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LOLA A. SWAN  
RECORDER  
HENRY COUNTY, IOWA

**CERTIFICATION**

I, PAULA TURNER-COATES, hereby certify that I am the duly qualified and acting City Clerk for the City of New London, Henry County, Iowa, and that the official records of the City are in my possession, and that the City Council met in regular session on December 4, 1995 and approved the attached Amendment to Zoning Ordinance. Said motion appears in the official minutes of the City Council in the same form and which is duly recorded as part of official business of the City council on said date.

Dated this 20 day of February, 1996.



*Paula Turner-Coates*  
Paula Turner-Coates  
City Clerk

Subscribed and sworn to before me by Paula Turner-Coates on this 20th day of February, 1996.

*Paula Turner-Coates*  
Notary Public in and for Iowa

alphabetized with those definitions in the codification of Land Development Regulations.) - Certain technical terms may be used which are best defined in state laws and administrative regulations relating to plating, surveying and other areas, which state definitions shall apply in so far as applicable. (See Chapters 354 and 355, Code of Iowa, as examples)

- 2.01.01 - Alley or service drive - A passage or way affording generally a secondary means of vehicular access to abutting properties.
- 2.01.02 - Block - An area of land within a subdivision that is entirely bounded by streets or highways, or by the exterior boundaries of the subdivision.
- 2.01.03 - Building Inspector - The Building Inspector of the City of New London, Iowa, however titled or designated by the City Administrator.
- 2.01.04 - City Administrator - The city administrator of the city, or his designee.
- 2.01.05 - City Attorney - The legal counsel of the city.
- 2.01.06 - City Clerk - The city clerk of the city.
- 2.01.07 - City Council - The governing body of the city, provided that the City Administrator is charged with administration and enforcement of this ordinance.
- 2.01.08 - City Engineer - The engineer for the city, however titled or designated by the City Administrator.
- 2.01.09 - Collector Street - A street serving as a connection between a thoroughfare and minor or local street. As designated in the Iowa Department of Transportation Functional Classification this includes the Municipal Arterial category, specifically, Cleveland; Burlington; and West Madison from Division to the west city limits.
- 2.01.10 - Commission - The Planning and Zoning Commission of the City.
- 2.01.11 - Cul-de-sac - A minor residential street with a turn-around.
- 2.01.12 - Highway - a State or U.S. road, so designated by the State of Iowa.
- 2.01.13 - Local Street - A street intended to serve and to provide access to neighborhoods. As designated in the Iowa Department of Transportation Functional

- SECTION 3 - AMENDMENT AND CONSOLIDATION OF CHAPTER 16, NEW LONDON MUNICIPAL CODE, THE CITY OF NEW LONDON, IOWA, SUBDIVISION CONTROL ORDINANCE, AND THE SUBDIVISION REGULATIONS OF THE CITY OF NEW LONDON, IOWA, ZONING ORDINANCE, ORDINANCE CH. 17 SEC.
- 3.01 - Jurisdiction. The rules and standards governing plats and subdivisions of land contained in this report shall apply to the City of New London and to land located within two (2) miles of its limits which is not within another municipality or county exercising platting and subdivision control. In the event of overlapping jurisdiction within such two (2) miles, the extent of jurisdiction hereunder shall be as determined and agreed upon between New London and the other municipality or municipalities or county concerned.
- 3.02 - Purpose. This ordinance is to establish minimum standards for the design, development and improvement of all new subdivisions and plats as well as re-subdivisions or re-plats, in order to provide for adequate public services and to promote the health, safety and welfare in the city and surrounding area.
- 3.03 - Definitions. For the purpose of this ordinance, definitions of the City of New London, Iowa, Zoning Ordinance, to be codified as part of the Land Development Regulations, shall apply, except as provided herein. Certain technical terms may be used which are best defined in state laws and administrative regulations relating to plating, surveying and other areas, which state definitions shall apply in so far as applicable.
- 3.03.01 - Lot - In addition to the definition in the Zoning Ordinance, a lot shall be a parcel of land intended for transfer of ownership or building development, whether immediate or future, which shall have frontage on a public street.
- 3.03.02 - Maintenance bond - Bonds issued by a licensed surety to insure satisfactory performance of improvements installed by a subdivider. Such bonds shall run for four (4) years on street paving and two (2) years on utility improvements. The principle amount of the bond shall run to the City.
- 3.03.03 - Performance bond - Bonds issued by a licensed surety to insure satisfactory installation of improvements installed by a subdivider. The principle amount of the bond shall run to the City.
- 3.03.04 - Subdivider - a person undertaking the subdivision or resubdivision of a tract or parcel of land.

if wholly inside the city limits or five (5) prints if the subdivision lies wholly or partially outside the city limits but within the area of jurisdiction. Such application shall be submitted at least one (1) week prior to a meeting of the Planning and Zoning Commission.

- 3.05.03 - Consideration of Preliminary Plat.
- A. City staff and consultants, as directed by the City Administrator, will check the construction plans of proposed improvements and report to the Planning and Zoning Commission.
  - B. The Planning and Zoning Commission will review the preliminary plat as to its conformity with the adopted City Plan and ordinances of the city, and principles, standards and requirements set forth in this ordinance and report to the developer and City Council within thirty (30) days.
  - C. The subdivider may withdraw the plat, or request additional time to make revisions to comply with objections or recommendations raised by staff or the Commission at any time prior to its submission to City Council.
  - D. Once submitted to the City Council, the Council may approve, approve with modifications, or disapprove the preliminary plat within thirty (30) days of receipt of the plat.
  - E. Within ten (10) days of approval of the preliminary plat, one (1) copy of the approved or conditionally approved plat shall be returned to the subdivider, and one (1) copy each shall be transmitted to the Superintendent of the New London Community School District, the City Engineer, and the City Clerk. Where the subdivision lies partially or wholly outside the city limits but within the jurisdiction, one (1) copy of the plat will be transmitted to the County Board of Supervisors.
- 3.05.04 - Improvements. The subdivider, after approval of the preliminary plat, may:
- A. secure from the Building Inspector the necessary permits to proceed with the street and utility improvements after approval of final construction drawings, or
  - B. insure the satisfactory and timely installation of said improvements in accordance with these regulations by posting with the City Clerk a performance bond in form prescribed by the City Attorney and in amount sufficient to cover the full costs of said improvements based upon estimates approved by and subject to approval of the City Council.
- 3.05.05 - Final Plat.
- A. The subdivider, upon completion of all improvements required by this ordinance including, as appropriate,

- 3.07 - Preliminary plat requirements. The preliminary plat of the proposed subdivision shall be prepared by a registered Iowa engineer or land surveyor, and shall be accompanied by an application in writing for preliminary consideration and approval in order that permits may be secured for the installation of improvements and processing for final approval of the plat. This shall include but is not limited to:
- A. A vicinity sketch at a scale of four hundred (400) feet or less to the inch, showing all adjacent existing subdivisions and their names, the tract lines of acreage parcels of land together with the names of record owners of such parcels, and a key sketch to locate the area to be subdivided;
  - B. The horizontal scale of the preliminary plat shall be one hundred (100) feet or less to the inch;
  - C. The preliminary plat shall clearly show and include the following features and information:
    - 1. the proposed name of the subdivision, which shall not duplicate or closely approximate the name of any subdivision in the City of New London;
    - 2. an accurate description of the property involved according to the real estate records of the county;
    - 3. the names and addresses of the owners of record, the subdivider, and the registered engineer or surveyor who prepared the plat;
    - 4. the names of adjoining subdivisions and the names of record owners of adjoining parcels of unplatted land;
    - 5. the boundary lines, accurate in scale, of the tract to be subdivided;
    - 6. the location, widths, and names of all existing or platted streets or other public ways and easements within or immediately adjacent to the tract, corporation lines, section and quarter-section lines, and other important features such as existing permanent buildings, water courses, railroad lines, etc.
    - 7. existing sewers, water mains, culverts and other underground structures within the tract and immediately adjacent thereto, with pipe sizes and grades indicated;
    - 8. contours with intervals of two (2) feet referenced to United States Geological North American Datum-mean Sea Level Elevation Datum;
    - 9. the layout, proposed names and widths of proposed streets, alleys and easements; the location and approximate sizes of proposed catch basins, culverts and other drainage structures; the layout, numbers and approximate dimensions of proposed lots;
    - 10. proposed front-yard set-back or other set-back lines;
    - 11. the width and approximate dimensions of all parcels of land intended to be dedicated or reserved for public use, or to be reserved in the deeds for the common use of property owners in the subdivision, with the purpose, conditions or limitations of such

numbered in numerical order;

H. the accurate outline of all property which is offered for dedication for public use, and of all property that may be reserved by covenant in the deeds for the common use of the property owners in the subdivision, with the purpose indicated thereon;

I. front yard set-back lines as established by the Zoning ordinance need not be shown. Lines of future streets or roads as shown on the adopted Transportation Plan and those set-back lines stipulated in deed restrictions shall be shown;

J. private restrictions, if any, including (1) boundaries of each type of use restriction and (2) other private restrictions for each restricted section of the subdivision;

K. name of the subdivision and name and number of the largest subdivision or tract of which the tract being subdivided forms a part;

L. Names and locations of adjoining subdivisions;

M. Names and addresses of the owner or owners of record, the subdivider, and of the registered Iowa engineer or land surveyor who prepared the plat;

N. north-point, scale and date;

O. Certification by the registered Iowa engineer or land surveyor who prepared the plat to the effect that the plat represents a survey made by him, that all monuments indicated thereon actually exist and that their location, size and material are correctly shown;

P. Other certificates required by law or this ordinance including but not limited to certificate of title showing ownership of the tract of land included in the subdivision and a certificate from the County Auditor showing that all taxes have been paid.

3.10 - Modifications and Exceptions.

3.10.01 - The general principles of design and minimum requirements for the laying out of subdivisions set forth in Section 3.11 may be varied by the Planning and Zoning Commission in the case of a subdivision large enough to constitute a more or less self-contained neighborhood which is to be developed in accordance with a comprehensive plan safeguarded by appropriate restrictions, and which, in the judgement of the Commission, makes adequate provision for all essential community requirements, provided, however, that no modification shall be granted which would conflict with the proposals of the adopted City plan including but not limited to the transportation and community facilities portions, or with the intent and purposes of this or other ordinances or laws.

3.10.02 - In a case where the subdivider can show that, by reason of exceptional topographic or other physical conditions, strict compliance with any requirements of this ordinance would cause practical difficulty or

areas.

- A. Where appropriate to the design, proposed streets shall be continuous and in alignment with existing, planned or platted streets with which they are to connect.
- B. Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless, in the opinion of the Planning and Zoning Commission such extension is not necessary or desirable for the coordination of the layout of the subdivision with existing layouts or the most advantageous future development of adjacent tracts. Cul-de-sacs of reasonable length may be approved where topography necessitates or where they are appropriate for the type of development contemplated.
- C. Proposed streets shall intersect one another, and existing streets, to create an integrated network.
- D. Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depth, at least one hundred (100) feet, unless, in the opinion of the Planning and Zoning Commission this is prevented by exceptional topography or other physical conditions.
- E. The lengths of blocks shall be such as are appropriate for the locality and type of development contemplated, but shall not exceed twelve hundred (1200) feet.
- F. In any block over seven hundred (700) feet in length, the Planning and Zoning Commission may require that a crosswalk or pedestrian way, not less than ten (10) feet wide, be provided near the center and entirely across such block.
- G. Cul-de-sacs shall not exceed five hundred (500) feet in length measured along the centerline from the intersection at origin through the end of the circle at the end of the right-of-way.
- H. Half-width streets are prohibited.

3.11.03 - Minimum Right-of-Way Widths of Streets, Alleys and Easements for Utilities. All widths are to be provided by the developer and shall sufficient to accommodate required streets, utilities and other amenities not withstanding the minimums set out below. Rights-of-way along the boundary of a property to be subdivided may not provide half-width unless the other half is being provided at the same time from the adjacent property and improvements will be installed concurrently.

- A. Highways and Primary Thoroughfares: as designated on the Transportation Plan but not less than eight-two and one half (82.5) feet wide in any case;
- B. Secondary thoroughfares: as designated on the Transportation Plan but not less than sixty-six (66) feet wide in any case;
- C. Collector or local streets: not less than sixty-six (66) feet wide;
- D. Minor streets: not less than sixty-six (66) feet wide;

3.11.06 - Intersections.

- A. Curb returns at street intersections shall be rounded by radii of at least twenty-five (25) feet.
- B. Streets shall intersect as close to a ninety (90) degree angle as possible. The above minimum radii shall be increased where the angle of intersections will be less than ninety (90) degrees.
- C. The design of the intersection shall be such that a clear sight distance will be maintained for seventy-five (75) feet at the roadway centerline with no construction to bar sight within a triangle formed by three points, being first the intersection of the two centerline and second and third being said distance on the respective centerline.

3.11.07 - Lots

- A. The size, shape and orientation of lots shall be appropriate of the location of the proposed subdivision and for the type of development contemplated.
- B. Excessive depth in relation to width ordinarily shall be avoided.
- C. Every lot shall abut on a public right-of-way dedicated for street purposes.
- D. Lot sizes shall comply with the requirements of the Zoning Ordinance and be adequate for a building of practicable width. Lots larger than the minimum called for by the Zoning Ordinance may be required where topographic or other considerations may limit the buildable or usable portion of such lots.
- E. Corner lots for residential use ordinarily should be platted wider than interior lots in order to permit conformance with the set-back required by the Zoning Ordinance on the side street.
- F. Residential lots fronting on highways, thoroughfares and parkways should have extra depth to permit additional set-backs.
- G. Double-frontage lots and reversed-frontage lots should be avoided.
- H. Side lot lines shall be approximately at right angles to the right-of-way line of the street on which the lot fronts.
- I. Side lot lines on curved streets shall be radial to the right-of-way line of the street on which the lot fronts.
- J. Lots for residence purposes shall be at least thirty-seven and five-tenths (37.5) feet wide at the front lot line.

3.11.08 - Participatory Excess Capacity. In unusual cases, the City may require a developer oversize certain improvements including but not limited to rights-of-way, streets, and utilities, in order to adequately serve anticipated needs outside the subdivision limits. The developer may request, and the City may, subject to available, budgeted funds, agree to reimburse the cost of this excess capacity. At the same time, if the developer is the beneficiary of such participation in another subdivision, the developer of such a benefitted subdivision may be required to



B. Streets shall be graded to full right-of-way width. the surfacing shall be minimum of six (6) inch rolled stone base and two (2) inches of asphalt concrete, not less than thirty-one (31) feet wide with Portland cement concrete curb and gutter.

C. Sidewalks shall be constructed of Portland cement concrete four (4) inches in thickness, and not less than fourth-two inches (42") wide, on both sides of every street.

D. Alleys and service drives shall be graded to the full width of the right-of-way and shall be provided with an all-weather surface satisfactory to the City. Such surface shall be not less than four (4) feet less than the dedicated right-of-way.

3.12.03 - Utilities and Monuments.

A. Every subdivision shall be provided with a complete public water distribution system adequate to serve the area being platted, including service connections within one (1) foot of a lot line of each lot, and appropriately sized fire hydrants designed to meet the approval of City staff and the Iowa Department of Health.

B. Every subdivision shall provide for the satisfactory disposal of sanitary sewage:

1. Where a public sanitary sewer main is within five hundred (500) feet of the subdivision or such greater distance as, in the opinion of the Commission, proper provisions shall be made for the construction of a collection and transmission system of mains, service connections to within one (1) foot of a lot line for each lot and, as needed, lift stations to be dedicated to the City, all approved by City staff and the Iowa Department of Health.

2. Where a public sanitary sewer is not reasonably accessible as outlined above, proper provisions shall be made for the disposal of sanitary wastes subject to approval of City staff and the Health Department. If individual disposal systems are provided, they shall be located on each lot. The absorption of the soil, surface drainage and topography shall be the criteria for determining whether or not the installation of individual septic tank disposal systems are feasible. Feasibility shall be ascertained by the subdivider whenever individual systems are proposed. At least two (2) percolation tests shall be made on each lot at the approximate location of the septic system absorption field. Such tests shall be performed in accord with the requirements of the Commission, City Staff, and the Health Department. The results of such tests shall be certified by a registered Iowa professional engineer and made know to the City staff.

C. Minimums:

1. water main size shall be eight (8) inches;
2. sanitary sewer main size shall be eight (8) inches;
3. fire hydrant: two (2) two and one-half (2 1/2)

C. A. Williams Jr.  
Mayor

ATTEST:

Paul J. Lorus-Coates  
City Clerk

Approved as to form and correctness:

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City Attorney