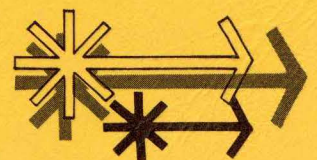


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SUBDIVISION REGULATIONS

ANKENY, IOWA



SUBDIVISION REGULATIONS

ANKENY, IOWA

Prepared under contract and financed in part by the Iowa Development Commission under the provisions of Chapter 28, State Code of Iowa in cooperation with the City of Ankeny.

Urban Planning Grant

Project No. Iowa P-21

The preparation of this report was financed in part through an Urban Planning Grant from the Housing and Home Finance Agency, under the provisions of Section 701 of the Housing Act of 1954, as amended.

Iowa Development Commission
Planning Division

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SUBDIVISION REGULATIONS

CITY OF ANKENY

ORDINANCE NO. _____

DATE ADOPTED _____

An ordinance establishing regulations for the subdivision and platting of land within the City of Ankeny; defining certain terms used therein; providing for the preparation of plats; providing for the installation of utilities, streets, and other improvements; providing for the dedication of certain land for parks and playgrounds, establishing procedures for the approval and recording of plats and providing penalties for violation of this ordinance. Be it ordained by the City Council of Ankeny:

SECTION I. TITLE

- 1.1 This ordinance shall be known as the "Subdivision Regulations of the City of Ankeny."

SECTION II. PURPOSE

- 2.1 In the best interests of the City of Ankeny and to assist the subdivider in harmonizing his interests with those of the City of Ankeny, the following ordinance is adopted in order that adherence to same will bring results beneficial to both parties. It is deemed necessary to establish minimum standards for the design and development of all new subdivisions in order to eliminate piecemeal planning of subdivisions which brings about undesirable disconnected patchwork of pattern and poor circulation of traffic. It shall be the duty of the Ankeny Plan Commission to require that all regulations hereinafter set forth in this ordinance be complied with, before giving their approval. It is the purpose of this ordinance to make certain regulations and

requirements for the platting of land which the City Council of Ankeny deems necessary for the health, safety and general welfare of this City.

SECTION III. JURISDICTION

- 3.1 This ordinance governing the subdivision and platting of land shall be in accord with Chapter 409 of the Code of Iowa, as amended and apply within the corporate limits of the City and the unincorporated area within one (1) mile of its limits.

SECTION IV. DEFINITIONS

- 4.1 For the purpose of this ordinance, certain words and terms are hereby defined as follows:

Alley a public right of way which affords a secondary means of access to abutting property.

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

Building line a line on a plat between which line and a street no building or structure may be erected.

City Council the governing body of the City of Ankeny.

City Engineer the person or persons hired by the City of Ankeny, either full time or part time, with the authority to perform the official inspections and other functions designated by the City Council necessary to the enforcement of these regulations.

Commission the City Planning and Zoning Commission.

Collector Street the street or thoroughfare which carries traffic from minor streets to the major system of arterial streets and highways, including the principal entrance streets of a

residential development and streets for circulation within such a development.

Cul-de-sac a minor street having one end open to traffic, the other being permanently terminated by a vehicular turnaround.

Design Standards the specification to land owners or subdividers for the preparation of plats, indicating among other things, the optimum, minimum, and maximum dimensions of such items as right-of-way, blocks, easements, and lots.

Easement a grant by a property owner of the use of land for construction or maintenance of facilities in accordance with the Comprehensive Plan and the requirements of these regulations.

Lot a portion of a subdivision or other parcel of land intended for building development or for transfer of ownership.

Major Thoroughfare Street those which are used primarily for fast or heavy traffic.

Marginal Access Street minor streets which are parallel to and adjacent to arterial streets and highways; and which provide access to abutting properties and protection from through traffic.

Comprehensive Plan the comprehensive plan adopted by the City Council, known as the Comprehensive Plan for Ankeny, together with all changes and amendments thereto which are adopted from time to time.

Minor Street a street used primarily for access to the abutting properties.

Plat a graphic presentation on which a plan for the division of land is presented and which is submitted for approval and subsequent action.

Roadway the paved area within a street right-of-way available or to be available for vehicular traffic, including all curb and gutter facilities.

Street the right-of-way or easement which serves or is to serve as a vehicular and pedestrian access to abutting lands.

Subdivider any person, partnership, corporation, trustee, trust or other legal entity commencing proceedings under this ordinance to effect a subdivision of land hereunder.

Subdivision a subdivision is the division of land into three (3) or more lots for the purpose, whether immediate or future, for transfer of ownership or building development; or any change in existing street lines or public easement. The term includes resubdivision and; when appropriate to context shall relate to the process of subdividing or to the land subdivided.

SECTION V. ACCEPTANCE AND APPROVAL OF SUBDIVISION PLATS

- 5.1 Four (4) copies of the preliminary plat and supplementary material shall be submitted to the Commission with written application for approval at least fifteen (15) days prior to the meeting at which it is to be considered. Six (6) copies shall be submitted for subdivisions outside the corporate limits of the City of which two (2) copies shall be referred to the County Board of Supervisors with a recommendation of the Commission and City Council attached. Said plans shall be accompanied by a fee of \$1.00 for each lot in the subdivision, with a minimum fee of \$10.00 required.
- 5.2 The Commission shall study the preliminary plat and other material for conformity thereof to these regulations. The Commission may confer with the subdivider on changes deemed advisable and the kind and extent of such improvements to be made by him. The Commission shall approve or reject such plat within forty-five (45) days after the date of submission thereof to the Commission. If the Commission does not act within forty-five (45) days the preliminary plat shall be deemed to be approved, provided, however, that the subdivider may agree to an extension of the time for a period not to exceed sixty (60) days. The approval of the preliminary plat shall be null and void unless the final plat is presented to the Commission within one hundred eighty (180) days after date of approval.

- 5.3 The final plat shall conform substantially to the preliminary plat as approved, and, if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which he proposes to record and develop at the time; provided, however, that such portion conforms to all requirements of these regulations.
- 5.4 Six (6) copies of the final plat and other exhibits required for approval shall be prepared as specified in Section IX, and shall be submitted to the Commission. The plat shall be accompanied by a notice from the City Council of the City of Ankeny stating that there has been filed with and approved by the Council all of the following:
- A. A certificate by the City Engineer that a street profile and sewer profile plan has been filed and approved in accordance with the specifications; and
 - B. A bond which shall:
 - 1. Run to the Mayor and City Council of the City of Ankeny;
 - 2. Be in an amount determined by the City Engineer and approved by the Mayor and City Council to be sufficient to complete the improvements and installations in compliance with these regulations;
 - 3. Be with surety by a company entered and licensed to do business in the State of Iowa; and
 - 4. Specify the time for the completion of the improvements and installations.
- 5.5 Application for approval of the final plat shall be submitted in writing to the Commission at least fifteen (15) days prior to the meeting at which it is to be considered.
- 5.6 Within thirty (30) days after application for approval of the final plat, the Commission shall approve or disapprove the final plat. If the Commission approves, it shall affix its seal upon the plat together with the certifying signature of its Chairman and Secretary. If it disapproves, it shall set forth its reasons in its own records and provide the applicant with a copy.

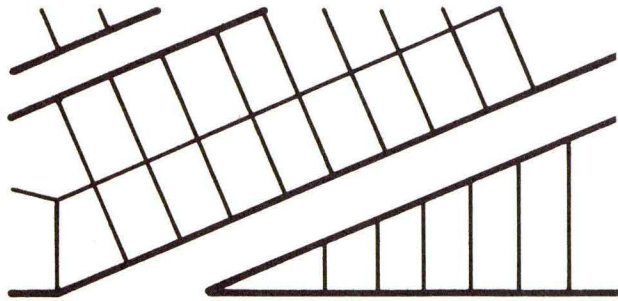
- 5.7 After approval of the final plat by the Commission, and the fulfillment of these regulations, one tracing of the final plat of the subdivision, drawn in ink on tracing cloth not to exceed thirty (30) inches by thirty-six (36) inches in size, shall be submitted to the City Council for approval at least ten (10) days prior to the meeting at which it is to be considered.
- 5.8 Action must be taken by the City Council within thirty (30) days after the final plat has been submitted for approval.
- 5.9 Upon approval of the City Council, the developer shall record the plat with the County Recorder of Polk County within thirty (30) days. If not recorded within this time, the approval shall be null and void. Immediately after recording, the original or a duly certified copy shall be filed with the Office of City Clerk of Ankeny, Iowa.

SECTION VI. DESIGN STANDARDS

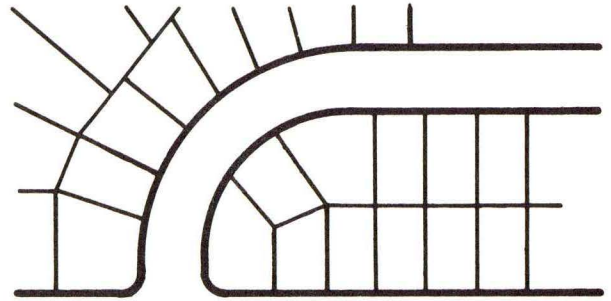
- 6.1 The standards and details of design herein contained are intended only as minimum requirements, and the subdivider should use standards consistent with the site conditions so as to assure an economical, pleasant and durable neighborhood. All subdivisions shall conform to the Comprehensive Plan of the City of Ankeny approved by the Commission and adopted by the City Council and other responsible governmental bodies of the City as a part of the Official Plan of the City of Ankeny.
- 6.2 Streets
- A. The width for major streets shall conform to the widths designated on the major street plan and no major street shall be less than eighty (80) feet in width. Proposed plats shall provide for the continuation or completion of any existing streets in adjoining property, at equal or greater width, but not less than sixty (60) feet in width, and in similar alignment, unless variations are recommended by the Commission.

LAND SUBDIVISION DESIGN PRINCIPLES

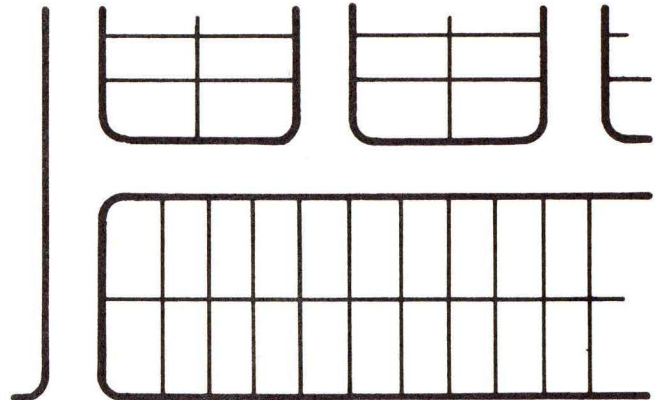
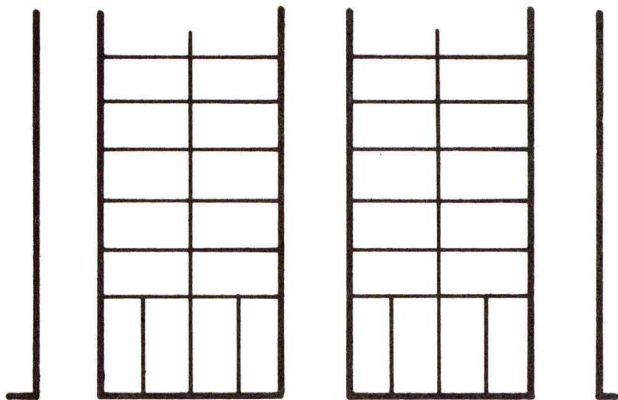
Poor Design



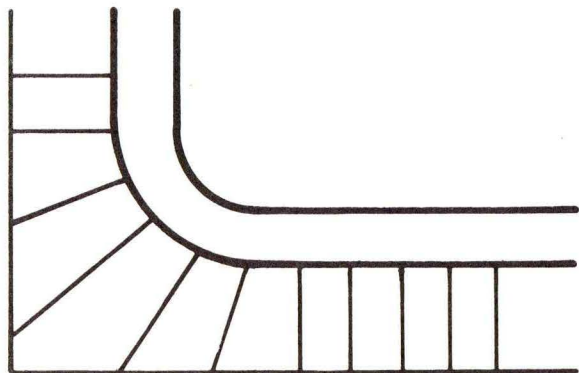
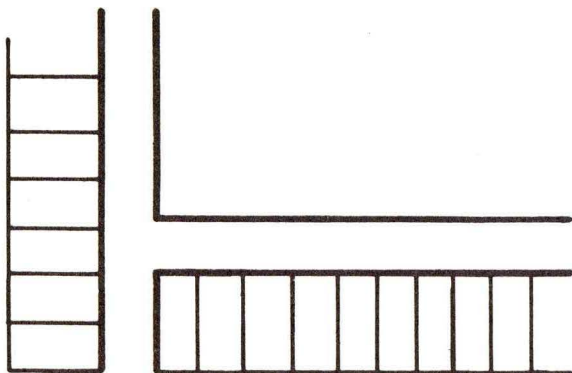
Good Design



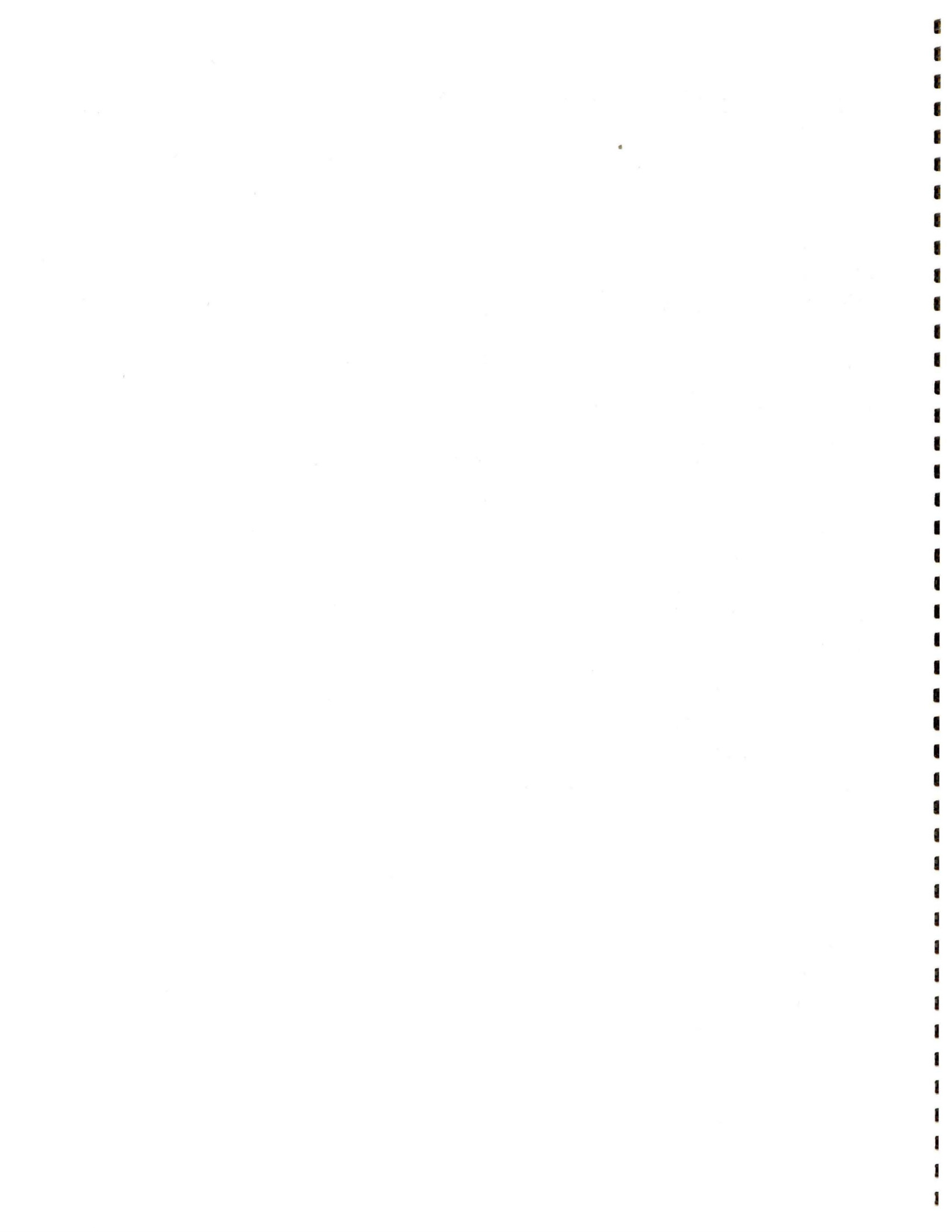
Street intersection should be at right angles to minimize traffic hazard



Intersection of minor with arterial or collector should be held to a minimum to avoid hazard and delay



Dead end streets should be avoided



- B. Minor streets shall be laid out so that their use by through traffic will be discouraged.
- C. Alleys will be discouraged in residential districts, but may be required in business areas and industrial districts for adequate access to block interior and for off-street loading and parking purposes where required. Alleys shall not have a roadway less than 20 feet in width. Dead-end alleys shall be provided with adequate turn-around facilities at the dead-end.
- D. Dedication of half streets will be discouraged, but where there exists a dedicated or platted half street or alley adjacent to the tract to be subdivided the remainder of the street shall be dedicated.
- E. Minimum roadway widths for streets shall be thirty (30) feet, except streets serving lots of one acre or larger may, with Commission approval, be constructed with a minimum roadway width of 20 feet. No major street shall have a roadway width less than forty (40) feet.
- F. Streets shall intersect as nearly as possible at right angles and no street shall intersect any other street at less than sixty (60) degrees.
- G. Cul-de-sac type streets shall be no longer than six hundred (600) feet and shall be provided at the closed end with a turn-around having a minimum radius of fifty-five (55) feet and the roadway having a minimum of forty (40) feet to the exterior curb line.
- H. Streets shall be completed to grades which have been officially determined by the city engineer and approved by the City Council.
- I. Where a subdivision abuts or contains an existing or proposed highway, primary thoroughfare, railroad, or other disadvantageous use, the Commission may impose requirements concerning streets, access drives, service drives, reverse frontage lots or any other such requirements as may be necessary to preserve the character of

the neighborhood and further development of the City of Ankeny in accordance with the Comprehensive Plan.

- J. Streets that are in obvious alignment with existing streets shall bear the name of the existing streets. The final plat shall show the proposed names of new streets and these names shall not duplicate or sound similar to existing street names.
- K. A deed to the City of Ankeny shall be given for all streets before the same will be accepted for city maintenance.

6.3 Easements

- A. Easements shall be provided for utilities where necessary and shall be centered on rear or side lot lines where possible. No easement shall be less than ten (10) feet wide. Such easements shall be designed to provide continuity from block to block.
- B. Wherever any stream or surface watercourse is located in a subdivision, the subdivider shall at his own expense, make adequate provisions for the proper drainage of surface water and shall also provide and dedicate to the City of Ankeny, an easement not less than 20 feet in width along said streams and watercourses meeting the approval of the Commission.

6.4 Blocks

- A. Blocks shall not be longer than 1,320 feet between street lines. Block width shall not be less than 220 feet, excluding street right of way.
- B. Block design shall take into consideration convenience of access, circulation of street traffic, limitations and opportunities of topography and to the zoning requirements of the City of Ankeny.
- C. Where blocks are over 700 feet in length, an easement for a pedestrian walkway not less than 10 feet wide may be required approximately in the middle of the block.

- D. Where blocks with lots deeper than 250 feet are proposed, a reservation for a future street through the middle of the block, longitudinally, may be required.

6.5 Lots

- A. Size, width, depth, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- B. Lot dimensions shall conform to the requirements of the Zoning Ordinance, and within the corporate limits of the City of Ankeny, all lots shall abut on a dedicated street.
- C. Lots located within the one-mile area outside the corporate limits shall conform to the requirements of the Subdivision Regulations of the City of Ankeny or to the Polk County Ordinances, whichever is more restrictive. When sanitary sewer and water facilities are not available, a minimum area of 20,000 square feet shall be required per dwelling.
- D. Corner lots shall have a width sufficient to permit the establishment of a front building line on both adjoining streets, and shall have the corner where the streets intersect, rounded with a radius of not less than 15 feet.
- E. In all lots so far as possible, side lot lines shall be at right angles or radial to street lines, except where a variation of this rule will provide an improved street and lot layout.
- F. Double frontage and reverse frontage lots shall be avoided, except where their use will produce definite advantages in accord with sound site planning and proper land use. A planting screen easement of at least ten (10) feet, across which there shall be no right of access, shall be provided along the line of lots abutting objectionable residential uses, such as railroads, highways, and major and secondary thoroughfare streets when such easement is necessary to provide proper separation of residential development from such objectionable uses.

6.6 Building Lines

Building lines shall be shown on all lots within the platted area, and shall conform with the zoning standards, except where the subdivision is not under zoning control, in which case the Commission may require building lines in accordance with the needs of each subdivision. The minimum building line permitted for residential lots shall be thirty (30) feet.

6.7 Improvements Outside Corporation Limits

Where a subdivision outside the corporate limits contains physical facilities necessary or desirable for the welfare of the area and which are of common use or benefit and which the city does not desire to, or cannot maintain, provisions shall be made by trust agreements, made a part of the deed restrictions, acceptable to the city for the proper and continuous maintenance and supervision of such facilities by the lot owners in the subdivision.

6.8 Open Spaces Other Than Streets

Where an area being subdivided includes lands proposed to be used for parks or schools under the duly adopted Comprehensive Plan of the city, the subdivider shall indicate the location of such areas on the subdivision plat. Park sites within the city limits are to be reserved for purchase within two years of the recording date of the subdivision by the city. School sites are to be reserved for four years, giving the Ankeny School District the option of purchase. The purchase price in all cases shall be at the appraised raw land value prior to subdivision plus one-half of the cost of the grading and paving, including curb of that portion of any street contiguous to the site. Should the park or school sites not be purchased within the time limits specified above, the subdivider may then sell them for an alternate purpose as shown on the approved subdivision plat.

SECTION VII. REQUIRED IMPROVEMENTS

- 7.1 The subdivider shall install and construct all improvements required by the Subdivision Regulations of the City of Ankeny.

All required improvements shall be installed and constructed in accordance with approved specifications and under the supervision of the City Council and to its satisfaction.

7.2 Monuments

Monuments shall be placed at all corners and angle points of the external boundaries of a subdivision, but no further than one-quarter mile apart. They shall also be placed at block corners, points of curve, change in direction along lot lines, and at each lot corner in accordance with city specification. All monuments used shall be of a type and material approved by the City Council.

7.3 Streets and Alleys

All streets and alleys within the platted area which are dedicated for public use shall be brought to the grade approved by the City Council after receiving the report and recommendations of the City Engineer.

7.4 Curb and Gutter

Curb and gutter shall be installed on all roadways in the plat being dedicated for public use and shall be constructed of Portland cement as approved by the City Council and in accordance with designs and specifications and at grades established by the City Engineer.

7.5 Roadways

All roadways being dedicated for public use shall be surfaced from curb to curb. Surfacing shall be of Portland cement as approved and in accordance with designs and specifications and at grades established by the City Council.

7.6 Sidewalks

Sidewalks shall be constructed on both sides of all streets being dedicated for public use. The sidewalks shall be a minimum of four (4) feet in width and have a minimum thickness of four (4) inches and shall be constructed of Portland cement in accordance with designs and specifications approved by the City Council.

7.7 Water Lines

The subdivider shall provide a water connection for each lot in accordance with standards, procedures, and supervision of the Municipal Water Department.

7.8 Sewers

- A. Sanitary sewer lines, storm sewers and their appurtenances shall be constructed and installed in accordance with the plans and specifications adopted by the City Council. Water and sewer lines shall be made accessible to each lot.
- B. Where sanitary sewers are not available, other facilities, as approved by the City Council, the County Health Department and the Iowa State Health Department, must be provided for the adequate disposal of sanitary wastes.

SECTION VIII. THE PRELIMINARY PLAT

8.1 The Preliminary Plat shall include the following:

- A. The official description of the property to be platted.
- B. Contour intervals of not more than five (5) feet.
- C. The location of any surface features as property lines, buildings, railroads, water courses and similar items affecting development.
- D. The location and size of such sub-surface features as sanitary sewers, storm sewers, water mains, gas mains, culverts, and similar items.
- E. Vicinity sketch showing location of the tract. The vicinity sketch shall show street alignment of existing and proposed subdivisions. The vicinity sketch shall not exceed the scale of one inch equals five hundred (500) feet.
- F. Boundary lines, including bearing and distance; easements, including location, width and purpose.

- G. Lot lines, lot dimensions, lot numbers, and block number.
- H. Streets, including names, right-of-way and roadway width.
- I. Name under which the proposed subdivision will be recorded along with the name and address of the owner and subdivider.
- J. Name of adjacent subdivisions or property owners if the adjoining property is unplatted.
- K. North point, scale, date, name and address of the engineer or land surveyor.
- L. Sites for schools, parks, playgrounds or other public uses in accordance with the Comprehensive Plan for Ankeny.
- M. The zoning district or districts.
- N. The preliminary plat shall be drawn at a scale not to exceed one inch equals one hundred (100) feet.
- O. The Commission may request additional data if they so desire.

8.2 Accompanying Material

- A. An attorney's opinion, in duplicate, showing that the fee title to the subdivision land is in the owner's name as shown on the plat and showing any encumbrances that may exist against said land.
- B. Any plat that cannot reasonably be served by public sewer shall show results of soil percolation tests made by the Engineer preparing the plat. Such tests shall be made in accordance with specifications approved by the City Engineer, the County Health Department and the Iowa State Health Department.

8.3 A draft of the proposed protective covenants and a copy of all existing protective covenants affecting the proposed subdivision shall be submitted with the preliminary plat.

SECTION IX. THE FINAL PLAT

- 9.1 Final Plat shall be drawn in ink on tracing cloth on sheets not to exceed thirty (30) inches wide by thirty-six (36) inches long and shall be at a scale of one (1) inch to one hundred (100) feet or less. The final plat shall show the following:
- A. Primary control points, approved by the City Engineer, or descriptions and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred.
 - B. Tract boundary lines, right-of-way lines of streets, easements, and other rights-of-way, and property lines of residential lots and other sites, with accurate dimensions, bearings or deflection angles, and radii, arcs, and central angles of all curves.
 - C. Name and right-of-way width of each street.
 - D. Location, dimensions, and purpose of any easement.
 - E. Number to identify each lot or site and block.
 - F. Purpose for which sites, other than residential lots, are dedicated or reserved.
 - G. Minimum building lines in zoned areas, and proposed building lines in all other areas.
 - H. Location and description of monuments.
 - I. Certification by surveyor or engineer certifying to the accuracy of survey and plat.
 - J. Certification of applicant approving the plat.
 - K. Warranty deed by owner dedicating streets and any sites for public uses.
 - L. Name of subdivision.
 - M. Title scale, north arrow, and date.

FINAL PLAT

PARK VIEW PLAZA

DELL, IOWA

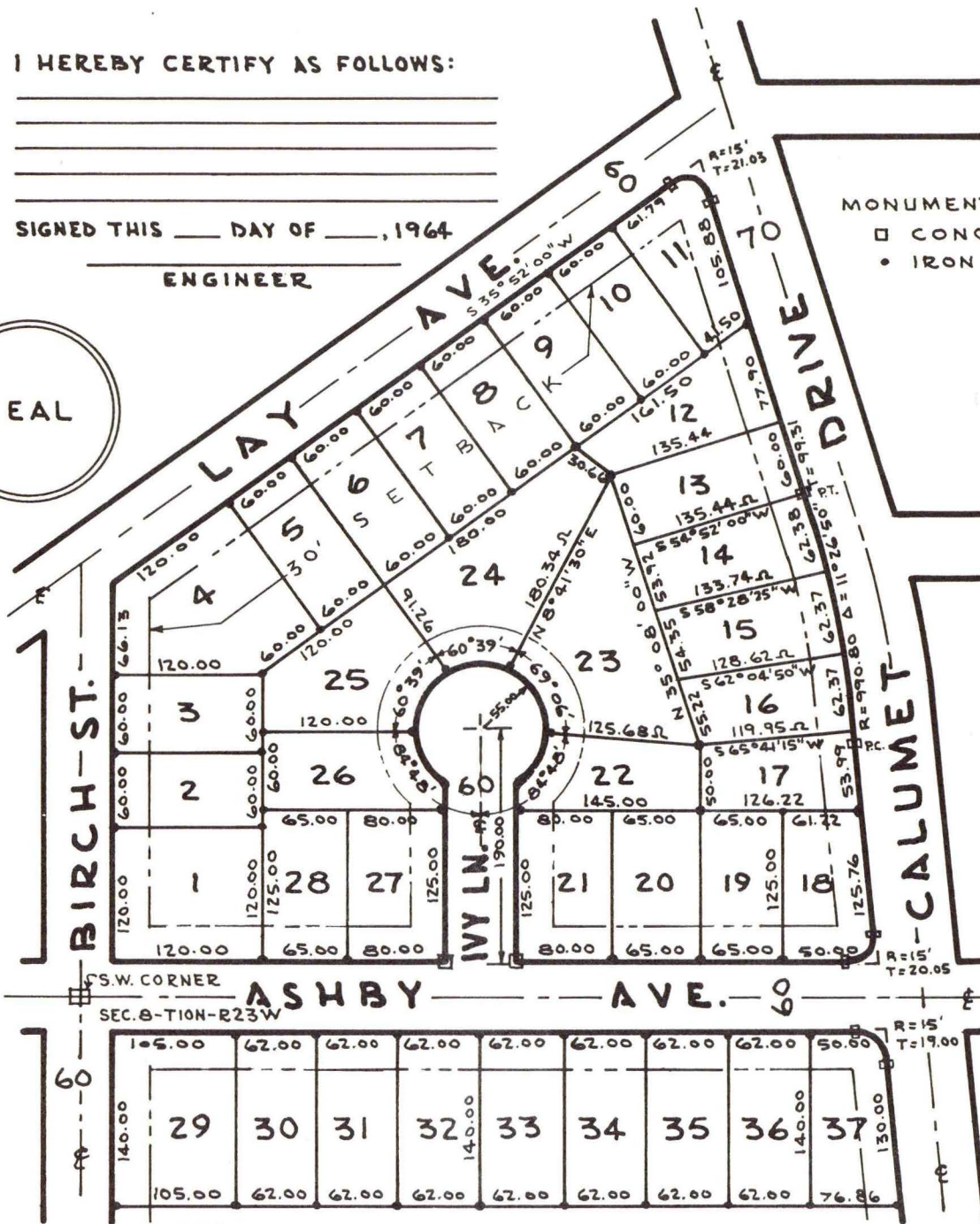
I HEREBY CERTIFY AS FOLLOWS:

SIGNED THIS _____ DAY OF _____, 1964

ENGINEER



MONUMENTS:
 □ CONCRETE
 • IRON PIPE



NOTE:
 ENTIRE SUBDIVISION IS ZONED R-2

DESCRIPTION:
 LEGALLY DESCRIBED AS "PARK VIEW PLAZA" LOCATED IN THE S.W. 1/4 SEC. 8-TION-R23W OF THE 5TH P.M., POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS ETC. ETC. ETC.....

JUNE 5, 1964



- 9.2 Cross Section and Profile of streets approved by the City Engineer. The profiles shall be drawn to City standard scales and elevations and shall be based on the datum plane approved by the City Engineer. The location, size, and grade of all conduits, sewers, pipelines, etc., to be placed under the streets and alleys shall be shown in the profile and cross-sections where they occur.
- 9.3 All Protective Covenants, affecting the subdivided land, in form for recording.
- 9.4 Such other certificates, affidavits, endorsements, or deductions as may be required by the Plan Commission in the enforcement of these regulations.

SECTION X. FEES

The subdivider or his agent shall deposit with the City of Ankeny a fee of \$1.00 for each lot in the subdivision, with a minimum fee of \$10.00 required, to be credited to the General Fund of the City.

SECTION XI. EXCEPTIONS

- 11.1 Whenever the tract to be subdivided is of such unusual topography, size, or shape that the strict application of the requirements contained in these regulations would result in substantial hardships, 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, provided, that such variance or modification will not have the effect of nullifying the intent and purpose of the Subdivision Ordinance for the City of Ankeny or of interfering with carrying out the Comprehensive Plan of the City of Ankeny. In no case shall any variation or modification be more than a minimum easing of the requirements, and in no instance shall it conflict with any zoning ordinance and map, or reduce the traffic capacity of any street below that shown on the Comprehensive Plan.

- 11.2 Such variances and waivers may be granted only by the affirmative vote of three-fourths (3/4) of the members of the Commission.
- 11.3 In granting variances and modifications, the Commission may require such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or modified.

SECTION XII. CHANGES AND AMENDMENTS

Any regulations or provisions hereof may be changed and amended from time to time by the City Council; provided, however, that such changes or amendments shall not become effective until after a public hearing has been held, public notice of which shall have been given in a newspaper of general circulation in the City of Ankeny at least fifteen (15) days prior to such hearing.

SECTION XIII. VALIDITY

If any section, subsection, sentence, clause, or phrase of this regulation is for any reason held to be unconstitutional or void, such decision shall not invalidate the remaining portions of this regulation.

SECTION XIV. PENALTIES

Whoever, being the owner or agent of the owner, of any land located within or adjacent to the City of Ankeny, knowingly or with intent to defraud, transfers or sells, by reference to or exhibition of, or by other use of a plat of subdivision of such land before such plat has been approved by the Commission, shall forfeit and pay the penalty of not more than One Hundred Dollars (\$100.00) for each lot so transferred or sold or agreed or negotiated to be sold, and a description by metes and bounds shall not exempt the transaction from such penalties.

SECTION XV. CONFLICTING ORDINANCES REPEALED

- 15.1 All regulations or parts of regulations in conflict herewith, are hereby repealed, except any regulation that imposes more restrictive regulations than are imposed herein. (Enacting clauses to be provided by the City Attorney).

STATE LIBRARY OF IOWA



3 1723 02075 7407