

DESIGN STANDARDS *FOR SUBDIVISIONS*

§ 152.140 GENERAL PROVISIONS.

(A) *Purpose.* The purpose of this portion of these regulations is to specify the basic and minimum requirements for lots, blocks, streets, and other physical elements in new **residential** subdivisions. It also provides a guide for the staff, the Planning Commission and the applicant in the review and preparation of subdivision plats.

(B) *Suitability of land.* Land subject to flooding or topographically unsuitable for residential occupancy and which the Planning Commission considers unsuitable for subdividing shall not be platted for any use that may increase the danger to health, life, property or aggravate erosion or flood hazard. When such land is in the proposed plat, this land shall be set aside for such land uses as will not be affected by periodic flooding or unsuitable topographic conditions unless adequate corrective measures are formulated by the developer and approved by the Planning Commission.

(C) *Provision of land for public purposes.* Where proposed community or public facilities are located in whole or in part in a proposed subdivision, the Planning Commission, City Council, or public board shall require that land for those public facilities be reserved as a condition of preliminary plat approval. Such reservations shall be referred to the appropriate public board, commission, or body having jurisdiction or financial responsibility to permit the opportunity to acquire said sites either through purchase, taking an option, or the filing of condemnation proceedings under the power of eminent domain. The contract to acquire the subject public site must be closed within 12 months following the date of approval of the preliminary plat by the Planning Commission or the subdivision process shall continue without regard for the proposed community or public facilities.

(D) *Access.* A publicly dedicated street shall serve every subdivision. Every lot or parcel within a subdivision shall have access to a publicly dedicated street, **a dedicated easement**, or in the case of a PUD or PRD, access to a public street by means of a private street. All lots shall front on public streets except for PUD or PRDs where the Planning Commission may approve the private streets.

(E) *Fitness for development.* Based on topographic maps, soil surveys prepared by the Department of Agriculture, drainage information from the General Plan and any special studies made by or for the city or information provided by the developer, the Planning Commission may require that steep grades, unstable soil and floodplains be set aside and not subdivided until corrections are made to protect life, health and property.

(Ord. 2013-04-417, passed 4-2-13; Am. Ord. 2013-09-440, § 152.1000.1, passed 9-3-13)