

KODI BROTHERS, DES MOINES 20354

City Council of City of  
Glenwood  
to  
The Public

## ORDINANCE NO. 344

An ordinance to establish subdivision regulations for the City of Glenwood, Iowa, including the planning, platting, and filing of plats of such subdivisions, and providing for the approval thereof and providing penalties for violation.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLENWOOD, IOWA:

Section 1. General.  
All property not subdivided into lots, blocks, and streets within the Corporate limits of one mile thereof, shall hereafter be laid out under the subject approval of the City Planning Commission, and no other subdivision will be recognized by the City.

It shall be unlawful for any owner, or agent of any owner, to lay out, subdivide, or plat any land into lots, blocks, and streets within the City, or to sell property within said land therein, which has not been laid off, subdivided, and platted according to these regulations and the rules of the City Planning Commission.

No officer or employee of the City shall perform or cause to perform any work upon any street or in any addition or subdivision of the City, unless all requirements of these regulations have been complied with by the owner of said addition or subdivision.

The City hereby defines its policy to be that the City will withhold improvements of any nature whatsoever, including the maintenance of streets and furnishing of sewage facilities and water service from all additions, until the subdivision plat has been approved by the City Planning Commission. No improvements should be initiated nor any contracts executed until this approval has been given.

Section 2. Definitions.  
Alley: This is a minor way used primarily for vehicular service to the rear or side of properties otherwise abutting on a street.

Street: The term street means a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, lane, place or otherwise designated.

1. Arterial streets and highways are those which are primarily used for fast or heavy traffic.  
2. Collector streets are those which carry traffic from minor streets to the arterial streets and highways.  
3. Minor streets are used primarily for access to the abutting properties.

Subdivision: The term subdivision shall mean the division of land, for the purpose, whether immediate or future, of transfer of ownership, building development, expressly excluding development for agriculture purposes, and shall include re-subdivision.

Re-Subdivision: This shall mean the division of an existing subdivision, together with the change of lot size therein, or with the relocation of any street lines.

Procedure.  
A. Pre-Application Procedure. Prior to the filing of a preliminary plat, the subdivider shall consult with interested parties representing the City concerning the ultimate land use of the proposed development, the suitability of the location of the proposed subdivision, the most advantageous subdivision plan, the arrangement of streets, alleys and public utilities, and the layout of utility lines and availability of service from trunk mains. Considerable approval to the general land use of the proposed subdivision must be obtained from the City Planning Commission prior to preparation of the preliminary plat.

B. Preliminary Plat. An application, in writing, for the tentative approval of the Preliminary Plat, together with six (6) prints, shall be filed with the City Planning Commission at least two (2) weeks before the meeting of the Commission if the plat is to be acted upon at such meeting.

The plat shall be drawn to a scale of one hundred (100) feet to the inch, and shall show:

1. The proposed name of the subdivision.
2. The lot, point, scale, and date.
3. The names and addresses of the subdividers and of the engineer or surveyor.
4. The tract designation and other description according to the real estate records of the City or County Auditor and Recorder, also, designation of the proposed uses of land within the subdivision.
5. The boundary lines (accurate in scale) of the tract to be subdivided.
6. Contours with intervals of five (5) feet or less, referred to sea-level datum.
7. The names of adjacent subdivisions or the names of record owners of adjoining parcels of unsubdivided land.
8. The location, widths, and names of existing streets, alleys, or other public ways within or adjacent to the tract, existing permanent buildings, and other important features, such as section lines, political subdivision or corporation lines, and school district boundaries.
9. Existing sewers, water mains, culverts, or other underground structures within the tract and immediately adjacent thereto with pipe sizes, grades, and locations indicated.
10. All parcels of land intended to be dedicated to public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purpose of conditions or limitations of such reservation, if any.

11. The layout, names, and widths of proposed streets, alleys, and easements.
12. A plan of proposed water distribution system, sanitary sewers and storm sewers showing pipe sizes and the location of valves, fire hydrants, and fittings.
13. The layouts, numbers, and approximate dimensions of proposed lots.

C. Final Plat. Six (6) copies, one on transparent reproducible linen, of the final plat of all or a portion of the approved preliminary plat shall be filed with the City Planning Commission at least two (2) weeks prior to the meeting at which approval is requested. All final plats must be approved by the City Council, and their action final, regardless of the action taken by the City Planning Commission. The final plat shall be drawn to a scale of one hundred (100) feet to the inch or larger, and shall show or be accompanied by the following:

1. The boundary lines with accurate distances and bearings, the exact location and width of all existing or proposed streets intersecting the boundary of the tract.
2. True bearings and distances to the nearest established street lines or official monuments, which shall be accurately described on the plat, municipal, township, county, or section lines accurately tied to the lines of the subdivision by distances and bearings.
3. An accurate location of the subdivision in reference to the real estate records of Mills County.
4. The exact layout including:
  - a. Street and alley names.
  - b. The length of all arcs, radii, internal angles, points of curvature, length and bearing of the tangents.
  - c. All easements for right-of-way provided for public services or utilities and any limitations of the easements.
  - d. All lot numbers and lines with accurate dimensions in feet and hundredths, and with bearings and angles to street and alley lines.
5. The accurate location, material, and approximate size of all monuments.
6. The accurate outline description of all property which is offered for dedication for public use with the purpose indicated thereon, and of all property that may be reserved by deed covenant for the common use of the property owners in the subdivision.
7. Set-back building lines.
8. Private restrictions.
9. Proposed name of the subdivision.
10. Name and address of the subdivider.
11. North point, scale, and date.
12. A plan and profile of each street with top of curb grades shown. Scales shall be 1 inch equal 40 feet horizontally and 1 inch equal 4 feet or 6 feet vertically.
13. The cross-section of proposed streets showing the width of roadways, and location and width of sidewalks.
14. A plan and profile of proposed sanitary and storm sewer, with grades and pipe sizes indicated, and a plan of the proposed water distribution system showing pipe sizes and location of valves, fire hydrants, and fittings.
15. A certificate of approval to be signed by the City Engineers on plans and specifications for sewer, paving, and drainage.
16. Certification by a registered professional civil engineer or surveyor to the effect that the plan represents a survey made by him and that all the monuments shown thereon actually exist, and that their location, size and material are correctly shown.
17. A certificate of ownership and dedication of all streets, alleys, parks and playgrounds to public use forever, signed and acknowledged before a Notary Public by the owner and landholder of the land and a complete and accurate description of the land subdivided and the streets dedicated.

Certificates of approval must be signed by the City Planning Commission. Three (3) sets of plans and specifications for water, sewer, paving and drainage, prepared by a registered civil engineer, shall be approved and retained by the City Council prior to any construction in the subdivision.

D. When final plats of a proposed subdivision are approved by the City Planning Commission and are submitted to the City Council for approval, said City Council shall take such action as it deems advisable thereon. No final plat of a subdivision or portion of a subdivision shall be finally approved and no subdivision or portion of a subdivision be finally accepted by the City until all water, sewer, storm sewer and utility lines are in place and in a condition satisfactory to the City. The City Council shall have the power, however, when requested by the subdivider to give tentative approval to final plat and to permit the subdivider to construct the paving, sewer and storm sewer and utilities in portions or segments as determined by the City Council. In such event, such portion shall be separately considered by the City Council and final approval and acceptance by the City Council must be secured for each

portion of such subdivision as it is completed. Each such approval and acceptance shall be in writing and shall be recorded with the final plat of such subdivision. Nothing herein contained shall be construed to waive the requirements of Chapter 409 of the Code of Iowa relative to the recording of plats of subdivisions.

## Section 4. Design Standards

A. Adequate off-street parking must be provided for lots set aside or planned for residential, commercial or industrial use.

## B. Streets.

1. The arrangement, character, extent, width, grade, and location of all proposed streets shall conform to the general plan of the community and their relationship shall be considered to that of the existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed use of the land to be served by such streets.

2. Where such is not shown in the general plan for the community, the arrangement of streets in a subdivision shall either:

- a. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or
- b. Conform to a plan for the neighborhood approved or adopted by the City Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing street impracticable.

3. Minor streets shall be so laid out that their use by through traffic shall be discouraged.

4. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the City Planning Commission may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts, or for commercial or industrial purposes in appropriate districts.

5. Street lots with centerline offsets of less than one hundred and fifty (150) feet shall be avoided.

6. Streets shall be laid out so that they shall intersect at right angles where practicable.

7. Street right-of-way widths shall be as shown in the Major Thoroughfare Plan for the Community and where not shown therein shall be not less than as follows:

Street Type	Rt.-of-Way	Pav. Width	Back to Back
Arterial Street	60'	35'	35'
Class I Collector Street	60'	35'	35'
Class II Collector Street	60'	35'	35'
Minor Streets (Residential)	60'	26'	26'

8. Half streets shall be prohibited, except where necessary to the reasonable development of a subdivision, and where the City Planning Commission finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Whenever a half street has already been provided adjacent to an area to be subdivided, the other remaining half of the street shall be platted within such subdivision.

9. Dead-end streets, designed to be permanent, shall not be longer than five hundred (500) feet and there shall be provided at the closed end a turn-around having an outside roadway diameter of at least eighty (80) feet, and a street property line commensurate of at least one hundred (100) feet.

10. Street grades shall be established by topography, proposed land use, and the existing Community Drainage Plan and facilities in the area surrounding the street to be subdivided, provided that the minimum street grade shall be five-tenths of one percent (0.5%).

## C. Alleys.

1. Alleys shall be provided in commercial and industrial districts, except that the City Planning Commission may waive this requirement where other definite and assured provision is made for service areas, such as off-street loading, unloading, and parking consistent with and adequate for the use proposed.

2. The minimum width of an alley shall be twenty (20) feet in industrial and commercial areas and fifteen (15) feet in residential areas.

3. Alley intersections and sudden changes in alignment shall be avoided, but where necessary, corners shall be cut off sufficiently to permit safe vehicular movement.

4. Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn-around facilities, as determined by the City Planning Commission.

## D. Easements.

1. Easements across lots or centered on street or side lines shall be provided for utility when necessary and shall be at least ten (10) feet wide, five (5) feet on each side of the respective lot lines.

2. Where a subdivision is bounded by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the line of such water course, and such further width or construction, or both, as will be adequate for the purpose.

## E. Blocks.

1. The lengths, widths and shapes of blocks shall be determined regarding:

- a. Provision of adequate building sites suitable to the special needs of the type of use proposed.
  - b. Zoning requirements as to lot sizes and dimensions.
  - c. Needs for convenient access, circulation, control and safety of traffic.
  - d. Limitations of topography.
2. The length of blocks shall not exceed fifteen hundred (1500) feet.
- F. Lots.
1. The lot size, width, depth, shape, and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use proposed.
  2. Lot dimensions shall be as follows:

- a. Residential lots shall be not less than sixty (60) feet wide at the building line with a minimum lot depth of one hundred (100) feet nor have less than six thousand (6000) square feet of area, or in accordance with established zoning.
- b. Depth and width of properties reserved or laid out for church, club or other semi-public use or for business or industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development proposed.

Section 5. Improvements.  
(This section is not applicable to plats outside of corporate limits.)

## A. Roadway Pavement.

1. All roadways shall be paved. Pavement shall be of a minimum of twenty-six (26) feet or of suitable width for the traffic on the street.
2. The right-of-way shall be graded for full width to provide suitable finish grades for pavements, sidewalks, and planting strips with adequate surface drainage and convenient access to the lots.
3. Minimum acceptable pavement shall be:

- a. Five (5) inch reinforced concrete pavement (3000 P.S.I.) or six (6) inch nonreinforced concrete.
- b. Seven (7) inch asphaltic concrete pavement five (5) inches of coarse graded binder course and two (2) inches of fine graded surface course with six (6) inch concrete curb and twenty-four (24) inch gutter overall.

4. Sidewalk Concrete sidewalks having a width of not less than four (4) feet and thickness of not less than four (4) inches shall be constructed on both sides of the street within the subdivision. Said sidewalks shall be within one (1) foot of the property line within the street right-of-way when practicable and feasible. Where it is impractical to provide such sidewalks on the side lot lines abutting major thoroughfares or drainage ditches within those circumstances sidewalks shall not be required.

## B. Monuments and Markers.

1. Permanent Survey Reference Monuments. Concrete monuments, six (6) inches in diameter and twenty-four (24) inches in height, shall be placed on all boundary corners, block corners, major curve points, and major angle points of a subdivision. A copper pin one-fourth (1/4) inch in diameter embedded at least three (3) inches in the monument shall be placed at the exact intersection point on the monument. The monuments shall be set at such an elevation that they will not be disturbed during construction and the top of the monument shall be not less than twelve (12) inches below the natural ground.

2. Lot Markers. Lot markers shall be one-half (1/2) inch reinforcing bar, sixteen (16) inches long or approved equal, and shall be placed at all lot corners flush with the ground, or constructed if necessary, in order to avoid being disturbed.

D. Storm Sewers. A adequate storm sewer system consisting of pipes, pipes and other underground drainage structures with approved material shall be constructed where the runoff of storm water and the prevention of erosion cannot be accomplished satisfactorily by surface drainage facilities.

E. Sanitary Sewers. Sanitary sewer facilities shall be provided to adequately service the subdivision and conform with the City of Glenwood Sewer Plan.

1. All sewer pipes shall be vitrified clay sewer pipe.
2. A minimum of eight (8) inch storm pipe shall be specified, except that six (6) inch lines will be acceptable only in locations shown on the plat by the City Planning Commission or the City's engineers.
3. All joints shall be sealed with a poured bituminous compound, or equivalent.
4. Wherever possible, sewers shall be located in the alleys or easements and shall be five (5) feet to six (6) feet (6'-6") deep.
5. All Sanitary Sewer sub-stations

#3930. Ordinance #344.

Filed for record 18 November, 1965 at 2:24 P.M.  
s/ Kenneth Asmussen

KENNETH ASMUSSEN

Fee: \$3.50

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shall be carried to a point 2.5 feet outside of the curb line and there shall be one (1) stub-out for each lot.

**F. Water Lines.** Water systems shall have a sufficient number of outlets and shall be of sufficient size to furnish adequate domestic water supply, to furnish fire protection to all lots and to conform with the City of Glenwood's Water Plan.

1. Where possible, water mains shall be located in the streets right-of-way a minimum distance of two (2) feet behind the existing or proposed curb line or as approved by the City Planning Commission or the City's engineers.

2. All water mains shall be cast iron pipe and shall have a minimum cover of forty-two (42) inches.

3. In general, fire hydrants shall be placed on block corners or near the center of the block in such a manner as to put all of every lot within a radius of 500 feet (preferably 400 feet) of a fire hydrant.

4. All fire hydrants shall have a valve opening of not less than five (5) inches and shall be placed on mains of not less than six (6) inches in diameter. Six (6) inch valves shall be placed on all fire hydrant loads.

**G. Utility Services.** All services for utilities shall be made available for each lot in such a manner as will obviate the necessity for disturbing the street pavement, curb, gutter, and drainage structures when connections are made.

**H. Final Plans.** Upon completion of construction of any such utilities or improvements, the set of reproducible tracings of complete final plans, dated, signed and certified by the engineer in charge shall be filed with the City Clerk of the City of Glenwood, showing all features as actually installed, including materials, size, location, depth or elevation, numbers, ends of lines, connections, wyess, valves, storm sewer drains, inlets and all other pertinent information. There shall be no connections made to such utilities serving the subdivision until the foregoing has been complied with.

#### Section 6. Fees and Charges

The following schedule of fees and charges shall be paid to the City of Glenwood when any plat is tendered to the City Planning Commission or any other board or agency, and each of the fees and charges provided herein shall be paid in advance, and no action of the City Planning Commission or any other board or agency shall be valid until the fees shall have been paid to the officer designated therein.

The City Clerk, his deputies or assistants, shall calculate the fees and charges in accordance with the following schedule:

1. Preliminary Plats, \$15 per plat.
2. Request for Rezoning, \$25.
3. For approval of multiple dwelling areas, business or industrial areas, not subdivided into lots, preliminary plats shall carry a fee of \$15.

4. These fees shall be charged on all plats, regardless of the action taken by the City Planning Commission whether the plat is approved or denied.

#### Section 7. Variances

**A. Hardship.** Where the Planning Commission finds there are extraordinary hardships resulting from strict compliance with these regulations, it may alter the regulations so that substantial justice may be done and the public interest secured; provided that such alteration will not have the effect of nullifying the intent and purpose of the general plan of the Community or these regulations. Such variances and modifications as may be granted under this section shall be by at least a three-fourths (¾) majority of the City Planning Commission present.

**B. Conditions.** In granting variances and modifications, the City Planning Commission may require such conditions as it may, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

#### Section 8. Penalties

Violation of any provision or provisions of this Subdivision Ordinance by any subdivider shall constitute a misdemeanor and upon conviction of such violation there shall be imposed a fine not exceeding One Hundred dollars (\$100.00), and each day that such violation continues shall be a separate offense. In case a corporation is the violator of any provision of this ordinance, each officer, agent and/or employee in any way responsible for such violation thereof shall be individually and severally liable for the penalties herein prescribed.

**Section 9. Validity**  
If for any reason any section, paragraph, subdivision, clause, phrase, or provision of this Ordinance shall be held invalid, it shall not effect the remaining provisions of this or any other ordinance of the City of Glenwood, Iowa, to which these rules and regulations relate.

#### Section 10. Optional Short Form Subdivision

**1010. General Applicability of Area Affected:** This section applies to all cases in which land within the corporate limits of the City of Glenwood or within one mile thereof may be divided into two or more parts for the purpose of creating building sites or creating subdivision or an addition to the City or where a dedication is made for public use.

**1020. Short Form Subdivision Defined:** Any subdivision or replat thereof which may be determined to fall within the following criteria may be termed a "Short Form Subdivision" and may be approved following abbreviated procedures set forth herein. Criteria for a Short Form Subdivision are:

The land in question must be bounded by legally dedicated streets and alleys or by legally subdivided land, but in no event shall exceed an area of 4 acres, nor contain more than five lots.

The subdivision or use of the land subdivided will not result in or necessitate any appreciable alteration of utility installations, streets, alleys, or building setback lines.

The lots so subdivided shall conform in size, to the size of the lots in the general area of the land in question.

**1030. Preliminary Conference:** Any subdivider wishing to avail himself of the Short Form Subdivision procedure shall confer with the Planning and Zoning Commission bringing with him a reasonably accurate plat of the land to be subdivided upon which has been sketched the proposed layout of lots.

**1040. Preliminary Authorization:** The Planning and Zoning Commission shall determine whether the

proposed subdivision meets the criteria of a Short Form Subdivision. If the Commission finds that the subdivision does meet the aforementioned criteria, it shall provide the subdivider with a letter which shall constitute an authorization to proceed in preparation of the final plat.

**1050. Follow Regular Subdivision Form:** All applicable design, engineering and drawing information standards if requested by the Planning and Zoning Commission shall be followed as provided in these regulations for the regular subdivision.

**1060. Final Plat Fees:** The final plat shall be filed with the City Clerk accompanied by a fee of \$15.00

per plat. In addition thereto, the subdivider shall pay all fees charged for the recording of the final plat.

**1070. Final Authorization:** The Chairman of the Planning and Zoning Commission after finding that all of the provisions of these regulations have been complied with, shall have the authority to sign the plat in the name of the Planning and Zoning Commission.

**1080. Number of Prints:** The Planning and Zoning Commission may require the subdivider to provide prints or reproductions of the plat in

a reasonable, but sufficient quantity necessary for approval, and for a permanent public record other than that of the recording official.

**Section 11.**  
This ordinance shall take effect and be in force from and after its passage and publication as by statute provided. Passed and approved this 9th day of November, 1965.

s/DALE L. HARPER,  
Attest: Mayor.

s/LOIS B. WOLFE,  
City Clerk.

Nov. 18

I, Lois B. Wolfe, City Clerk of the City of Glenwood, Mills County, Iowa, hereby certify the above to be a true and correct copy of Ordinance No. 344 passed by the City Council of Glenwood, Iowa on the 9th day of November, A.D. 1965.

(SEAL)

s/ Lois B. Wolfe  
Lois B. Wolfe, City Clerk