following shall be the subdivision standards except in those cases where the council, upon recommendation of the city engineer or the planning commission or on its own initiative determines that the size or shape of the land, topographical conditions or proposed land use or other special conditions make compliance therewith impractical.

(b) All improvements shall conform to the standard design and specification as prepared by the engineering department and approved by the council, or in the event no official or standard plan, specification or regulation has been adopted by the city regarding the installation of a particular improvement, then the improvement shall conform to the plan, specification and regulation than set forth by the engineering department and approved by the council.  
(Code 1977, § 5.246)

### **Sec. 30-25. Streets.**

(a) The arrangements, character, extent, width, grade and location of all streets shall conform to the major street plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

(b) Where such is not shown in the major street plan the arrangement of streets in a subdivision shall either:

(1) Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or

(2) Conform to the plan for the neighborhood approved or adopted by the planning commission.

(c) Local streets shall be planned and laid out to make through traffic difficult, yet provide every lot with adequate and immediate access to the street.

(d) Where a subdivision abuts or contains an existing or proposed arterial street, the planning commission may require marginal access streets, reverse frontage with screen planting contained in a nonaccess reservation along with the rear property line, deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

(e) Where a subdivision borders on or contains a railroad right-of-way, or limited access highway right-of-way, the planning commission may require a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the intervening land as for park purposes in residential districts, or for commercial or industrial purposes in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades, and future grade separations.

(f) The street and alley arrangement must provide opportunity for access and use by adjoining property owners. Reserve strips of land controlling ingress and egress to adjoining property will not be permitted.

(g) Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall be avoided.

(h) A tangent at least one hundred (100) feet long shall be introduced between reverse curves of arterial and collector streets.

(i) Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at less than sixty (60) degrees.

(j) Rounded property corners at street intersections shall be avoided whenever possible. The planning commission may require or permit comparable cut-offs, chords or rounded corners when deemed necessary due to street intersection angles.

(k) Street right-of-way widths shall be as shown in the general community plan and where not

shown therein shall be not less than as follows:

Street Type	Right of way Feet	
	Minimum	Maximum
Arterial	80	100
Collector	66	100
Local, for other residences	66	
Marginal access	66	

(l) Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations; and where the planning commission finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Wherever a half street is adjacent to the tract to be subdivided, the other half of the street shall be platted within such tract.

(m) Cul-de-sacs (courts) designed to be so permanently shall be provided at the closed end with a turnaround having an outside roadway diameter of at least seventy (70) feet and a street property line diameter of at least one hundred (100) feet.

(n) Dead-end streets shall be accepted only when the street will be extended in the future and adequate turnaround facilities have been provided.

(o) No private street shall be allowed or approved and no public improvements shall be installed on them.

(p) Street grades, whenever feasible, shall not exceed the following with due allowance for reasonable vertical curves:

Street type	Percent	Grade
Arterial	X%	5
Collector		5
Local		8
Marginal Access		8

(q) No street grade shall be less than four-tenths of one (0.4) percent with five-tenths of one (0.5) percent the preferred minimum.

(r) All subdivisions adjacent or containing a state highway trunk line shall be submitted to the state highway commissioner for approval.  
(Code 1977, § 5.247)

**Sec. 30-26. Alleys.**

(a) Alleys shall be provided in commercial and industrial districts, except that the planning commission may waive this requirement where other definite and assured provision is made for service access,

such as off-street parking, loading and unloading consistent with and adequate for the uses proposed. Alleys shall not be permitted in residential districts unless approved by the planning commission.

(b) The minimum width of an alley shall be twenty (20) feet.

(c) Alley intersections and sharp changes in alignments shall be avoided, but where necessary, corners shall be cut off sufficiently to permit safe vehicular movement.

(d) Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turnaround facilities at the dead end, as determined by the planning commission.  
(Code 1977, § 5.248)

### **Sec. 30-27. Easements.**

(a) Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary and shall be of such width as may be reasonably necessary for the utility or utilities to be benefitted.

(b) Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such additional width as will be adequate for the purpose.  
(Code 1977, § 5.249)

### **Sec. 30-28. Blocks.**

(a) The lengths, widths and shapes of blocks shall be determined with due regard to:

- (1) Provision of adequate building sites suitable to the special needs of the type of use contemplated;
- (2) Zoning requirements as to lot sizes and dimensions;
- (3) Needs for convenient access, circulation, control and safety of street traffic;
- (4) Limitations and opportunities of topography.

(b) The long dimensions of a block shall not exceed one thousand three hundred twenty (1,320) feet or be less than three hundred thirty (330) feet from center line of right-of-way.

(c) Pedestrian crosswalks, not less than ten (10) feet wide, shall be required where deemed essential to provide circulation, or access to schools, playgrounds, shopping centers, transportation and other community facilities.

(d) The number of intersecting streets along highways and major streets shall be held to a minimum. Wherever practicable blocks along such traffic way shall not be less than one thousand two hundred (1,200) feet in length.  
(Code 1977, § 5.250)

### **Sec. 30-29. Lots.**

- (a) The lot size, width, depth, shape and orientation, and minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- (b) The lot area shall be as follows:
  - (1) Residential lots where served by public sewer shall not be less than sixty-six (66) feet wide at the front building line nor less than eight thousand seven hundred twelve (8,712) square feet in area.
  - (2) Residential lots where not served by public sewer shall not be less than one hundred thirty-two (132) feet wide at the front building line nor less than seventeen thousand four hundred twenty-four (17,424) square feet in area.
  - (3) Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.
- (c) Corner lots for residential use shall have extra width to permit appropriate building setback and the orientation to both streets.
- (d) The subdividing of the land shall be such as to provide, by means of a public street, each lot with satisfactory access to an existing public street.
- (e) Double frontage, and reverse frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet and across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use.
- (f) Said lot lines shall be substantially at right angles or radial to street lines.
- (g) Lot remnants. All remnants of lots below minimum size left over after subdividing of a larger tract shall be added to adjacent lots rather than allowed to remain as unusable parcels.  
(Code 1977, § 5.251)

### **Sec. 30-30. Public sites and open spaces.**

- (a) The subdivider shall give due consideration to the dedication or reservation of open spaces which are suitably located and of reasonable size for parks and playgrounds. Also, any recreational area or sites for public development, or parks, as designated on the city plans shall be dedicated to the city.
- (b) If the applicant is not willing to dedicate such area without cost, the public agency involved may, within sixty (60) days tender the reasonable raw land market value of said area to the applicant or contract to pay such sum with reasonable interest within a two-year period. Upon such payment the public body shall be entitled to a warranty deed to said area. Where a proposed plat has been submitted and portions thereof are proposed to be developed from time to time the requirement of payment for acquisition of area to be developed

for public use shall apply as the plat of each area is accepted for final approval.  
(Code 1977, § 5.252)

### **Sec. 30-31. Drainage.**

(a) A design of drainage improvements where necessary, together with support calculations shall be furnished as part of the final plans.

(b) Where an adequate natural drainage channel or adequate storm drain exists within or immediately abutting the subdivision, drainage may be carried on subdivision streets, within the design standards set by the city engineer to such channel or drain.

(c) Where an adequate drainage channel or adequate storm drain exists below (downstream from) the subdivision, drainage from the subdivision may be carried over existing curbed streets to such drainage channel or storm drain, to the extent that such streets and such drainage channels or storm drain will not be overloaded, within the design standards set by the city engineer, by flows from anticipated full development of the drainage basin.

(d) Drainage from the subdivision or the area, considered as fully developed, above the subdivision and draining through same, which cannot be handled by the above methods, must be provided for the construction of adequate underground or permanently lined drainage facilities.

(e) Natural drainage channels existing within the subdivision may be required to be improved by the subdivider, if erosion or flooding problems may be created by the continued existence thereof.  
(Code 1977, § 5.253)

### **Sec. 30-32. Slopes.**

(a) No existing slope or proposed cut slope shall be steeper than one and one-half (1 1/2) horizontal to one (1) vertical except as hereinafter provided.

(b) No fill slope, existing or proposed, shall be steeper than two (2) horizontal to one (1) vertical except as hereinafter provided.

(c) Slopes exceeding the foregoing requirements may be approved by the city engineer if soils or other conditions require such approval.  
(Code 1977, § 5.254)

### **Sec. 30-33. Construction schedule.**

No subdivision or off-tract improvements shall be constructed on any subdivision lot, adjacent public way, or on adjacent land until all required earthwork thereon, including general lot grading and slope excavating of filling, has been completed and approved by the city engineer.  
(Code 1977, § 5.255)

### **Sec. 30-34. Zoning and other regulations.**

No final plat of land within the force and effect of an existing zoning ordinance shall be approved unless it conforms to such ordinance. Wherever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, building code, or other official regulations or ordinances the most restrictive shall apply.  
(Code 1977, § 5.256)

### **Sec. 30-35. Specifications.**

(a) Monuments shall be placed at all points as specified by the subdivision control act (MCL 560.101 et seq., MSA 26.430(101) et seq.) and shall be set flush with the finished grade at those points. No person shall move, interfere with, injure or destroy any such monument except with the written authorization of the city engineer.

(b) Utilities:

(1) *Water.* The subdivider shall install or have installed a system of six (6) inch water mains complete with regulation service and curb stop with box to a point seven (7) feet from the property line at approximately the center of each platted lot.

(2) *Sanitary sewer.* The subdivider shall install or have installed a system of eight (8) inch sanitary sewer mains complete with house service to within seven (7) feet of the property line of each platted lot, properly stopped with "cookie" and identified by "grape stick" brought to ground surface. Where a public sanitary sewer is not accessible within five hundred (500) feet of a normally designed sewage system for the plat, an alternate method of sewage disposal for each lot may be used when in compliance with the standards of the health department and this Code.

(3) *Storm sewers.* The subdivider shall install or have installed a system of twelve (12) inch storm sewer mains including catch basins, culverts and other facilities.

a. All drainage facilities shall be so designed as to serve the entire drainage area.

b. All surface water drainage shall be transported to existing storm sewers to drainage facilities approved by the city engineer.

(c) Streets.

(1) *Curbs and gutters.* Concrete curbs and gutters shall be installed on all streets. (Thirty (30) feet from face to face of curb.)

(2) *Surface and grading.* All streets and public ways shall be graded and surfaced. Surface shall consist of a bituminous aggregate base course, not less than five (5) inches in compacted thickness, and a bituminous aggregate wearing course not less than one and one-half (1 1/2) inches thick compacted.

(d) Special provisions. When larger water or sewer mains or wider streets are needed to serve areas

outside a particular subdivision, the additional cost above standard requirements will be borne by the city.  
(Code 1977, § 5.261)

**Sec. 30-36. Approval.**

Plans and specifications must be approved by the city engineer and the construction must be carried out under the direction of the office of the city engineer in strict accordance with standard city specifications for the various kinds of improvements as established by this Code or resolution adopted by the council. A statement from a registered professional engineer stating that he or she has been retained to layout, supervise and inspect the construction of the various improvements shall be submitted with the plans and specifications to the city engineer.

(Code 1977, § 5.262)

**Sec. 30-37. Inspections.**

The subdivider shall be responsible for the engineering inspection of the various stages of all improvements. If a registered professional engineer is not retained by the subdivider, the subdivider shall notify the city engineer in writing before proceeding with any construction and the city engineer will assign a city inspector to the work for such time as may be necessary to insure full compliance with regulations. The subdivider shall reimburse the city for the cost of such inspection. Any construction of required improvements without proper engineering inspection will constitute a violation of this Code. In all cases, the city engineer or the retained registered engineer shall be required to certify that all improvements have been constructed according to plans and specifications.

(Code 1977, § 5.263)

**Sec. 30-38. Final report.**

When all required improvements have been installed, the subdivider shall furnish the city engineer with one (1) set of "as-built" plans indicating in red ink the following:

- (1) All approved changes in construction;
- (2) Location of sanitary sewer services;
- (3) Witness measurements to water valves and services.

(Code 1977, § 5.264)

**Secs. 30-39--30-55. Reserved.**

**ARTICLE III.**

**PLATS AND DATA FOR FINAL APPROVAL**

**Sec. 30-56. Preliminary plat.**

The preliminary plat shall contain the following:

- (1) Proposed name of subdivision;
- (2) Name and address of owner of record;
- (3) Name and address of subdivider;
- (4) Date of survey, north point and graphic scale;
- (5) Name and address of registered civil engineer or surveyor making map and preliminary engineering or surveying certificate;
- (6) Location of tract by legal description, giving acreage;
- (7) Vicinity map locating streets and highways, section lines, railroad, schools, parks, drainage, easements and other significant features in adjacent area;
- (8) Exact boundary line of the tract indicated by a heavy line giving dimensions, angles and at least one (1) bearing;
- (9) Ground elevations, based on city datum showing spot elevations at all breaks in grades, along all drainage channels or swales, and at selected critical points;
- (10) Contours with intervals of two (2) feet or less, referenced to city datum. This requirement may be waived by the city engineer;
- (11) Other conditions on the tract: Watercourses, marshes, wooded areas, isolated preservable trees one foot or more in diameter, houses, barns, shacks, and other significant features;
- (12) Names of abutting subdivisions;
- (13) Names and addresses of owners of abutting unsubdivided properties;
- (14) All parcels of land proposed to be dedicated to public use and conditions of such dedication;
- (15) Names, location, and widths of proposed streets, alleys, parks, lots, walkways and easements, including those for utilities; the location of catch basins, culverts and other drainage structures, and layout, numbers and approximate dimensions of proposed lots;
- (16) Minimum building setback lines;
- (17) Other preliminary plans shall be furnished when required by the city engineer or planning commission.

(Code 1977, § 5.265)

**Sec. 30-57. Final or record plat.**

The final plat shall conform to the preliminary plat, and it may constitute only that portion of the preliminary plat which the subdivider proposed to record and develop at any one time, provided that such portion conforms to this chapter. It shall contain the following:

- (1) Name of the subdivision;
- (2) Names of the owner, the subdivider, the engineer or surveyor;
- (3) North point, graphic scale and date of drawing;
- (4) Boundaries of the tract with accurate distances, bearings and approximate acreage;
- (5) Street lines of all existing or recorded streets, principal property lines and municipal, county or section lines accurately tied to the lines of the subdivision by distances and angles;
- (6) Cross-sections and profiles of streets showing grades approved by the city engineer. The profiles shall be drawn to the city standard scales and elevations and shall be based on a datum plane of the city;
- (7) The accurate location and description of all monuments;
- (8) The length and bearing of the lines of all lots, streets, alleys, and easements as laid out, length of arc, points of curvatures, radii and tangent bearing in the case of curved lines;
- (9) Minimum building setback lines on all lots and other sites;
- (10) All lots shall be numbered and all streets named;
- (11) The accurate outline of all property that is offered for dedication for public use, with the purpose indicated thereon, and of all the property that may be reserved by covenant for the common use of the property owners of the subdivision;
- (12) Private restrictions, if any;
- (13) A bill of assurance by the owner or owners of his or her or their adoption of the plat, and of the dedication of streets and other public areas;
- (14) Certification of title showing that applicant is land owner. The certification shall be in the form of either an attorney's opinion or title insurance.

(Code 1977, § 5.266)

**Sec. 30-58. Data.**

- (a) The subdivider shall:

- (1) Install all the required improvements prior to final approval by the council of the final plat, in accordance with the specifications and under the supervision of the city officials having jurisdiction; or
- (2) Put up a performance bond which shall:
  - a. Run to the city;
  - b. Be in an amount determined by the city engineer to be sufficient to complete the improvements and installations for the subdivision in compliance with this chapter;
  - c. Be with surety by a company entered and licensed to do business in the state;
  - d. Specify the time for the completion of the improvement and installations; or
- (3) Put up a cash deposit in the full amount as determined by the city engineer, necessary to complete the improvements and installations for the subdivision in compliance with this chapter. Such cash deposit may be withdrawn in direct proportion to the amount of work completed as approved by the council.

(b) The building inspector will not be permitted to issue a building permit for any structure upon any lot within a subdivision until the improvements as specified above have been completed, or satisfactory arrangements have been made with the city for the completion of the improvement.

(c) When a plat dedicates half of the width of a street on a boundary line separating two (2) or more parcels of property the subdivider shall enter into an agreement with the city whereby the subdivider shall be responsible for the installation of improvements on his or her half of the streets at the time one (1) adjacent tract is developed.

(d) Such other certificates, affidavits, endorsements or deductions as may be required by the city engineer and by the council in the enforcement of this chapter.  
(Code 1977, § 5.267)