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Ellettsville
**STANDARDS AND REGULATIONS
FOR THE SUBDIVISION OF LAND**

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STANDARDS AND REGULATIONS
FOR THE SUBDIVISION OF LAND,

ELLETTSVILLE, INDIANA. 1966.
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March, 1966

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ARTICLE I

GENERAL PROVISIONS

Section 1. PURPOSE

The subdivision of land is the first step in the process of urban development. The arrangement of land parcels in the community for residential, commercial, and industrial uses and for streets, alleys, schools, parks and other public purposes, will determine to a large degree, the conditions of health, safety, economy and amenity that prevail in the urban area. The quality of these conditions is of public interest. These regulations and standards for the subdivision and improvement of land for urban use are to make provision for adequate light, air, open spaces, drainage, transportation, public utilities and other needs, to insure the development and maintenance of a healthy, attractive and efficient community that provides for the conservation and protection of its human and natural resources.

These regulations are designed, intended and should be administered in a manner to:

- a. implement the General Plan,
- b. provide neighborhood conservation and prevent the development of slums and blight,
- c. harmoniously relate the development of the various tracts of land to the existing community and facilitate the future development of adjoining tracts,
- d. provide that the cost of improvements which primarily benefit the tract of land being developed be borne by the owners or developers of the tract, and that the cost of improvements which primarily benefit the whole community be borne by the whole community,
- e. provide the best possible design for the tract,
- f. reconcile any differences of interest,
- g. establish adequate and accurate records of land subdivision.

Section 2. AUTHORITY

These subdivision regulations and minimum standards for land development are adopted by ordinance passed by the City Council under the authority granted in Chapter 174, Acts of 1947, and all acts amendatory thereto, General Assembly of the State of Indiana.

Section 3. JURISDICTION

These regulations and development standards shall apply to the following forms of land subdivision within the territorial jurisdiction of the Plan Commission:

- a. The division of land into two or more tracts, lots, sites, or parcels, for purpose other than agricultural use; or
- b. The division of land, previously subdivided or platted, into tracts, lots, sites or parcels; or
- c. The dedication, vacation or reservation of any public or private easement through any tract of land, including those for use by public and private utility companies; or
- d. The dedication or vacation of any street or alley through any tract of land regardless of the area involved.

Section 4. DEFINITIONS

For the purpose of these regulations, certain terms used herein are defined as follows: Words used in the present tense include the future tense. The term "shall" is always mandatory.

- (1) ALLEY - A minor right-of-way, dedicated to public use, which gives a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.

(2) BLOCK - A parcel of land, intended to be used for urban purposes, which is entirely surrounded by public streets, highways, railroad rights-of-way, public walks, parks or greenstrips, rural land or drainage channels or a combination thereof.

(3) BUILDING LINE OR SETBACK LINE - A line or lines designating the area outside of which buildings may not be erected.

(4) CITY COUNCIL - Shall mean the legislative body adopting this ordinance.

(5) EASEMENT - A grant by the property owner to the public, a corporation, or persons, of the use of a strip of land for specific purposes.

(6) GENERAL PLAN - The comprehensive development plan for the City which has been officially adopted to provide long-range development policies for the area subject to urbanization in the foreseeable future and which includes, among other things, the plan for land use, land subdivision, circulation and community facilities.

(7) LOT - A subdivision of a block or other parcel intended as a unit for the transfer of ownership or for development.

(8) LOT, CORNER - A lot located at the intersection of and abutting on two or more streets.

(9) LOT, DOUBLE FRONTAGE - A lot which runs through a block from street to street and which abuts two or more streets.

(10) PLAT, PRELIMINARY - A map of a proposed land subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land.

(11) PLAT, FINAL - A map of a land subdivision prepared in a form suitable for filing of record with necessary affidavits, dedications and acceptances, and with complete bearings and dimensions of all lines defining lots and blocks, streets, alleys, public areas and other dimensions of land.

- (12) STREET - Any public or private right-of-way which affords the primary means of access to abutting property.
- (13) STREET, MAJOR - An arterial street which is designated on the Major Street Plan or Expressway Plan.
- (14) STREET, MINOR - Any street not classified as a major street on the Major Street Plan or Expressway Plan.
- (15) STREET, SERVICE - A minor street which provides direct access to abutting property and serves as the most direct route to collector streets. Through traffic not permitted.
- (16) STREET, COLLECTOR - A minor street which collects traffic from service streets and serves as the most direct route to a major street.
- (17) STREET, CUL-DE-SAC - A minor street having one end open to vehicular traffic and having one closed end terminated by a turnaround.
- (18) STREET, FRONTAGE - A minor street auxiliary to and located on the side of a major street for service to abutting properties and adjacent areas and for control of access.
- (19) SUBDIVIDER - Any person, firm, partnership, corporation or other entity, acting as a unit, subdividing or proposing to subdivide land as herein defined.
- (20) SUBDIVISION - The division or re-division of land into two or more lots, tracts, sites or parcels for the purpose of transfer of ownership or for development, or the dedication or vacation of a public or private right-of-way or easement.

Section 5. GENERAL PROCEDURE

A. PLAT APPROVAL

For all cases of subdividing within the scope of these Regulations, a plat of the land in question shall be drawn and submitted to the Plan Commission for their approval or disapproval, as provided below.

B. OFFICIAL RECORDING

No plat or other land subdivision instrument shall be filed in the office of the County Recorder until it shall have been approved by the Plan Commission as hereinafter set forth. All final plats shall be filed within two (2) years of date of approval by the Plan Commission, and no lots shall be sold from any plat until recorded. Failure to record the plat within two (2) years of the date of Plan Commission approval, shall void all approvals thereto. The filing and recording of a plat involving lands covered by this ordinance shall be without legal effect unless approved by the commission.

C. AGENDA

Each plat submitted for preliminary or final approval shall be placed on the agenda of the Plan Commission only after fulfilling the appropriate requirements of these Regulations. However, a plat not meeting all of the requirements may be submitted providing the subdivider presents with the plat a written request for specific exceptions and enumerates in detail the reasons therefor.

D. FILING FEE

To defray partially the costs of notification and administration procedures there shall be paid to the City Plan Commission at the time of submission of the preliminary plat and written application, a fee in the

following amount: Five Dollars (\$5.00) plus One Dollar (\$1.00) per lot for the first fifty (50) lots, plus ten cents (10¢) for each additional lot. Where only a portion of an approved preliminary plat is submitted for final approval, a final plat of the remaining area may be submitted at any time within five (5) years of the preliminary approval without payment of an additional filing fee by the subdivider, if the final plat for the additional area conforms substantially with the approved preliminary plat.

ARTICLE II

DESIGN

Section 1. URBAN DESIGN PRINCIPLES

The quality of design of the urban area is dependent on the quality of design of the individual subdivisions that compose it. Good community design requires the coordination of the efforts of each subdivider and developer of land within the urban area. Therefore, the design of each subdivision shall be prepared in accordance with the principles established by the General Plan for land use, circulation, community facilities and public utility services and in accordance with the following general principles:

A. It is intended that the urban area shall be designed as a group of integrated residential neighborhoods and appropriate commercial and industrial and public facilities. The neighborhood, as a planning unit, is intended as an area principally for residential use, and of a size that can be served by one elementary school. Space for religious, recreational, educational and shopping facilities to serve the residents of the neighborhood should be provided and designed as an integral part of each neighborhood.

B. The size of lots and blocks and other areas for residential, commercial, industrial and public uses should be designed to provide adequate light, air, open space, landscaping, and off-street parking and loading facilities.

C. The arrangement of lots and blocks and the street system should be designed to make the most advantageous use of topography and natural physical features. Tree masses and large individual trees should be preserved. The system of sidewalks and roadways and the lot layout should be designed to take advantage of the visual qualities of the area.

D. Circulation within the urban area shall be provided in accordance with the following design criteria:

- (1) Each subdivision shall provide for the continuation of all arterial streets and highways as shown on the Major Street and Expressway Plan. Arterial streets should be located on the perimeter of the residential neighborhood.
- (2) Minor streets should be designed to provide access to each parcel of land within the residential neighborhood and within industrial areas, and in a manner that will discourage use by through traffic. They should be planned so that future urban expansion will not require the conversion of minor streets to arterial routes.
- (3) Collector streets should be designed to provide a direct route from other minor streets to the major street and expressway system.
- (4) Ingress and egress to residential properties should be provided only on minor streets.
- (5) Pedestrian ways should be separated from roadways used by vehicular traffic. Sidewalks should be designed to provide all residential building sites with direct access to all neighborhood facilities, including the elementary school, parks and playgrounds, churches and shopping centers.

E. Minimum standards for development are contained in the zoning ordinance, the building code and in these regulations. However, the General Plan expresses policies designed to achieve an optimum quality of development in the urban area. If only the minimum standards are followed, as expressed by the various ordinances regulating land development, a standardization of development will occur. This will produce a monotonous urban setting. Subdivision design should be of a quality to carry out the purpose and spirit of the policies expressed in the General Plan and in these regulations rather than be limited to the minimum standards required herein.

Section 2. SUBDIVISION DESIGN STANDARDS

A. STREETS

The arrangement, character, extent, width, grade, and location of all streets shall conform to all of the elements of the General Plan and shall be designed in accordance with the following provisions:

(1) Major streets shall be planned to conform with the Official Major Street and Expressway Plan.

(2) Whenever a subdivision abuts or contains an existing or proposed major street, the Plan Commission may require service streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

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

(4) Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way the Plan 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. Such distances also shall be determined with due regard for the requirements of approach grades and future grade separation structures.

(5) Reserve strips controlling access to streets shall be prohibited except where their control is places in the City under conditions approved by the Plan Commission.

(6) Where the plat to be submitted includes only part of the tract owned or intended for development by the subdivider, a tentative plan of a proposed future street system for the unsubdivided portion shall be prepared and submitted by the subdivider.

(7) When a tract is subdivided into larger than normal building lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and opening of future streets and appropriate resubdivision, with provision for adequate utility easements and connections for such resubdivision.

(8) Street jogs with centerline offsets of less than one hundred and twenty-five (125) feet should be avoided.

(9) Street right-of-way widths shall be in accordance with the Official Major Street and Expressway Plan and, where not designated therein, shall be not less than the following:

Major Streets

Primary with median	120 feet
Primary without median	100 feet
Secondary	80 feet

Minor Streets

Collector	60 feet
Service	50 feet

(10) The grades of all streets shall not exceed the following, except where unusual topographic conditions justify in the opinion of the Plan Commission, a modification of these standards:

Major Streets

Primary	5%
Secondary	7%
Minor Streets	10%

No street grade shall be less than 0.3 percent.

(11) The horizontal and vertical alignment for all streets shall be not less than the following, except in cases of unusual topographic conditions:

a. Horizontal Alignment - center line radius.

Major Street:

Primary	500 feet minimum
Secondary	300 feet minimum
Minor	100 feet minimum

There shall be a tangent between all reverse curves having an adequate length, in relation to the radii of the curves, to provide for a smooth flow of traffic.

b. All changes in street grades shall be made with vertical curves that provide minimum sight distances of not less than the following, except in cases of unusual topographic conditions:

Major Streets:

Primary with median	500 feet minimum
Primary without median	800 feet minimum
Secondary	300 feet minimum

Minor Street	200 feet minimum
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Sight distance for vertical alignment shall be determined by measuring from a point 4.0 feet above the

roadway surface along a line of sight to a point 4.0 inches above the roadway surface.

(12) The paved width of all streets shall be adequate to serve the existing and future estimated traffic load for the facility. Lane widths for streets shall be as follows:

a. All major streets shall have lanes for traffic movement of not less than eleven (11) feet or more than twelve (12) feet in width, and lanes for aprallel parking or emergency stopping of not less than ten (10) feet in width.

b. All minor streets shall have lanes for traffic movement of not less than ten (10) feet or more than twelve (12) feet in width and lanes for parallel parking of not less than eight (8) feet in width. Streets should be developed in accordance with the general standards given on Figure 1. This figure is included for the purposes of illustration and is not to be considered a mandatory design standard.

(13) A cul-de-sac should not exceed five hundred (500) feet in length, measured from the entrance to the center of the turnaround, and if more than one hundred fifty (150) feet in length shall be provided with a turnaround having a radius of not less than fifty (50) feet at the property line and not less than forty (40) feet at the curb line. There should be provided in the center of the turnaround an unpaved island, improved with grass and landscaping than will not interfere with sight distance, which has a radius of not less than twelve (12) feet.

(14) Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations; and provided that the Plan Commission finds it will be practical to obtain the

dedication of the other half of the street easement when the adjoining property is subdivided. Wherever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.

(15) The arrangement of streets shall be such as to cause no hardship in the subdividing of adjacent properties. The Plan Commission may require the dedication of street right-of-ways to facilitate the development of adjoining properties.

(16) No street names shall be used which will duplicate or be confused with the names of existing streets. Street names shall be subject to the approval of the Plan Commission.

B. ALLEYS

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

(2) Alleys serving commercial and industrial areas shall be not less than twenty (20) feet in width.

(3) Alleys are not required for residential areas, but when provided shall be not less than twenty (20) feet in width.

(4) Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be cut off sufficiently to permit safe vehicular movement.

(5) Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turnaround facilities at the dead-end, as determined by the Plan Commission.

C. EASEMENTS

(1) Where alleys are not provided, easements not less than fifteen (15) feet wide shall be provided along each rear lot line, and along side lot lines where necessary, for use by public and private utilities. The Plan Commission may require aerial easements and easements of greater width for the extension of main storm and sanitary sewers and other utilities where it is deemed necessary.

(2) Where a subdivision is traversed by a water course, drainage channel or stream, which drains one hundred sixty (160) acres, or more, of land there shall be provided a right-of-way for drainage and public parks and public utility purposes, adequate to contain all of the runoff from a fifty-year maximum flood. The right-of-way shall include all of the land within the subdivision that has an elevation below the fifty-year maximum flood elevation which shall be calculated in accordance with, and shall be adequate to provide for, the drainage requirements of the ordinances and regulations relating thereto.

D. PUBLIC AREAS AND OPEN SPACES

Public parks, playgrounds, school sites and other public areas and open spaces shall be provided in accordance with the requirements and standards set forth in the General Plan and in the ordinances relating thereto.

E. BLOCKS

(1) The lengths, widths and shapes of blocks shall be determined with due regard for the following:

- (a) Provision of adequate building sites suitable to the special needs of the type of use contemplated.
- (b) Zoning requirements as to lot sizes and dimensions.
- (c) Needs for convenient access, circulation, control and safety of street traffic.
- (d) Limitations and opportunities of topography.

(2) Blocks for residential use shall not be longer than eighteen hundred feet (1800), measured along the center line of the block. When a block exceeds six hundred (600) feet in length, the Plan Commission may require a dedicated easement not less than fifteen feet (15) in width and a paved crosswalk not less than four (4) feet in width to provide pedestrian access across the block.

(3) Blocks used for residential purposes should be of sufficient width to allow for two tiers of lots of appropriate depth. Blocks intended for business and industrial use should be of a width suitable for the intended use, with due allowance for off-street parking and loading facilities.

F. LOTS

(1) Residential lots shall be not less than seventy (70) feet in width at the front building line and shall abut a street a distance of not less than thirty-five (35) feet; except that a corner lot shall be not less than eighty (80) feet in width at the front building line.

(2) Side lot lines should be approximately at right angles of radial to street lines.

DESIGN STANDARDS FOR URBAN STREETS

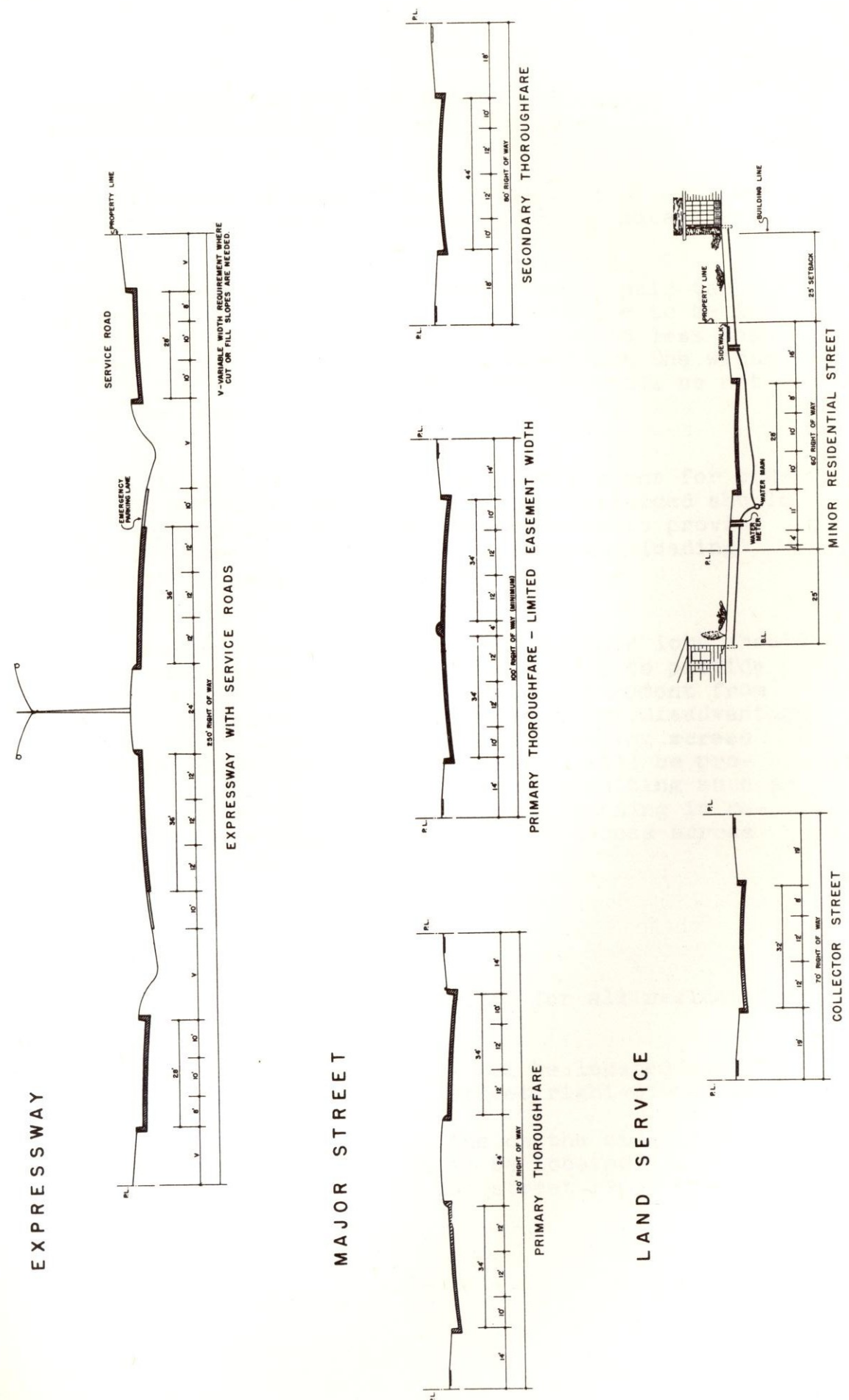


FIGURE 1

(3) The depth of residential lots should not be less than one hundred twenty (120) feet.

(4) The area of residential lots shall be not less than eight thousand four hundred (8400) square feet.

(5) In residential subdivision where septic tank or individual sewage disposal devices are to be installed, the area of the lot shall be not less than fifteen thousand (15,000) square feet and the width of the lot at the front building line shall be not less than one hundred (100) feet.

(6) Lots are not required for subdivisions for commercial and industrial use, but when provided should be of appropriate size and arrangements to provide for the adequate off-street parking and loading facilities based on the intended use.

(7) Double frontage and reverse frontage lots should be avoided except where they are needed to provide for the separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet, shall be provided along the portion of the lots abutting such a traffic artery or other use where screening is required. There shall be no right of access across a planting screen easement.

G. BUILDING LINES

Building lines shall be provided for all residential subdivisions as follows:

(1) A front building line shall be located twenty-five (25) feet back of the street right-of-way line.

(2) A side yard building line on the side of a corner lot abutting the street shall be located not less than fifteen (15) feet back of the street right-of-way when

such lot is back to back with another corner lot, and not less than twenty (20) feet back of the street right-of-way line in every other case.

(3) A side yard building line shall be provided not less than ten (10) feet back of a crosswalk right-of-way line on the side of a lot abutting a mid-block crosswalk.

(4) Restrictions requiring buildings to be located within the building lines shown on the plat shall be set forth on the plat or on a separate recorded instrument.

H. NEIGHBORHOOD UNIT DEVELOPMENT

(1) Neighborhood Unit Development:

Whenever a subdivision is developed as a neighborhood unit, wherein adequate park or playground area is provided, through traffic is cared for adequately and the majority of the minor streets are of the cul-de-sac or loop type, the Plan Commission may vary the requirements of this Article in order to allow the subdivider more freedom in the arrangement of streets and lots, but at the same time protect the convenience, health, safety and welfare of the probable future residents of the subdivision as well as the character of the surrounding property and the general welfare of the entire community. However, in no case shall the lot area be less than eight thousand four hundred (8400) square feet for detached single-family dwellings.

ARTICLE III

IMPROVEMENTS

Section 1. GENERAL PROVISIONS

All improvements shall be designed and installed in accordance with all of the elements of the General Plan and shall meet the minimum standards established by the ordinance and regulations relating thereto.

Section 2. PLAN PREPARATION

Plans for the improvements herein required shall be prepared by the City Engineering Department or by a qualified professional engineer, registered in the State of Indiana. Three sets of prints of the proposed plans and specifications for all improvements shall be filed with the City Clerk. Two sets of "as built" plans and specifications, certified and signed by a professional engineer registered in the State of Indiana shall be filed with the City Clerk prior to the acceptance by the City Council of any improvement installed by the subdivider.

Section 3. SURETY BOND

The City Council shall require the subdivider to file a surety bond with the City Clerk in the amount estimated to construct and complete all improvements herein required and to insure the actual construction of such improvements according to the plans and specifications approved by the Plan Commission within a period of time not to exceed two (2) years from the date of approval of the final plat. Such bond shall be in the amount of one hundred percent (100%) of the estimated cost of the improvement as determined by the Plan Commission and with surety and conditions satisfactory to the City Council. No building construction shall be permitted on any lot that does not comply with the provisions of these regulations and other applicable elements of the General Plan, and no municipal utility service will be furnished to such lot. No building shall be permitted on any lot or in any area in a subdivision where

the proposed construction will produce runoff or require utility services that affect other areas or lots located within or outside the subdivision unless a bond, in the amount of one hundred percent (100%) of the estimated cost, is posted for the portion of the drainage or utility improvements that will protect the affected area.

Section 4. PERMANENT MARKERS

Each block corner shall be marked with iron pipes or pins not less than five-eighths (5/8) inch in diameter and twenty-four (24) inches long at least one (1) inch below finished grade; and each subdivision shall be marked with a permanent concrete marker capped with a noncorrosive metal plate, set not less than one (1) inch below the finished grade. A plan of an acceptable marker is shown in the appendix of these regulations.

Section 5. STREET IMPROVEMENTS

The subdivider of any subdivision designed to be used for residential, commercial, industrial or other purposes shall layout, grade, and otherwise improve all streets that are designated on the approved plat or that directly serve the subdivision in accordance with the specifications of the City and in accordance with the following provisions:

a. The design of an improvement of an intersection of any new street with an existing State or Federal highway shall be in accordance with the specification of the Indiana State Highway Department, but in no case shall the standard be less than the applicable City specifications.

b. Whenever a subdivision contains a major street that requires a street facility that is more costly than is required to serve the future occupants of the subdivision, the subdivider shall be required to pay only the portion of the cost of the major street that would equal the cost of an improvement required to serve only the subdivision, as determined by the Plan Commission.

c. All driveways which connect with public streets shall be constructed in accordance with the standards and regulations of the State Highway Department of Indiana officially adopted in accordance with Chapter 48, Acts 1939, General Assembly.

Section 6. SIDEWALKS

A plan for a system of sidewalks shall be prepared that will provide convenient pedestrian circulation throughout the neighborhood or area in which the subdivision is located. The Plan Commission shall require the construction of sidewalks to connect with existing or future proposed sidewalks in areas adjacent to the subdivision where such sidewalks are needed for pedestrian circulation. Sidewalks shall be constructed in the subdivision in accordance with the sidewalks system plan approved by the Plan Commission, and in accordance with the specifications governing sidewalk construction.

Section 7. WATER LINES

The subdivider shall install water lines and fire hydrants, and installation shall be in accordance with the specifications governing water line construction.

Section 8. SANITARY SEWERS

The subdivider shall install sanitary sewers whenever a sanitary sewer is reasonably accessible as determined by the Plan Commission. Sanitary sewers shall be installed in accordance with the specifications governing sanitary sewer construction.

Whenever a sanitary sewer is not reasonably accessible, septic tanks or other unit disposal systems may be used in accordance with the following provisions:

a. A lot for residential use on which a unit disposal system is located shall be not less than fifteen thousand (15,000) square feet in area. However, all unit disposal systems shall comply with the requirements of the State and County Health Department.

b. No portion of any unit disposal system shall be located closer than twenty (20) feet to the lot line of the lot on which the system is located.

For larger subdivisions, the Plan Commission may require the subdivider to install sanitary sewers and a disposal plant that is adequate to serve all of the lots within the subdivision.

Section 9. STORM SEWERS AND DRAINAGE

An adequate storm water sewer system shall be installed. If the natural drainage system is adequate, easements for the natural surface drainage shall be provided. If curb and gutter are not installed the commission may require the subdivider to construct shallow swales on either side of the street with low points at least 3" between the subgrade of the pavement, or a paved side ditch.

Storm sewers and drainage shall be provided in accordance with the specifications contained in the ordinances and regulations relating thereto.

Section 10. MAINTENANCE AND SUPERVISION

Where the subdivision contains sewers, sewage treatment plants, water supply systems, or other physical facilities necessary or desirable for the welfare of the area, or that are of common use or benefit which are not or cannot be satisfactorily maintained by an existing public agency, provisions shall be made which is acceptable to the agency having jurisdiction over the location and maintenance of such facilities for the proper and continuous operation, maintenance and supervision of such facilities.

ARTICLE IV

PLAT PREPARATION AND APPROVAL PROCEDURE

Section 1. THE PRELIMINARY PLAT

A. GENERAL

The subdivider shall prepare a preliminary plat and written application for submission to the Plan Commission. Nine (9) copies of the preliminary plat shall be submitted to the office of the City Clerk not less than seven (7) days prior to the meeting at which it is to be considered.

B. PUBLIC HEARING

Upon receipt of the application, the Plan Commission, if it tentatively approves the application, shall set a date for a hearing, notify the applicant in writing, and notify by general publication or otherwise any person or governmental unit having a probable interest in the proposed plat.

C. CERTIFICATION OF DESIGN

The preliminary plat shall be accompanied by a statement signed by the registered engineer or land surveyor preparing the plat that he has, to the best of his ability, designed the subdivision in accordance with the General Plan, with which he is completely familiar, and in accordance with the ordinances and regulations governing the subdivision of land, except where an exception is requested in writing and the reasons for which are clearly stated.

D. CONTENTS OF PRELIMINARY PLAT

The preliminary plat should be drawn at a scale of one hundred (100) feet to one (1) inch and shall contain or be accompanied by the following information:

- (1) The scale, north point and date.
- (2) The proposed name of the subdivision.
- (3) The name and address of the owner of record, the subdivider and of the registered engineer or land surveyor preparing the plat.
- (4) A key map showing the location of the proposed subdivision referenced to existing or proposed major streets and to government section lines, and including the boundaries and number of acres of the drainage area of which the proposed subdivision is a part.
- (5) The names, with location of intersecting boundary lines, of adjoining subdivisions, and the location of city limits if falling within or immediately adjoining the tract.
- (6) The land contours with vertical intervals not greater than five (5) feet referenced to a United States Geological Survey or Coast and Geodetic Survey bench mark or monument.
- (7) The location of existing buildings, water, water courses, and the location of dedicated streets at the point where they adjoin and/or are immediately adjacent to the subdivision, provided however that actual measured distances shall not be required.

(8) The length of the boundaries of the tract, measured to the nearest foot, and the proposed location and width of streets, alleys, easements and setback lines and the approximate lot dimensions.

(9) The location, size and type of sanitary and storm sewers, water mains, culverts, power and natural gas lines and other surface and subsurface structures and pipe lines existing within or immediately adjacent to the proposed subdivision; and the location, layout, type and proposed size of the following structures and utilities:

- a. Water mains.
- b. Sanitary sewer mains, sub-mains and laterals.
- c. Storm sewers, culverts and drainage structures.
- d. Street improvements.

(10) The location of all drainage channels and sub-surface drainage structures, and the proposed method of disposing of all runoff from the proposed subdivision, and the location and size of all drainage easements relating thereto, whether they are located within or outside of the proposed plat.

(11) The classification of every street within or adjacent to the subdivision in accordance with the intended use of the street based on the proposed design. This shall be done by placing the appropriate term, expressway, primary thoroughfare, secondary thoroughfare, collector, or service in paranthesis, directly on each street.

E. PLAN COMMISSION ACTION

The Plan Commission shall approve, approve conditionally, or disapprove the plat within sixty (60) days of the date of its submission by the applicant. If the preliminary plat is disapproved or approved conditionally, the reasons for such action shall be stated in writing, a copy of which shall be signed by the Plan Commission Chairman and shall be attached to one (1) copy of the plat and transmitted to the subdivider. Unless stipulation for additional time is agreed to by the subdivider, if no action be taken by the Plan Commission at the end of sixty (60) days after submission, the plat shall be deemed to have been approved. The reasons for disapproval or conditional approval shall refer specifically to those parts of the General Plan or specific regulations with which the plat does not conform. On conditionally approving a plat, the Plan Commission may require submission of a revised preliminary plat. If the plat conforms to all of the standards, or after the applicant and Plan Commission agree upon any revision which shall be filed with the Plan Commission on a revised copy, the subdivider may proceed with the laying out of streets and roads, the preparation of utility plans and with the preparation of a final plat.

Section 2. THE FINAL PLAT

A. GENERAL

A final plat on a permanent reproducible tracing, and three (3) dark line prints thereof shall be submitted to the office of the City Clerk not less than seven (7) days before the Plan Commission meeting at which it is to be considered for final approval. At the same time, there shall be submitted two (2) sets of the proposed plans and specifications for all improvements and the proposed restrictions in final form; provided however, the final plat may be approved subject to later submission of final improvement plans and specifications.

B. TIME OF SUBMISSION

The final plat of the proposed subdivision shall be submitted to the Plan Commission and City Council for final approval within one (1) year of the date on which the preliminary plan was approved. If not submitted for final approval within such time the preliminary plan shall be considered as having been disapproved unless the Plan Commission agrees to an extension of time. The final plat shall be filed in the office of the County Recorder within two (2) years after approval by the City Council and Plan Commission whichever is later, or if not filed within such time, said approval shall be considered as having been voided.

C. DRAFTING

The final plat should be drawn at a scale of one hundred (100) feet to the inch from an accurate survey and on sheets whose dimensions are twenty-one (21) inches by thirty-three and one half (33-1/2) inches between border lines. On the first sheet of every plat there shall be a key map showing the location of the subdivision referenced to government survey section lines and major streets. If more than two (2) sheets are required for the plat, the key map shall show the number of the sheet for each area. A border of one-half (1/2) inch surrounding the sheet shall be left blank at the top, bottom, and right hand side, and a margin of two (2) inches at the left side for binding purposes.

D. CONTENTS OF THE FINAL PLAT

The Final Plat Shall Show:

(1) The location and description of all section corners and permanent survey monuments in or near the tract, to at least one of which the subdivision shall be referenced.

(2) The length of all required lines dimensioned in feet and decimals thereof, and the value of all required true bearings and angles dimensioned in degrees and minutes, as hereafter specified.

(3) The boundary lines of the land being subdivided fully dimensioned by lengths and bearings, and the location of boundary lines of adjoining lands, with adjacent subdivisions identified by official names.

(4) The lines of all proposed streets fully dimensioned by lengths and bearings or angles.

(5) The lines of all proposed alleys. Where the length and/or direction of an alley is not readily discernible from data given for lot and block lines, the length and/or bearing shall be given.

(6) The widths, and names where appropriate, of all proposed streets and alleys, and of all adjacent streets, alleys and easements which shall be properly located.

(7) The lines of all proposed lots fully dimensioned by lengths and bearings or angles, except that where a lot line meets a street line tangent at right angles, the angle or bearing value may be omitted.

(8) The outline of any property which is offered for dedication to public use fully dimensioned by lengths and bearings, with the area marked "Public".

(9) The blocks numbered consecutively throughout the entire subdivision and the lots numbered consecutively throughout each block, with areas to be excluded from platting marked "Reserved" or "Not a Part".

(10) The location of all building lines, set-back lines, and easements for public services or utilities with dimensions showing their location.

(11) The radii, arcs, points of tangency, points of intersection, and central angles for curvilinear streets and radii for all property returns.

(12) The proper acknowledgements of owners and the consent by the mortgagee to plat restrictions.

(13) The following which shall be made and shown on the permanent reproducible tracing:

a. Owner's Certificate and Dedication, signed and notarized.

b. Engineer's or Land Surveyor's Certificate of Survey, signed, and his seal.

c. Certificate for Release of Mortgage for any portion dedicated to the public.

d. Reference to any separate instruments, including restrictive covenants, filed in the Office of the County Recorder which directly affect the land being subdivided.

e. Certificate of Plan Commission approval.

f. Certificate of City Council acceptance of ways, easements, and public land dedications.

g. Treasurer's Certificate.

(14) A title which shall include:

a. Name of the Subdivision.

b. Name of City, County and State.

c. Location and description of the subdivision referenced to Section, Range and Township.

E. PLAN COMMISSION ACTION

The Plan Commission shall act upon the plat within forty-five (45) days after it has been submitted for final approval. This approval and the date thereof shall be shown on the plat over the signature of the Plan Commission Chairman or Secretary Member. Unless stipulation for additional time is agreed to by the subdivider and if no action is taken by the Plan Commission at the end of forty-five (45) days after submission, the plat shall be deemed to have been approved. A certificate by the city clerk as to date of submission of plat for final approval and failure of Plan Commission to act thereon within such time shall be sufficient in lieu of written endorsement of approval.

If the final plat is disapproved, grounds for this refusal shall be stated in writing, a copy of which shall be transmitted with the tracing and prints to the applicant. The reasons for disapproval shall refer specifically to those parts of the General Plan or ordinance with which the plat does not comply.

F. CITY COUNCIL ACTION

Before recording the final plat, it shall be submitted to the City Council for approval and for acceptance of public ways and service and utility easements and land dedicated to public use. This approval of the plat shall be shown over the signature of the Mayor and attested to by the City Clerk or his deputy. The disapproval of any plat or plan by the City Council shall be deemed a refusal of the proposed dedication shown thereon.

G. RECORDING OF PLAT

After final approval of the plat and the affixing of all required signatures on the original tracing, the subdivider shall provide the Plan Commission with two (2) dark line prints thereof, and one contact reproducible cloth tracing, said tracing to be filed with the City Clerk. One dark line print shall be retained in the permanent file of the Plan Commission and one shall be sent to the Office of the City Clerk. The applicant shall file the original tracing and one dark line print on opaque cloth with the County Recorder.

ARTICLE V

ADMINISTRATION AND AMENDMENT

Section 1. VARIATIONS AND EXCEPTIONS

Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in these Regulations would result in substantial hardship or inequity, the Plan Commission may vary or modify, except as otherwise indicated, such requirements of design, but not of procedure or improvements, so that the subdivider may develop his property in a reasonable manner, but so, at the same time, the public welfare and interests of the City are protected and the general intent and spirit of these Regulations preserved. Such modification may be granted upon written request of the subdivider stating the reason(s) for each modification and may be waived by three-fourths (3/4) vote of the regular membership of the Plan Commission.

Section 2. ADMINISTRATION AND AMENDMENT

The City Council may, from time to time, adopt, amend and make public rules and regulations for the administration of these Regulations to the end that the public be informed and that approval of plats be expedited. These Regulations may be enlarged or amended by the City Council after public hearing, due notice of which shall be given as required by law.

Section 3. VALIDITY

If any section, clause, paragraph, provision or portion of these Regulations shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of these Regulations.

Section 4. REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. IMPROVEMENT LOCATION PERMIT

No improvement location permit shall be issued for any new structure and its location on platted or unplatted lands unless the structure and its location conforms to the General Plan and Subdivision Regulations. The intent of the permit shall not prevail with respect to structural conformance of the building and uses which are clearly incidental to agricultural purposes.

A. PERMIT APPLICATION

The administrative officer of the Plan Commission shall issue an improvement location permit upon written application when the proposed structure and its location conform to the General Plan and Subdivision Regulations.

B. SUBMISSION DATA

Upon application for an improvement location permit the applicant shall provide drawings, maps, reports and plans in sufficient detail as determined by the administrative officer of the Commission in order to ascertain compliance with the General Plan and Subdivision Regulations.

C. APPEAL

A decision of the Commission may be reviewed by certiorari procedure. A petition for certiorari shall specify the grounds upon which the petition alleges the illegality of the Commission's action and must be filed in Circuit Court within thirty (30) days after the date of such decision.

Section 6. VIOLATION AND PENALTY

A violation of these Regulations shall be deemed a misdemeanor and, upon conviction, shall be punishable by fine. Any person, firm or corporation who violates or refuses to comply with any of the provisions of these Regulations shall be fined not less than ten dollars (\$10.00) nor more than three hundred dollars (\$300.00) including costs for such action.

Passed and approved this _____ day of _____.

Attest:

City Clerk

President,
Town Board of Trustees

Approved as to form and legality this _____ day of _____.

City Attorney

APPENDIX

(SUGGESTED FORM OF CERTIFICATE TO BE FURNISHED)

SUBDIVISION BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, _____ as Principal and the undersigned Surety, are held and firmly bound unto the City of _____ Indiana, hereafter called CITY, in the full sum of _____ DOLLARS, (\$ _____), for the payment of which, well and truly to be made, we, and each of us, bind ourselves jointly and severally, by these presents.

Dated this _____ day of _____ A.D., 19____.

The conditions of this obligation are such that, WHEREAS, PRINCIPAL has submitted to the City a preliminary plat for subdivision of a tract of land described as follows:

AND, WHEREAS, PRINCIPAL has, pursuant to the Ordinances of the City of _____, elected to file this bond in lieu of actual completion of improvements and utilities in the above subdivision.

NOW THEREFORE, if the PRINCIPAL shall, within two (2) years from date of approval of the final plat of the subdivision, faithfully install and complete improvements and utilities in the subdivision according to requirements or ordinances, approved plans, specifications and subdivision rules and regulations of the CITY, and pay all bills for contractors, sub-contractors, labor and materials incurred in completion thereof; and shall hold harmless and idemnify the CITY and all interested property owners against liability, loss or damage by reason of failure of PRINCIPAL to faithfully perform the conditions hereof, then this obligation shall be null and void, otherwise to remain in full force and effect; PROVIDED, however, that actions upon this bond by contractors, sub-contractors, laborers or materialmen shall be limited to six months from and after completion of the improvements and utilities above referred to.

Signed, sealed and delivered the day and year first above written.

Principal

ATTEST:

Secretary

By _____

ATTEST:

Secretary

By _____

Approved as to form and legality this _____ day of _____
_____ A.D., 19____.

City Attorney

Approved by the Council of the City of _____ this _____
day of _____ A.D., 19____.

ATTEST:

City Clerk

Mayor

OWNER'S CERTIFICATE AND DEDICATION. We, the undersigned

_____, do hereby certify that we are the owners of and the only person having any right, title, or interest in the land shown on the Plat of _____ and that the plat represents a correct survey of the above described property made with our consent, and that we hereby dedicate to the public use all the streets as shown on said plat; that the easements as shown on the plat are created for the installation and maintenance of public utilities; that we hereby guarantee a clear title to all lands so dedicated from ourselves, our heirs or assigns forever and have caused the same to be released from all encumbrances so that the title is clear, except as shown in the abstractor's certificate.

RESTRICTIONS: (if any, follow here)

Witness _____ hand _____ this _____ day of _____
_____, 19____.

(ACKNOWLEDGEMENT)

SURVEYOR'S CERTIFICATE. I, _____ the undersigned, do hereby certify that I am by profession a land surveyor or civil engineer, licensed in compliance with the laws of the State of Indiana, and that the plat of _____ consisting of _____ sheets, correctly represents a survey made under my supervision on the _____ day of _____, _____; and that all of the monuments shown hereon actually exist and their positions are correctly shown.

Signature:

(Acknowledgement)

CERTIFICATE OF CITY CLERK: I _____ City Clerk
of the City of _____, State of Indiana, hereby
certify that I have examined the records of the said City and
find that all deferred payments or unmatured installments upon
special assessments have been paid in full and that there is no
special assessment procedure now pending against the land as shown
on the plat of _____
except _____
on this _____ day of _____, 19____.

City Clerk

CITY PLAN COMMISSION APPROVAL: I _____,
Chairman/Secretary of the City Plan Commission for the City
of _____, State of Indiana, hereby certify
that the said Commission duly approved the plat of _____
on the _____ day of _____,
19____.

Chairman/Secretary

ACCEPTANCE OF DEDICATION BY CITY COUNCIL: Be It Resolved by
the Council of the City of _____ that the dedi-
cations shown on the attached plat of _____
are hereby accepted.

Adopted by the Council of the City of _____
this _____ day of _____, 19____.

Approved by the Mayor of the City of _____
this _____ day of _____, 19____.

Mayor

ATTEST:

City Clerk

(Applicable where septic tanks are to be used)

I, _____, registered engineer in
the State of Indiana, certify that a soil survey has been
completed by _____ on _____
(name of testing laboratory) (date)
and that this test shows that soil to be sufficiently porous
to permit septic tanks for each lot shown on the plat.

Signature

RELEASE OF MORTGAGE: In consideration of the platting of the property shown on the plat of _____, Addition, and other good and valuable considerations, receipt of which is hereby acknowledged _____ do hereby release, relinquish and forever discharge a certain mortgage made by _____ and dated the _____ day of _____, 19____, to _____ which is recorded in Book _____ of Mortgages at Page _____ of the records of _____ County, State of Indiana, insofar as the same covers all property dedicated for streets, alleys, parks, boulevards, easements or other public use, as shown on said map.

Witness _____ hand _____ this _____ day of _____, 19____.

Signature:
(Acknowledgement)

COUNTY TREASURER'S CERTIFICATE: I, _____ do hereby certify that I am the duly elected, qualified and acting County Treasurer of _____ County, State of Indiana. That the tax records of said county show all taxes are paid for the year _____ and prior years on the land shown on plat of _____ Addition in _____ County, Indiana; that the required statutory security has been deposited in the office of the County Treasurer, guaranteeing payment of the current year's taxes.

In witness whereof, said County Treasurer has caused the instrument to be executed at _____, Indiana on this _____ day of _____, 19____.

County Treasurer

PERMANENT CONCRETE MARKER FOR SUBDIVISION AND BLOCK CORNERS

