

SUBDIVISION REGULATIONS

TOWN OF SUMMERSVILLE

Nicholas County
West Virginia

1968

Revised By
Planning and Research Division
West Virginia Department of Commerce

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SUBDIVISION STANDARDS

For The

City of Summersville
Nicholas County, West Virginia

ARTICLE I
PURPOSE AND SCOPE

100 PURPOSE

Any town is empowered to adopt and enforce subdivision regulations for the purpose of:

- A. Assuring sites suitable for building purposes and human habitation.
- B. Coordinating subdivision streets with existing and planned streets or highways.
- C. Coordinating and extending facilities included in the Comprehensive Plan.
- D. Establishing minimum width, depth and area of lots within the projected subdivision.
- E. Distributing population and traffic in a manner tending to create conditions favorable to health, safety, convenience and the harmonious development of the City.
- F. Fair allocation of areas for streets; parks, schools, public and semi-public buildings, homes, utilities, business and industry.

101 GRANT OF POWER

After a Comprehensive Plan and an ordinance containing Subdivision Standards have been adopted and a certified copy of this ordinance has been filed with the County Clerk, the Commission shall have exclusive control over the approval of all plats involving incorporated land covered by the Comprehensive Plan and Subdivision Standards in accordance with the provisions of Sections 28 through 35 of Article 5, Chapter 8 of the West Virginia Code.

102 EFFECTIVE DATE

These Subdivision Standards shall become effective on final passage and shall remain in effect until modified, amended or rescinded by Council.

103 APPROVAL REQUIRED

After a Comprehensive Plan and an ordinance, containing Subdivision Standards have been adopted and a certified copy of the ordinance has been filed with the County Clerk, a plat of a subdivision shall not be

recorded by the County Clerk unless it has first been approved by the Commission. The filing and recording of a plat involving the subdivision of lands covered by such Comprehensive Plan and Subdivision Standards shall be without legal effect unless approved by the Commission; provided, however, that failure to comply with this section shall not invalidate or affect title to any land within the area of such plat; and provided further, that if such plat shall bear the seal of the Commission, it shall be presumed to have been approved thereby.

ARTICLE II
DEFINITIONS

200 For the purpose of these Subdivision Standards, words used in the present tense include the future tense; the words "shall" and "will" are always mandatory; and the word "may" is permissive. Unless otherwise expressly stated, the following words shall, for the purpose of these Subdivision Standards, have the meaning herein indicated.

201 ALLEY

A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties.

202 BASE COURSE

The layer of a street immediately under the wearing surface.

203 BENCH MARK

A point of known elevation in or near the Subdivision tied in with established bench marks in the vicinity that are maintained by the United States Coast and Geodetic Survey.

204 BUILDING LINE

The line within the property defining the required minimum distance between any structure and the street right-of-way or abutting lots.

205 CARTWAY

That portion of the street right-of-way surfaced for vehicular use.

206 CLOSURE

The degree of error allowed in surveying the Subdivision.

207 COMMISSION

The Municipal Planning Commission of the City of Summersville

208 COUNCIL

The Council of the City of Summersville.

209 COVENANT

An agreement or restriction placed on a parcel of land by a previous owner.

210 CROSSWALK

An easement providing a pedestrian way through a block or across a street of excessive length.

211 CUL-DE-SAC

A residential street with one end open to traffic and pedestrian access, permanently terminated by a vehicular turnaround.

212 EASEMENT

Grant by a property owner of the use, for a specific purpose or purposes, of a strip of land by the general public, a corporation or a certain person or persons.

213 ENGINEER

A registered engineer authorized to practice civil engineering in West Virginia.

214 IMPROVEMENTS

Those physical changes to the land necessary to produce usable and desirable lots from raw acreage including, but not limited to, grading, paving, curbs, gutters, storm sewers and drains, improvements to existing water courses, sidewalks, crosswalks, street signs, monuments, water supply facilities, and sewage disposal facilities.

215 LOT

A tract or parcel of land intended for the transfer of ownership, use or improvement, whether immediate or future.

216 LOT DEPTH

The average horizontal distance between the front and rear lines of a lot.

217 LOT DOUBLE FRONTAGE

A lot with opposite ends abutting on public streets.

218 LOT REVERSE FRONTAGE

A lot with double frontage facing a minor, rather than a collector or arterial street.

219 LOT WIDTH

The width of a lot at the front building line.

220 MONUMENT

A point of known coordinates, established by an engineer or surveyor, and used to locate property lines, building lines, etc. The monument must be tied in with monuments maintained by the United States Coast and Geodetic Survey.

221 OBLIGEE

A person in favor of whom some obligation is contracted.

222 OFFICIAL MAP

The map kept up to date by the City Recorder showing existing and recorded streets, right-of-way and cartway widths, and projected primary roads.

223 PLANTING STRIP

The area between the curb and sidewalk suitable for planting trees, shrubs, etc.

224 PLAT

A representation on paper of a parcel of land subdivided into lots showing all salient features.

225 PROFILE

A side view of the center line of a street, showing grades, transition curves, lengths, etc.

226 RESTRICTION LINE

An imaginary line in a subdivision (building lines, easements, etc.) that restricts building locations in any way.

227 RIGHT-OF-WAY

Land reserved for use as a street, alley, crosswalk, easement, or any other public use.

228 STREET OFFSET

The horizontal distance along a collector street between the center lines of two minor streets that intersect the collector street.

229 STREETS

- A. Arterial: Streets or highways serving large volumes of comparatively high speed and long distance traffic, and including facilities classified as main and secondary highways by the State Road Commission.
- B. Collector: Streets which, in addition to giving access to abutting properties, intercept minor streets and provide routes carrying considerable volumes of local traffic to community facilities and to primary streets.
- C. Local: Streets used primarily to provide access to abutting properties.
- D. Marginal Access: Local streets parallel and adjacent to primary streets, providing access to adjoining properties and control of intersection with arterial streets.

230 SUBDIVIDER

The owner, or authorized agent of the owner, of the subdivision.

231 SUBDIVISION

The division of a parcel of land into two or more lots or parcels of land for the purpose, whether immediate or future, of transfer of ownership or of building development. (Division of land into parcels of ten acres or more not involving any new street or other right-of-way shall not be included in the meaning of subdivision).

232 SURVEYOR

An individual licensed to practice land surveying in West Virginia.

233 TRACT BOUNDARY

The outside perimeter of a subdivision.

234 TOWN

The City of Summersville.

235 VARIANCE

Any departure from the provisions of these Subdivision Standards,

granted the subdivider by the Commission or a court of competent jurisdiction.

236 YARD, FRONT

The open space extending across the width of a lot, between the front building line and the street right-of-way.

237 YARD, REAR

The open space extending across the width of the lot between the rear of the main building and the rear lot line.

238 YARD, SIDE

The open space between the side of the main building and the adjacent side lot line from the front to the rear of the main building.

ARTICLE III
APPLICATION AND PLAN REQUIREMENTS

300 The plan requirements and application procedure shall be followed by subdividers as set forth herein.

301 PRE-APPLICATION

Previous to the filing of an application for conditional approval of a preliminary subdivision plan, the subdivider shall submit the following plans and data to the Commission:

A. General Information:

Written description of existing covenants, land characteristics, community facilities and utilities, the number of lots and side, price range, business area, playground and proposed protective covenants, utilities and street improvements.

B. Location Map:

Map shall show relationship of the proposed subdivision to existing community facilities which serve or influence it and shall include development name, location, title, scale, north arrow and date.

C. Sketch Plan:

Sketch Plan on a topographic map shall show in simple sketch form the proposed layout of streets, lots and other features in relation to existing conditions and may be drawn free hand. The plan shall

include all topographic data the Commission deems necessary for its consideration of the plan.

It will be advised to the subdivider during the submission of the sketch plat, that proper meetings should be held with the Planning Commission to avail himself of the advise and assistance of the Commission to save time and money, and to take advantage of this period of consultation. Similar meetings should be held by the subdivider with potentially interested partners or ultimate users of the development such as lending and mortgage insurance institutions, in order to reach a firm understanding of market demand, suitability of the location, street and lot arrangement and other physical and economic features of development.

302 After review and discussion with the subdivider, the Commission shall indicate the suitability of the plan for development into preliminary plans.

303 PRELIMINARY PLAN REVIEW

A. Application:

On reaching conclusions as recommended in the pre-application re- regarding the general program and objectives, the subdivider shall prepare and submit to the Secretary of the Commission at least ten (10) days prior to the regular monthly meeting of the Commission, two (2) copies of the preliminary plans of the total land to be ultimately developed for review by the Commission according to the requirements and standards contained herein.

B. Commission Review:

The Commission shall review the plan submitted covering the re- quirements of these Subdivision Standards point-by-point, and shall consult with the City Engineer and officials of any other depart- ment or authority concerned.

C. Commission Action:

The Commission shall notify the subdivider of the scheduled place, date, time and agenda of the meeting at which the subdivision is to be reviewed. The Commission shall act on the preliminary plan stating its approval, conditional approval, or disapproval, giving reasons for each, and may authorize in writing submission of a final plan for approval.

D. Nature of Approval:

Approval of a preliminary plan shall not constitute approval of a final plan, but rather an expression of approval of the layout

submitted on the preliminary plan as guide to the preparation of the final plan.

E. Disposition of Plans:

The Commission shall retain one (1) copy of the preliminary plan and return the other to the subdivider.

304 PRELIMINARY PLANS AND DATA

Shall include but not be limited to the following:

- A. The preliminary plan shall be drawn at a scale of 1" = 100' or greater.
- B. The plan shall show or be accompanied by the following:
 - 1. Material required in the pre-application.
 - 2. Title to include:
 - a. Name by which the subdivision will be recorded.
 - b. Location by City, County and State.
 - c. Name of engineer or surveyor who surveyed the property and prepared the plan.
 - d. North arrow, date and graphic scale.
 - 3. Tract boundaries with bearings, and lot numbers.
 - 4. Existing easements with their location and dimensions.
 - 5. Tract closures and block closures.
 - 6. Contour lines may be shown at a vertical interval of ten (10) feet, or in the case of relatively flat tracts, at such intervals as the Commission deems necessary for study of the tract.
 - 7. Datum to which contour lines refer.
 - 8. The location of bench marks used in the survey.
 - 9. Existing physical features to include:
 - a. Watercourses, culverts, bridges and drains.
 - b. Buildings, sewers, water mains and fire hydrants.
 - c. Streets and alleys on or adjacent to the tract, including their names, right-of-way widths and cartway widths.
 - 10. Proposed improvements shall include:
 - a. Location, name and right-of-way widths of all proposed streets, alleys and cartways.
 - b. Sidewalks and crosswalks as deemed necessary by the Commission.
 - c. All easements and other rights-of-way.
 - d. Lot lines with bearings and dimensions.
 - d. Building lines.
 - f. Reservations of grounds for public or semi-public use.
 - g. General drainage plan for storm water in relation to natural channels.

- h. A plan of the proposed water distribution system or a plan showing the location of individual wells, including the sizes of water pipe and the location of valves and fire hydrants.
 - i. A plan of the proposed sanitary and storm sewer system, including manhole locations, invert elevations and grades and sizes of lines, or a plan (where applicable) showing the proposed location of on lot sewage disposal facilities.
 - j. Proposed land uses of the improvement.
11. The following additional data may be submitted upon request by the Commission:
- a. Names of abutting property owners.
 - b. Subsurface conditions of the tract if known or requested by the Commission.
 - c. Profiles showing existing and proposed centerline street grades.
 - d. Typical cross sections of roadways and sidewalks.

305 APPROVAL OF FINAL PLAN

A. Application to Commission:

When filing an application for examination of final plan after approval of the preliminary plan, the subdivider shall submit to the Commission's Secretary at least ten (10) days prior to a regular meeting of the Commission, four (4) copies of all plans and other information.

The final plan shall conform to the preliminary plan as conditionally approved by the Planning Commission and shall incorporate all modifications and revisions specified by the Commission in its approval of the preliminary plan.

The Commission shall permit the submission of the final plan in sections. That portion of the entire proposed subdivision to be developed first shall be shown in the detailed development plan. The remaining portions of the subdivision to be developed at a later date shall be shown with the revisions specified by the Commission at the preliminary plan approval stage. Such later developed portions shall be shown at the same scale and orientation as the initial development area and may incorporate such development details as may be felt necessary by the Commission.

All final plans and other exhibits required for approval shall be submitted to the Commission within six (6) months after approval of the preliminary plan. Other wise, such approval shall become null and void unless an extension of time is applied for and granted by the Commission.

B. Commission Review:

The Commission shall notify the subdivider in writing of the scheduled place, date, time and agenda of the meeting at which the subdivision is to be considered, and shall notify by general publication or otherwise any person or governmental unit having a probable interest in the proposed plat. Approved final plans shall bear the signature of the Chairman and the Secretary of the Commission to a certified statement that all plan procedure requirements have been met. Reasons for disapproval of final plans shall be set forth in the Commission's records, with the subdivider provided with a copy.

C. Commission Action:

Following review by the Commission, all final plans shall be submitted by the Commission to the City Clerk.

D. Application Fee:

At the time of filing the application of plans, the subdivider shall pay to the City Clerk for use by the City a fee to defray the cost of processing such plans and drafting same on the official map of the City. The fee shall be determined by the City Engineer based upon the estimated cost of processing such plans and approved by the Planning Commission.

E. Action of Council:

Council shall act as an obligee in accordance with any bonds, escrow agreements, or contracts prepared to guarantee the construction of proposed subdivision improvements, in accordance with the provisions described in Article V.

F. Disposition of Plans:

One (1) copy of all final plans submitted for approval shall be retained by the Commission, one (1) copy by Council, one (1) copy to be filed by subdivider according to Article V, Section 500, the fourth copy shall be returned to the subdivider. The copy retained by the Commission shall be an approved duplicate linen.

306 FINAL PLAN AND DATA REQUIRED FOR APPROVAL

For any subdivision requiring approval, the final plan submitted:

- A. Shall be drawn on tracing cloth and shall be on sheets in multiples of seventeen (17) inches by twenty-two (22) inches with a border of one-half ($\frac{1}{2}$) inch on all sides except the binding edge which shall be one (1) inch. More than one sheet may be used for larger tracts and all sheets must be indexed.
- B. Shall be drawn with water proof black ink and all records, data,

entries, statements, etc., thereon shall also be made with the same type of ink or reproducible typing.

- C. Shall be drawn to a scale of 1" = 100' or larger.
- D. Shall contain a title block in the lower right corner with the following:
 - 1. Name under which the subdivision is to be recorded.
 - 2. Date of plan, graphic scale and location of subdivision.
 - 3. Name of subdivider.
 - 4. Name and address of the engineer or the surveyor preparing the plan.
- E. All final plans submitted shall be drawn according to the following drafting instructions.

Outside of Subdivision:

- 1. Streets and other rights-of-way by medium solid lines.
- 2. Property lines of adjacent subdivisions by medium dashed and two dotted lines.
- 3. Lot lines by light dotted lines.
- 4. Restriction lines, easements and other reserved areas by light dashed lines.

Within Subdivision:

- 1. Streets or rights-of-way by heavy solid lines.
- 2. Tract boundary by heavy dashed and two dotted lines.
- 3. Lot lines by medium solid lines.
- 4. Restriction lines by medium dashed lines.
- 5. Easements and other reserved areas by light dotted lines.

F. The Final Plan Shall Show:

- 1. Primary control points approved by the City Engineer, or description and ties to which all dimensions, angles, bearings, and similar data shall be referred.
- 2. Tract boundary lines, street rights-of-way, easements and other reserved areas and property lines of residential lots with accurate dimensions sufficient to define the location of each item.
- 3. Name of each street.
- 4. Purpose of all easements.
- 5. Number to identify each lot or site.
- 6. Purpose for which sites other than residential are to be dedicated.
- 7. Building line on all lots and sites.
- 8. Location and description of all monuments used in survey.
- 9. Names of record owners of adjoining unplotted land.

10. Certification of surveyor or engineer as to the accuracy of survey and plat.
11. Statement by the owner dedicating streets, rights-of-way, and sites to the City for public use.
12. Protective covenants, if any, in form suitable for recording.
13. Such other certificates, affidavits, endorsements or dedications as may be required in the enforcement of these Standards by the Planning Commission.

307 RESUBDIVISION OR REPLATTING

The Commission may waive the requirements as described herein, in whole or in part, in cases where the resubdivision of previously platted lots does not exceed three lots; no new street construction is involved; and no public utility extensions are necessary.

ARTICLE IV
DESIGN STANDARDS

400 APPLICATION OF STANDARDS

- A. The following land subdivision principles, standards and requirements shall be applied by the Commission in evaluating the plans for proposed subdivisions and shall be considered minimum requirements.

401 LAND REQUIREMENTS

- A. Land shall be suited for the purpose for which it is to be subdivided.
- B. Land subject to hazards of life, health, and safety shall not be subdivided for residential use until such hazards have been removed.

402 STREET REQUIREMENTS

- A. Proposed streets shall be properly related to City, county and State road and highway plans which have been prepared and officially adopted.
- B. Streets shall be logically related to the topography so as to produce usable lots at reasonable grades.
- C. Local streets shall be so laid out as to discourage thru traffic.
- D. Where a subdivision abuts or contains an existing or proposed primary street, the Commission may require a marginal access

road, reverse frontage, or other treatment which will provide protection for abutting properties, reduce the number of intersections, and separate local and thru traffic.

E. Half streets shall be prohibited except to complete an existing half street.

F. Maximum Allowable Grades:

Arterial	7 percent
Collector	10 percent
Local	15 percent

G. Minimum crown grades on all streets shall not be less than 0.50 percent.

H. Vertical curves shall be installed at all street grade changes exceeding one percent.

I. Minimum centerline radius for horizontal curves shall be in accordance with the current policies of the West Virginia State Road Commission and related to the design speed of the facility of which it is a part.

J. Minimum street right-of-way cartway widths shall be as follows:

Type of Street	Type of Development	Cartway (feet)	Right-of-Way (feet)
Local	Single-family lots	20	40
Collector	Single, double, or multi-family lots	24	50
	Commercial or industrial lots	30	50
Arterial	All types	As prescribed by State Road Commission	

K. Cul-de-sacs are permitted where the length does not exceed 500 feet and where a turnaround with a roadway diameter of 80 feet and a right-of-way of 100 feet is provided. A suitable turnaround may be required by the Planning Commission when a street is temporarily dead ended over one-hundred and fifty feet from its nearest intersection.

L. Street Intersections:

1. All curbs at intersections shall be rounded by a minimum radius of 20 feet for collector and primary streets and 15 feet for minor streets

2. Where the grade of any street at the approach to an intersection is to exceed 5 percent, a level area shall be provided with a transitional grade not to exceed 2 percent for a distance of 50 feet from the nearest right-of-way line of the intersection.
3. Four-way intersections shall be the most complex intersections permitted.
4. Streets shall be laid out so as to intersect as nearly as possible at right angles. Minimum street intersection angles shall be 60 degrees.

M. Street Offsets of less than 150 feet are to be avoided.

N. Reverse Curves shall have a minimum tangent between them of:

Local Streets	100 feet
Collector Streets	150 feet
Arterial Streets	As prescribed by State Road Commission

O. Alleys:

1. Not permitted in residential areas.
2. Mandatory in commercial and industrial areas unless waived by Commission.
3. Alley shall have a minimum cartway width of 20 feet.
4. Maximum alley grade shall be 10 percent.

403 LOTS

- A. Residential lots where public water and sanitary sewers are not provided shall be not less than 20,000 square feet in area nor have less than 100 feet lot width.
- B. Residential lots where either public water or public sanitary sewer (only one) are provided shall be not less than 15,000 square feet in area and have a minimum lot width of 75 feet.
- C. Residential lots having public water and public sanitary sewer shall be not less than 10,000 square feet in area and have a minimum lot width of 75 feet.
- D. Where lots are intended for the use of more than one family, the minimum lot area shall be increased by 1,250 square feet for each family more than one, and the minimum lot width shall be increased by 10 feet for each family more than one.
- E. Lot and area requirements shall be increased in size where the average front to rear or side to side lot slope is in accordance with the following:

<u>Slope</u>	<u>Requirement</u>
0 - 8%	As required above
9 - 15%	Minimum lot size + 10% area increase
16 - 24%	Minimum lot size + 20% area increase
25% and over	Minimum lot size + 50% area increase

F. Lot lines should be laid out so as to intersect at right angles for streets or radial to curvilinear streets.

G. All lots shall have frontage upon an approved and improved public street.

404 BUILDING LINES

The following shall be considered minimum yard depths:

	<u>Arterial Streets*</u>	<u>Collector and Local Streets</u>
Front Yards	50	25
Side Yards		
Minimum	8	8
Total	24	16
Rear Yards	40	40

Minimum yard widths for development on arterial streets shall conform with the current Standards of the West Virginia State Road Commission, but in no case shall they be less than the minimum standards prescribed above.

405 CORNER LOTS

Side yards of corner lots shall not be less than the required front yards of lots on that street.

406 BLOCKS

A. Block lengths shall not normally exceed 1,600 feet nor be less than 500 feet.

B. Blocks shall be at least two lots in depth except for lots with reverse frontage.

C. Blocks exceeding 1,600 feet in length shall be provided with crosswalks with a minimum right-of-way reservation of twelve (12) feet, and a four (4) foot paved walk.

407 EASEMENTS

When the City Engineer determines that conditions are suitable for essential services, an easement reservation will be required. Utility

easements shall be a minimum of ten (10) feet in width and placed at the side or rear of the lots. Easements shall be fully indicated on the Final Subdivision Plan.

408 SIDEWALKS

Sidewalks and crosswalks, where required, may be installed by the subdivider along public streets or where deemed necessary for public safety, as determined by the Commission.

409 RESERVED AREAS

Reserve strips surrounding the property or areas reserved for any purpose which shall make any area unprofitable for regular or special assessments will not be approved by the Commission.

410 STREET NAMES

The subdivider may choose his street names subject to the approval of the Commission. No street, other than an extension, may be given the name of an existing street in the City.

411 PUBLIC OPEN SPACES

- A. The Commission may request that ten (10) percent of the area to be subdivided be offered to the City for park, playground, school or other public use.
- B. This offering of land for public use shall be combined with similar existing dedications in adjoining tracts or subdivisions in order to provide more usable public areas without imposing hardships on the part of any subdivider.
- C. The Commission may in lieu of the ten (10) percent public land dedication require a comparable fee on mutual agreement of the subdivider. This may be in the form of a fixed per lot fee payable to the City and retained in a fund for the purchase of future lands for schools, parks and playgrounds.
- D. Where the City does not accept or acquire public land as offered by the subdivider within five (5) years from the date of offer, the offer of dedication may be withdrawn by the subdivider.

412 D. Preservation of Existing Features

Existing features which would add value to residential development, or natural or man-made assets of the City, such as trees, water courses, vistas, historic spots, and other irreplaceable assets, should be preserved through harmonious and careful design of the subdivision.

- B. Preservation of Natural Cover on land to be subdivided shall be preserved to retain, insofar as possible, the natural contours, limit storm water runoff, and conserve the natural cover and soil.

ARTICLE V
IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

500 STREETS, CURBS, BASE AND PAVING

A. Grading:

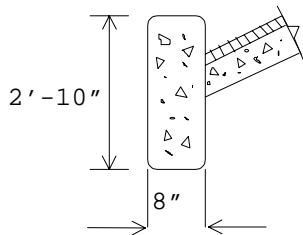
Streets shall be graded as established on the preliminary plan and as reviewed by the City Engineer.

B. Cross Drains:

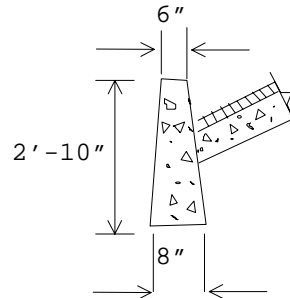
Shall be a minimum diameter as determined by the Commission reinforced concrete or corrugated metal pipe and shall be placed wherever necessary to transfer water across roads to a natural watercourse and at road intersections where needed.

C. Curbing:

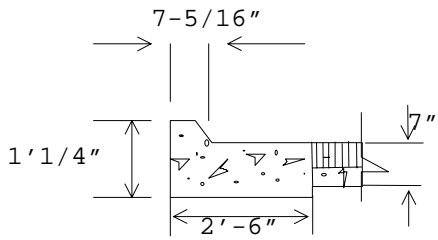
Shall be either a straight, battered or rolled concrete mix, or a rolled bituminous mix or as determined by the Commission. Type required shall depend on street width and grade on a minimum paved cartway of 20 feet.



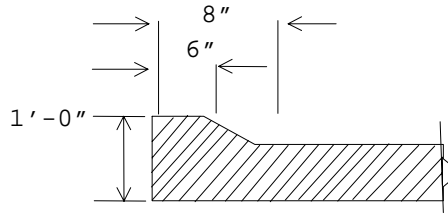
(1) Straight



(2) Battered



(3) Rolled - Concrete



(4) Rolled - Bituminous

D. Base Course:

A base course shall be constructed to the approval of the Commission of native stone, limestone, crushed slag, or similar material properly graded and meeting the requirements of the current specifications of the State Road Commission.

Lesser base courses may be authorized by the Commission on advice from the City Engineer or smaller streets where the character of the drainage of the subgrade, the size of the subdivision and nature of the traffic warrants.

E. Pavement:

A two and one-half bituminous plant mixed surface may be placed on the prepared base to meet the requirements of the specifications of the State Road Commission or the Planning Commission.

Where a six-inch base is authorized, a bituminous double surface treatment in accordance with State Road Commission specifications may be used.

Either type of pavement listed above must be approved by the Commission on advice from the City Engineer before the final application is approved. Said installation shall be under the direct supervision of the City Engineer.

501 SIDEWALKS

Sidewalks may be of Portland cement concrete or bituminous plant mix at least four inches in thickness except at driveways where they shall be a minimum of six inches. Sidewalks shall be a minimum of four feet in width, and shall be at a uniform distance of 24 inches from the inner line of curb, and should be constructed one inch higher than the top of curb and shall rise one-fourth inch per foot for full width of walk. Sidewalk widths fronting uses other than residential shall be as specified by the Commission.

502 STREET SIGNS

Street name signs shall be installed at each street intersection in

accordance with standards established by the Commission.

- A. The Planning Commission may require the installation of street lighting standards, of a design approved by the Commission, at designated points in the subdivision.

503 STREET TREES

The proposed location, spacing and species of street trees planned by the subdivider must be approved by the Commission. Trees shall be placed within property lines where the planting strip is narrower than five feet.

504 SANITARY SEWERS

- A. Installation of sanitary sewers shall be made in accordance with the regulations of the Sanitary Board or their authorized Authority and shall be subject to inspections by the City Engineer.
- B. Laterals shall be extended to trunk lines provided to connect into major trunk lines of the Municipal Sewer System where the nearest trunk line is not more than 1,000 feet from a tract boundary of the subdivision.
- C. In areas where the Municipal Sewer System is planned, but not yet available, laterals shall be extended and connected to a trunk line extending to that edge of the subdivision closest to the street connecting point of the trunk line. Said trunk shall then be capped until such time as the major trunk is available.
- D. House lines, laterals, trunks, manholes and other appurtenances shall be of such size, spacing, and grades as specified by the Sanitary Board or their authorized Authority.
- E. Connection of any storm water into sanitary sewers shall be prohibited.
- F. On-lot septic tanks and other private sewer systems will be permitted in areas where the Municipal Sewer System is not now available (more than 1,000 feet from a tract boundary), is not planned, or when no right-of-way can be secured by easement through adjoining property to a public sewer.
- G. Septic tanks and private sewer systems shall be subject to approval by the Sanitary Board or their authorized Authority and inspection by the City Engineer.
- H. Plans for project sewer systems shall be subject to approval by the State Health Department and inspected by the City Engineer before acceptance. New project sewer systems, except those with complete

treatment plants, shall be connected to the available Municipal Sewer System.

- I. All individual properties now using sanitary sewer facilities and all future properties requiring sanitary sewerage shall be connected to the Municipal Sewer System when and where it is available.

505 STORM SEWERS

- A. Storm sewers shall be located within a street right-of-way or utility easement in a matter approved by the Commission.
- B. Storm drains shall have a minimum diameter as determined by the Commission and a minimum grade of 0.50 percent.
- C. Manholes shall have a spacing of 300 feet or less for pipes 21 inches in diameter or smaller, and not more than 450 feet for pipes 24 inches and larger. Manholes shall also be installed at all grade changes, street alignment changes and pipe size changes. When approved by the City Engineer, inlets may be substituted for manholes.
- D. Bridges and culverts shall be designed to support the expected loads and carry expected flows, and shall be constructed the full width of the right-of-way.
- E. Inspection of the storm drainage system shall be made by the City Engineer.

506 WATER SUPPLY

- A. If public water is available or definitely planned for the area, then provisions shall be made for its immediate or eventual use.
- B. Individual wells or project wells for water supply shall be approved by a State Health Officer, and a copy of the approval shall be submitted to the Commission.
- C. Inspection: By local health officer or City Engineer.

507 MONUMENTS

- A. Monuments shall be placed at all block corners, angle points, points of curves in streets, and intermediate points as determined by the City Engineer. Monuments shall be such size, length and material as approved by the City Engineer.

508 GAS ELECTRIC AND TELEPHONE UTILITIES

The Planning Commission may accept assurance from each public utility company whose facilities are proposed to be installed. Such assurance

shall be in the form of a letter addressed to the Planning Commission stating that such public utility company will make the necessary installation for furnishing its services within a specified time. The Planning Commission shall encourage placing electric and telephone lines underground in new subdivision.

ARTICLE VI
CONDITIONS OR ACCEPTANCE

600 RECORDING

Within thirty (30) days after the date of approval of the final plat, the subdivider shall submit the plat to the City for recording. The City shall record the plat with the County Clerk and the recording fee shall be paid by the subdivider. Approval shall not become final and effective until such certificate has been filed.

- A. After an approved subdivision plan shall have been officially recorded, the streets, parks and other public improvements shown thereon shall be so considered to be a part of the official map of the City.
- B. Streets, parks and other public improvements shown on a subdivision plan to be recorded may be offered for dedication to the City by formal notation thereof on the plan, or the owner may note on such plan that any improvements have not been offered for dedication to the City.
- C. Every street, park or other improvement shown on a subdivision plan shall be deemed to be a private street, park or improvement until such time as the same shall have been offered for dedication and accepted by the City or until it shall have been condemned for use as public street, park or other improvement.

601 GENERAL

- A. The Commission shall not approve any subdivision plan except in conformance with the provisions of these Subdivision Standards.
- B. The Commission may alter any subdivision plan, specify alterations, changes, or modifications therein which it deems necessary and may make its approval subject to such alterations, changes or modifications.
- C. No road, street, alley, or related improvement shall be accepted as a part of the street system of the City for maintenance unless opened, laid out, graded, and improved in strict accordance with the provisions of these Subdivision Standards.

D. The Commission may approve a plat for a subdivision in which the improvements and installation have not been completed as required by the Subdivision Standards if the applicant provides a performance bond either:

1. In an amount determined by the Commission to be sufficient to complete the improvements and installations in compliance with these Subdivision Standards; or
2. In the form of a combination minimum bond and first mortgage removable from each lot through payment of a prorated share of the improvements prior to the sale of said lot; or
3. With surety satisfactory to the Commission; or
4. The applicant specifies the time for the completion of the improvements and installations.

These bonds shall be forfeited if said applicant has not completed improvements or installations within the prescribed time and in accordance with the appropriate standards and specifications.

Any funds received from these bonds shall be used by the legally constituted body charged with making public improvement for the City only for completion of the improvements and installations for which they were provided, and without prior appropriation. The City is authorized to make these improvements and installations.

ARTICLE VII VARIANCES

700 Where the Commission finds that extraordinary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured; provided that such variance will not have the effect of nullifying the intent and purpose of the Comprehensive Plan or these Subdivision Standards.

701 In granting variances, the Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so modified. The granting of variances by the Commission may be conditional and subject to the recommendation of Council.

ARTICLE VIII
VALIDITY AND PENALTY

- 800 Any person, copartnership, or corporation, who subdivides any lot, tract or parcel of land; lays out, constructs, opens, or dedicates any street, sanitary sewer, storm sewer, or water main for public use or travel; or for the common use of occupants of buildings abutting thereon sells any lot or erects any building in a subdivision without having first complied with the provisions hereof and the Subdivision Standards adopted hereunder; shall be guilty of a misdemeanor subject to the procedure of the City Police Court and upon conviction thereof such person or the members of such copartnership or the officers of such corporation responsible for such violation shall be sentenced to pay a fine of not less than ten dollars and not more than three hundred dollars for each and every offense and each day that he shall continue such violation after notification shall constitute a separate offense punishable by a like fine or penalty.
- 801 Should any section or provision of these regulations be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the regulations as a whole, or any other part thereof.