



Hall County Regional Planning Commission

Wednesday, September 06, 2006
Regular Meeting

Item F3

Public Hearing concerning changes to the Grand Island Subdivision Regulations Chapter 33 (C-24-2006GI)

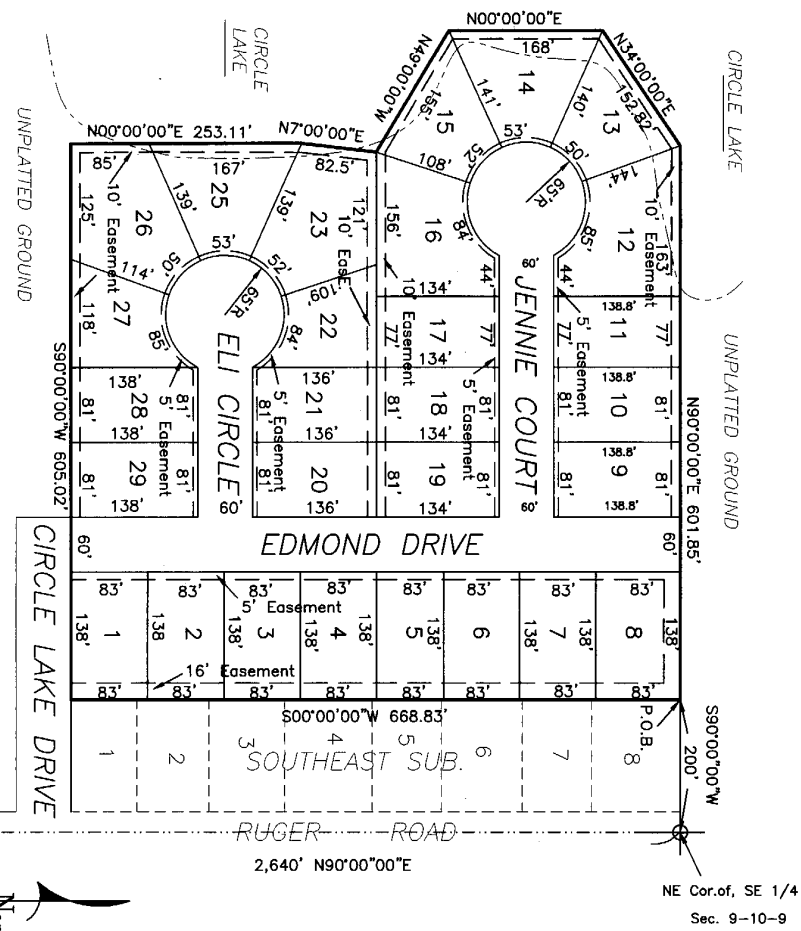
The changes to the main part of the Chapter 33 are primarily typographic, grammar and numbering changes. Naming conventions and a requirement that the signed plat be present at the planning commission meeting have been added to the miscellaneous requirements. These changes are designed to standardize the plats received by the planning department from the various surveyors and engineers that work in the Grand Island area. (C-24-2006GI)

Staff Contact: Chad Nabity

LEGAL DESCRIPTION

A TRACT OF LAND COMPRISING A PART OF THE NORTHEAST QUARTER, (NE ¼) OF THE SOUTHEAST QUARTER, (SE ¼) OF SECTION NINE (9), TOWNSHIP TEN (10) NORTH, RANGE NINE (9) WEST OF THE SIX (6TH) PRINCIPAL MERIDIAN, HALL COUNTY, NEBRASKA AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

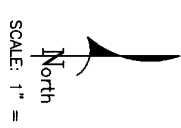
COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION NINE (9), TOWNSHIP ELEVEN (11) NORTH, RANGE NINE (9) WEST OF THE SIXTH (6) PRINCIPAL MERIDIAN, HALL COUNTY, NEBRASKA, THENCE ON AN ASSUMED BEARING OF 9 90° 00' 00" W, A DISTANCE OF 200 FEET, TO THE ACTUAL POINT OF BEGINNING, SAID POINT ALSO BEING THE NW CORNER OF SOUTHEAST SUBDIVISION, THENCE S 90° 00' 00" W A DISTANCE OF 688.83 FEET, THENCE S 90° 00' 00" W A DISTANCE OF 606.32 FEET, THENCE N 00° 00' 00" E A DISTANCE OF 263.11 FEET, THENCE N 7° 00' 00" E A DISTANCE OF 82.5 FEET, THENCE N 49° 00' 00" W A DISTANCE OF 155 FEET, THENCE N 00° 00' 00" E A DISTANCE OF 189 FEET, THENCE N 34° 00' 00" E A DISTANCE OF 482.82 FEET, THENCE N 90° 00' 00" E A DISTANCE OF 601.85 FEET TO THE ACTUAL POINT OF BEGINNING AND CONTAINING 13.41 ACRES MORE OR LESS.



CIRCLE SUBDIVISION

AN ADDITION TO THE CITY OF GRAND ISLAND NEBRASKA

SE Cor. of, Sec. 9-10-9



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON _____ 200, I COMPLETED AN ACCURATE SURVEY (MADE UNDER MY SUPERVISION) OF 'CIRCLE SUBDIVISION', IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; THAT THE LOTS, BLOCKS, STREETS, AVENUES, ALLEYS, PARKS, COMMONS AND OTHER GROUNDS AS CONTAINED IN SAID SUBDIVISION AS SHOWN ON THE ACCOMPANYING PLAT THEREOF, ARE WELL AND ACCURATELY STAKED OFF AND MARKED; THAT IRON MARKERS WERE PLACED AT ALL CORNERS AS SHOWN ON THE PLAT; THAT EACH LOT BEARS ITS OWN NUMBER AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

MYRON D. STONE L.S. 7773 (SEAL)

DEDICATION

KNOWN ALL MEN BY THESE PRESENTS, THAT JOHN A. DOE AND JANE A. DOE, HUSBAND AND WIFE, BEING THE OWNER OF THE LAND DESCRIBED HEREON, HAD CAUSED SAID TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS CIRCLE SUBDIVISION IN THE CITY OF GRAND ISLAND, NEBRASKA, AND HAD CAUSED THE SAME TO BE RECORDED IN THE PUBLIC RECORDS OF SAID COUNTY, NEBRASKA, AS SHOWN THEREON TO THE PUBLIC FOR THEIR BE FOREVER AND ACCURATELY STAKED OFF AND MARKED; THAT IRON MARKERS WERE PLACED AT ALL CORNERS AS SHOWN ON THE PLAT; THAT EACH LOT BEARS ITS OWN NUMBER AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

JOHN A. DOE JANE A. DOE

ACKNOWLEDGEMENT

STATE OF NEBRASKA
COUNTY OF HALL
SS

ON THE _____ DAY OF _____, 200, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED JOHN A. DOE AND JANE A. DOE, HUSBAND AND WIFE, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSONS WHOSE SIGNATURES ARE AFFIXED HERETO, AND THEY DID ACKNOWLEDGE THE EXECUTION THEREOF TO BE HIS AND HER VOLUNTARY ACT BY COMMISSION EXPIRES _____

NOTARY PUBLIC (SEAL)

APPROVALS
SUBMITTED TO AND APPROVED BY THE REGIONAL PLANNING COMMISSION OF HALL COUNTY, GRAND ISLAND AND WOOD RIVER, AND THE VILLAGES OF ALDA, CARRO, AND DONIPHAN, NEBRASKA.

CHAIRMAN _____ DATE _____

APPROVED AND ACCEPTED BY THE CITY OF GRAND ISLAND, NEBRASKA THIS _____ DAY OF _____, 200.

MAYOR _____ CITY CLERK _____ (SEAL)

SAMPLE PLAT ADDENDUM "B"

A SPACE OF APPROXIMATELY 3" X 6" MUST BE RESERVED FOR CERTIFICATES AT THE OFFICE OF THE REGISTER OF DEEDS

CHAPTER 33
SUBDIVISION REGULATIONS
Article I. In General

§33-1. Definitions

Applicant shall mean the titleholder of record, his agent, or a person holding a notarized letter authorizing the person to represent the legal owner of the property, or an appropriate purchase agreement.

Alley shall mean a minor public service street or public thoroughfare 20 feet or less in width, through a block of lots primarily for vehicular service access to the rear or side of properties otherwise abutting on another street and to provide access to utility services located therein. Buildings facing an alley shall not be construed as satisfying the requirements of this code related to frontage on a dedicated street.

Block shall mean a parcel of land platted into lots and bounded by public streets or by waterways, right-of-ways, unplatted land, City-County boundaries, or adjoining property lines.

Bond shall mean any form of security including a cash deposit, security bond, or instrument of credit in an amount and form satisfactory to the City Council which meets the intent of such security required by this chapter.

Boundary Adjustment shall mean the transfer of property by deed to a respective owner or owners of contiguous property for the purpose of adjusting a boundary line and not for the purpose of creating an additional lot or parcel.

Building Line shall mean a line parallel, or nearly parallel, to the street line at a specified distance from the street line which marks the minimum setback distance a building may be erected. In the case of a cul-de-sac, the building line shall be measured around the curvature of the street line and shall be located at the required front yard setback where the lot width shall meet the minimum lot width required in the zoning district.

Chief Building Official(s) shall mean the individual(s) appointed and/or employed by the City to enforce the prescribed and adopted building codes for the City.

City shall mean the City of Grand Island, Nebraska. Also, City Council or governing body.

City Council shall mean the governing body for the City of Grand Island, Nebraska.

City Engineer shall mean the City Engineer of the City of Grand Island utilized for the recommendation, advice, and implementation of engineering work as requested by the City or such other engineer as the City may assign in the particular matter.

Clerk shall mean the City Clerk of the City of Grand Island, Nebraska.

Comprehensive Development Plan shall mean the master plan for the improvement and development of Grand Island, Nebraska, as adopted by the Hall County Regional Planning Commission and the City in accordance with the laws of the State of Nebraska and the ordinances of Grand Island.

County Control Point shall mean any point identified as such within the Grand Island/Hall County Geographic Information System (GIS) by the GIS Committee. County control points may include but are not limited to township corners, section corners, quarter section corners, subdivision corners, and block corners.

Cul-de-Sac shall mean a short public way that has only one outlet for vehicular traffic and terminates in a vehicular turn-around.

Dead End Street shall mean a public way that has only one outlet for vehicular traffic and does not terminate in a vehicular turn-around.

Dedication shall mean the intentional appropriation of land by the owner to some public use.

Developer see "Subdivider".

Easement shall mean a right to use a parcel of land, granted to the general public, utility, corporation or person(s) for a specific purpose or purposes.

Flood Plain shall mean any land area susceptible to being inundated by water from any source (see also definition of "flooding" in §36-128).

Floodway shall mean the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Frontage Road shall mean minor streets parallel to and adjacent to arterial streets and highways,

which reduce the number of access points to the arterial street or highway for the purpose of increased traffic safety.

Grading Plan shall mean a drawing of a proposed subdivision with plans and specifications for grading which is intended to represent the layout which will be approved for construction by the Planning Commission and the City Council.

Hall County Regional Planning Commission shall mean the Hall County Regional Planning Commission of Grand Island, Nebraska.

Improvements shall mean street grading, street surfacing and paving, curbs and gutters, street lights, street signs, sidewalks, crosswalks, water mains and lines, water meters, fire hydrants, sanitary sewers, storm drainage facilities, culverts, bridges, public utilities, or other such installation as designated by the City Council or its specific approving authority.

Landscaped shall mean landscaping improvements which include but are not limited to screen plantings, lawn area, pools, trees, shrubs, fences, and walls. Crushed rock, gravel, bark chips, etc., shall not substitute for lawn area. Landscaping shall be provided within two years of issuance of occupancy permit for the principal structure on each lot, and thereafter be properly maintained.

Lot shall mean a parcel, tract or area of land created in conformance with this chapter that may be separately owned, used, developed or built upon.

Lot Consolidation shall mean a method for approval of lot boundary adjustments which reduces the number of lots to not greater than two.

Lot, Corner shall mean a lot located at the intersection of two (2) or more streets at an angle of not more than one hundred thirty-five (135) degrees. If the angle is greater than one hundred thirty-five (135) degrees, the lot shall be considered an "interior lot".

Lot, Depth of shall mean the mean horizontal distance between the front and rear lot lines. Corner lots shall provide at least one dimension equal to the required lot depth prescribed in the affected zoning district.

Lot, Double Frontage shall mean a lot having a frontage of two non-intersecting streets.

Lot, Flag shall mean a lot with frontage and access provided to the bulk of the lot by means of a narrow corridor. The measurement of the actual lot frontage shall be made along the widest portion of the lot along the line parallel to the street.

Lot, Frontage shall mean that portion of a lot abutting a street. For purposes of determining yard requirements of corner lots and through lots, all sides of a lot abutting a street shall be considered frontage.

Lot, Interior shall mean a lot other than a corner lot.

Lot Line shall mean the boundary line of a lot.

Lot Minimum Area shall mean the minimum square footage of land area within the boundaries of the platted lot lines, as applicable to designated zoning districts.

Lot, Nonconforming shall mean a lot having less area or dimension than that required in the district in which it is located and which was lawfully created prior to the zoning thereof whereby the larger area or dimension requirements were established, or any lot, other than one shown on a plat recorded in the office of the Hall County Register of Deeds, which does not abut a public road or public road right-of-way and which was lawfully created.

Lot, Platted shall mean a lot which is part of a subdivision of the plat of which, or the appropriate permit for which, has been legally approved by the City and recorded in the office of the Register of Deeds for Hall County.

Lot of Record shall mean a lot held in separate ownership as shown on the records of the Hall County Register of deeds at the time of the passage of a regulation or regulation establishing the zoning district in which the lot is located.

Lot Split shall mean a subdivision involving the division of one or more lots with the end result not be greater than the two lots.

Lot, Through shall mean a lot having frontage on two (2) dedicated streets, not including a corner lot.

Lot, Width of shall mean the average horizontal distance between the side lot line, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

Master Plan see "Comprehensive Development Plan".

Monument shall mean an identification marker established by certified land survey and set by a registered land surveyor at each section corner, angle point, block corner, street centerline, or other point.

Outlot shall mean a lot remnant or parcel of land left over after platting, which is intended as open

space or other use, for which no building permit shall be issued for any private structure. Typically uses are limited within the subdivision agreement and/or plat.

Owner shall mean an individual, firm, association, syndicate, or corporation having sufficient proprietary interest in the land sought to be subdivided to commence and maintain such proceedings.

Pedestrian Way shall mean a tract of land dedicated to public use, which cuts across a block to facilitate pedestrian access to adjoining streets or properties.

Person shall mean an individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, City, County, special district or any other group or combination acting as an entity, except that it shall not include Grand Island, Nebraska.

Planned Unit Development shall mean a development designed to provide for an unusual or different arrangement of residential, business, or industrial uses in accordance with an approved development plan.

Plat shall mean a map showing the location, boundaries, and legal description of individual properties, including street rights-of-way, public utility easements, etc.

Plat, Administrative shall provide for lot combinations and boundary adjustments which result in reconfigured lots with new lot boundaries.

Plat, Final shall mean the final plan of the plat, subdivision or dedication of land prepared for filing or recording in conformance with this chapter. Substantial conformance to an approved preliminary plat, prepared by a registered professional engineer or a registered land surveyor in accordance with this chapter is required.

Plat, Preliminary shall mean the preliminary plan of the plat, subdivision or dedication prepared in accordance with the requirements of this chapter.

Plat, Revised Preliminary shall mean a revised plat or map of a previously approved preliminary plat, including supporting data, indicating a proposed subdivision development, prepared in accordance with this chapter.

Preliminary Study shall mean a drawing of a proposed subdivision to be approved by the Planning Commission and City Council before proceeding with a final plat.

Property Line Adjustment shall mean the relocation of a single common property line between two abutting lots, parcels or other units of land where an additional lot, parcel or unit of land is not created and the existing lot, parcel or unit of land reduced in size by the adjustment must comply with the applicable zoning requirements. A property line adjustment does not alter the location of utility services and hook-ups. Property line adjustments are accomplished through an administrative plat.

Sidewalk or Walkway shall mean that portion of a dedicated right-of-way or easement improved and intended for pedestrian use only.

Replat shall mean the act of platting the lots, parcels and easements in a recorded subdivision to achieve a reconfiguration of an existing subdivision or to increase or decrease the number of lots in the subdivision.

Street shall include public streets, highways, avenues, boulevards, parkways, roads, lanes, alleys, viaducts, subways, tunnels, bridges, public easements and right-of-way. Where explicitly authorized by the City Council, private streets may be authorized with the subdivision agreement.

Street, Arterial shall mean a street of considerable continuity connecting various sections of the City, designated as an arterial street on the official street plan of the City.

Street, Collector shall mean a street or highway that is intended to carry traffic from minor streets to major streets. Collector streets are usually the principal entrance streets to residential developments and the streets for circulation within the development as designated in the Comprehensive Development Plan.

Street, Frontage Access shall mean a street parallel and adjacent to a major street, major inter-regional highway, or major collection road and primarily for service to the abutting properties, and being separated from the major street by a dividing strip.

Street, Local shall mean a street which is used primarily for access to the abutting properties.

Street, Major shall mean a street or highway used primarily for fast or high volume traffic, including expressways, freeways, boulevards, and arterial streets as designated in the Comprehensive Development Plan.

Street, Minor shall mean a street intended primarily to provide pedestrian and vehicular access to the abutting properties.

Subdivider shall mean any person, group, corporation, partnership, or other entity, or any agent thereof, dividing or proposing to divide land so as to constitute a subdivision.

Subdivision shall mean the division of a lot, tract, or parcel of land into two (2) or more lots, sites, or other divisions of land for the purpose, whether immediate or future, of transfer of ownership or building development, provided that the smallest lot created by the division is less than ten (10) acres in size.

Subdivision, Administrative shall mean the re-subdivision of existing subdivided lots and blocks, involving the adjustment of existing lot boundaries or the consolidation of lots, in a manner consistent with zoning regulations concerning minimum area and dimensions of lots; but not creating additional lots nor necessitating the dedication of additional public right-of-way or easements.

Subdivision Agreement shall mean an agreement between the City of Grand Island and a subdivider whereby the subdivider agrees to construct any required public street, drainage, and other improvements, for a subdivision and to provide security for completion of the subdivision improvements and in situations involving public financing, the relative cost be borne by the subdivider and by the public entity. Conditions involving lot frontage, use, annexation, landscaping, sidewalks, flood plain, utilities and similar concerns specific to the development of the property may also be addressed.

Water Course, Drainage Way, Channel or Stream shall mean a current of water usually flowing in a definite channel, having a bed and side or banks, and discharging itself into some other stream or body of water.

Zoning District shall mean an area delineated on a zoning map for which uniform use regulations are specified.

Amended by Ordinance No. 8921, effective 07-28-2004
Amended by Ordinance No. 9031, effective 03-01-2006

§33-2. Application of this Chapter

Any plat hereafter made, or any subdivision, or any part thereof lying within the corporate limits of the City of Grand Island or in the unincorporated territory within an area extending for two miles beyond the city limits of the City of Grand Island, shall be prepared, presented for approval and recorded as herein prescribed. Any plat of land contiguous to the corporate limits of the City shall be treated as an addition to the City as provided in Section 19-916, R.R.S. 1943. The regulations contained herein shall apply to the subdivider of a lot, tract, or parcel of land into two or more parts for the purpose of sale, transfer of ownership, including the resubdivision or replatting of land or lots. The regulations contained herein shall also apply to all persons or entities engaging in any aspect of real estate development, whether immediate or future. This provision shall not be construed to limit the acceptance of deeds, right-of-way, or other land by the city council when such acceptance is in the public interest and not for the purpose of circumventing these regulations.

In order to clarify, ratify, and include within this code the policy of the City of Grand Island, the minimum improvements required pursuant to this chapter shall be installed in all subdivisions in which development commenced after January 1, 1997, irrespective of when the subdivision was created and the plat or dedication legally filed of record.

§33-3. Exemption

The subdivision of land into parcels which are more than ten acres in size and not involving the dedication of any street, easement, or other public use shall be exempt from the requirements of these regulations.

For proposed developments that provide for the dedication of any street, easement or other public use and contains lots that are all more than ten acres in size, the provisions of these regulations shall apply except *Article V. Minimum Improvements*. The improvements for this type of subdivision shall be determined by agreement. The Public Works Director, Utilities Director, and Planning Director shall provide recommendations to the Planning Commission and City Council for minimum improvements to be included in the Subdivision Agreement.

§33-4. Division of Platted Lots

For subdivisions or resubdivisions having one or more of the following characteristics, the public works director and the director of planning shall have the power to waive any or all portions of the preliminary study requirements and procedure:

- (1) Where the subdivision involves the creation of not more than two new building lots and does not involve the dedication of a full width street or is not part of a larger tract intended for future development;

(2) Where the subdivision involves the creation of not more than one new building lot which exceeds 20,000 square feet in size and has access to a public road;

(3) Where the subdivision involves the replatting of existing lots and results in the creation of additional building lots, or involves an administrative subdivision.

§33-5. Approval Necessary

No plat, subdivision, or administrative subdivision shall be recorded in the Register of Deeds Office, Hall County, Nebraska, until all provisions and approvals set forth in these regulations have been met.

§33-6. Building and Utility Permits; Prohibition

No officer, employee, or agent of the City of Grand Island shall issue any building permit, make any water or sewer connection, or issue any permit for any water or sewer connection for any building or buildings constructed or proposed to be constructed on land subdivided contrary to the provisions of these regulations. No officer, agent, or employee of the City of Grand Island shall perform or caused to be performed any construction or maintenance upon any street or public way purported to be dedicated as a public street or public way by virtue of being shown on a plat, unless such plat shall have been approved as provided by these regulations. The above prohibitions shall not apply to any plat or dedication legally filed of record prior to April 22, 1968.

Article II. Procedure, Plans and Data

§33-7. Preliminary Study and Data

(1) The subdivider shall prepare and file with the Planning Commission twenty-five (25) copies of the proposed preliminary study and required data at least twenty (20) days prior to the date of the next regular Planning Commission meeting at which approval of the preliminary study is requested for standard preliminary plat requests. Twenty-five (25) copies of preliminary study or plat approval requests for planned developments including: Commercial Development Zone, Residential Development Zone, Travel Development Zone, Gateway Corridor (Overlay) District, and Mobile Home Residential Zone; shall be submitted at least forty (40) days prior to the next regular Planning Commission meeting at which approval of the preliminary study is requested.

(2) The director of Planning shall, at least ten (10) days prior to the Planning Commission meeting, transmit a copy of the proposed preliminary study to the Board of Education of the school district or districts involved, the public works director, director of utilities operations, and any other department or agency that may be affected by the plat and as the commission may designate. Such department or agency except said Board of Education shall have five days to review the referred preliminary study and report back to the director of Planning any requirements or recommendation pertinent to approval of the study. The director of Planning shall examine the preliminary study as to compliance with laws and ordinances of the approved master plan, other official plans and good planning principles; analyze the recommendations submitted by other departments and agencies; coordinate these recommendations and submit his recommendations to the Planning Commission at the next regular meeting.

(3) The Planning Commission shall consider all evidence presented by the subdivider, the director of Planning, and others, and shall approve or disapprove the preliminary study, and shall transmit its recommendation along with all supporting papers to the City Council. A copy of the recommendation shall be sent to the subdivider, and one copy shall be retained in the permanent files of the Planning Commission.

(4) The city council shall consider and act upon the Planning Commission's recommendation, and shall approve or disapprove the preliminary study. In the event of disapproval, the council shall notify the Planning Commission and state specific reasons for disapproval, a copy of which shall be transmitted to the subdivider. Approval by the council shall be effective for a period of twelve months, after which if a final plat has not been submitted to the Planning Commission for approval, reapproval of the preliminary study by the Planning Commission and council shall be required.

(5) The preliminary study shall be made from an accurate survey made by a licensed land surveyor in the State of Nebraska. The acceptable scale shall be between 10 and 100 feet to the inch.

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| Scales of more than 100 feet per inch may be permitted by the Director of Planning for very large projects.

All preliminary studies shall provide the following information:

- (a) Proposed name and acreage of the subdivision.
- (b) Name and address of owner, subdivider, and engineer or land surveyor.
- (c) A legal description sufficient to define the location and boundaries of the subdivision and evidence of ownership of the property proposed to be subdivided.
- (d) A map indicating plans for the development of the entire area if the proposed plat is a portion of a larger holding intended for subsequent development. Preliminary engineering plans for all improvements for the entire holding shall be a part of the requirement. Positive drainage from easements shall be included in the drainage plan.
- (e) Location, width, and name (if any) of all highways, streets, easements, right-of-way or railroad, whether public or private, parks, or other open spaces within and adjacent to the proposed subdivision. Tentative grades and direction of flow in streets and easements shall be shown.
- (f) Location, grade, and size of existing and proposed storm drainage facilities, sanitary sewers, water mains, electric, CATV, telephone, and gas mains within and adjacent to the proposed subdivision.
- (g) Contours at intervals of six inches.
- (h) If any portion of the land within the boundary of the proposed subdivision is subject to flood or storm water overflow, that fact and location shall clearly be shown. Areas covered by water and trees shall also be shown.
- (i) Layout, approximate dimensions, proposed use, number of each lot, and number of each block shall be indicated.
- (j) Location and outline to scale of each existing building or structure.
- (k) Date, north point, and scale shall be shown.
- (l) All areas not a part of the proposed plat due to other ownership shall be clearly shown and marked "Not a Part."
- (m) If the lots within the proposed subdivision are to be served by individual water supply and sanitary sewage systems, then the general location of such facilities on each lot shall be shown.

Amended by Ord. No. 8921, effective 7-28-2004

§33-8. Final Plat

(1) The subdivider shall prepare and file with the Planning Commission twenty-five (25) copies of the proposed final plat at least twenty (20) days prior to the date of the next regular Planning Commission meeting at which approval of the final plat is requested for standard final plats. Twenty-five (25) copies of final plat approval requests for planned developments including: Commercial Development Zone, Residential Development Zone, Travel Development Zone, Gateway Corridor (Overlay) District, and Mobile Home Residential Zone; shall be submitted at least forty (40) days prior to the next regular Planning Commission meeting at which approval of the final plat is requested.

(2) At the time of filing of the final plat with the Planning Commission the subdivider shall pay to the city treasurer a filing fee, as provided by a fee schedule approved by the City Council, which shall not be refundable unless such final plat is withdrawn by the subdivider prior to consideration by the Planning Commission.

(3) The director of Planning shall, at least ten (10) days prior to the Planning Commission meeting, transmit a copy of the proposed final plat to the Board of Education of the school district or districts involved, the public works director, the director of utilities operations, and any other department or agency that may be affected by the plat and as the Commission may designate. Such department or agency except said Board of Education shall have five days to review the referred final plat and report back to the director of Planning any requirements or recommendations pertinent to approval of the final plat. The director of Planning shall examine the final plat as to compliance with laws and ordinances of the master plan; other official plans and good planning principles and compliance with the approved preliminary study if submitted; analyze the recommendations submitted by other departments and agencies; coordinate these recommendations and submit his recommendation to the Planning Commission at the next regular meeting.

(4) The Planning Commission shall review the recommendation of the director of Planning and either approve or disapprove the final plat. If the Planning Commission finds that the final plat has been prepared in compliance with these regulations and in substantial conformance with the approval preliminary study, such plat shall be approved. In the event of disapproval, specific points of variance with

aforesaid requirements shall be a part of the Planning Commission's recommendation. The Planning Commission shall transmit its recommendation, along with a copy of the final plat, to the city council. A copy of the recommendation shall be sent to the subdivider, and one copy shall be retained in the permanent files of the Planning Commission.

(5) The city council shall consider and act upon the Planning Commission's recommendation and shall approve or disapprove the final plat. If it finds that the final plat has been prepared in compliance with these regulations and in substantial conformance with the approved preliminary study, such plat shall be approved. In the event of disapproval, specific points of variance with aforesaid requirements shall be a part of the official record. Upon approval of the final plat, the subdivider shall, within twelve months, furnish the following departments the data as shown or such approval shall become null and void:

- (a) Register of Deeds
 - (i) Approved final plat
 - (ii) Protective covenants, restrictions and conditions, if any.
 - (iii) Approved drainage plan.
- (b) City Clerk
 - (i) Print of approved plat.
 - (ii) Approved subdivision agreement.
 - (iii) Print of approved drainage plan.
- (c) Public Works Director
 - (i) Reproducible of approved final plat.
 - (ii) Reproducible of approved drainage plan.
 - (iii) Copy of approved erosion control plan unless the subdivision contains less than five acres in size.

(6) The final plat shall be in permanent black lettering and lines on high grade linen or mylar which is reproducible with dimensions of 18 inches by 24 inches. The acceptable scale shall be between 10 and 100 feet to the inch. In the event that the entire plat cannot be one sheet, it shall be submitted in two or more sheets of the same dimensions along with an index sheet showing the entire development at a smaller scale. All final plats shall portray the following information.

Deleted:

- (a) Name of subdivision, north arrow, scale, date, and names of subdivider, owner, and land surveyor.
- (b) Legal description of the property, including location of boundary lines in relation to section, township, range, county, and state. The perimeter of the subdivision shall be clearly and distinctly indicated.
- (c) The lines of all streets and alleys and other lands to be dedicated with their widths and names.
- (d) All lot lines and dimensions and numbering of lots and blocks according to a uniform system.
- (e) Location, use, and width of all easements for public use, drainage, services, and utilities.
- (f) All dimensions in feet and decimals of feet, both linear and angular, interior angles, length of radii and/or arcs of all curves, with all other information necessary to reproduce the plat on the ground.
- (g) The perimeter and blocks of the plat shall have a closure to an allowable unadjusted error of 1 to 7500. Latitudes and departure computations shall be submitted.
- (h) The location and description of all permanent monuments in the subdivision.
- (i) The description, location, and elevation of all benchmarks.
- (j) Names in dotted lettering of adjacent plats with the location and widths of adjoining streets shown by dashed lines.
- (k) Certificate, seal, and signature of land surveyor.
- (l) Notarized certificate and signature of all parties having title interest in the land being subdivided consenting to dedication and recording of the final plat as submitted.
- (m) Certificates to be signed by the chairman of the Planning Commission, mayor, and city clerk.
- (n) All areas not a part of the plat due to other ownerships shall be clearly shown as "Not a Part."

(o) Electronic subdivision requirements as provided in Addendum "A" of this chapter. The plat shall meet the drawing standards as identified in Addendum "B" of this chapter. Certificates shall be written in a format consistent with those shown on Addendum "B" of this chapter.

(p) References to a minimum of three established points, such as section corners, section quarter corners, block or subdivision corners, at least one of which shall be a County Control Point.

(q) A closure sheet shall be included with all submitted final plats. Said closure sheet shall include northing and easting coordinates for each point on the Subdivision Boundary and bearing and distance between points.

(r) The following supplementary engineering data and plans shall be submitted following approval of the final plat:

Deleted:

(i) Paving design, including alignment, grades, and a typical cross-section.

(ii) Public sidewalks design and location.

(iii) Location of telephone, electric, and CATV facilities, if underground.

(iv) Location, grade, and size of existing and proposed storm drainage facilities, sanitary sewers, water mains, and gas mains within the proposed subdivision.

(v) Location and outline to scale of each existing building or structure which is not to be removed in the final development.

(vi) Final approved drainage plan including the location, grade, and direction of flow of easements, and showing the proposed general locations of individual water supply and sanitary sewer systems on each lot, if applicable.

(vii) An approved erosion control plan to prevent wind and water erosion during any activity that will remove natural surface cover from within the subdivision boundary. This plan shall not be required for any subdivision containing less than one acre in size.

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(viii) Final approved drainage plans shall be required with the submission of all final plats. A drainage plan may be submitted with the paving and storm water plans, but the paving plan will not be signed off until the drainage plan is approved by the Director of Public Works and proof of its filing at the Register of Deeds office is submitted to the Director of Public Works.

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Amended by Ord. No. 8921, effective 7-28-2004

§33-8.1. Final Plat-Administrative Subdivision

(1) The subdivider shall prepare and file with the Director of the Planning Commission, three (3) copies of the proposed administrative subdivision final plat.

(2) At the time of filing of the administrative subdivision final plat with the Planning Director, the subdivider shall pay to the city treasurer, a nominal filing fee as provided by a fee schedule approved by the Regional Planning Commission and City Council. Such fee shall not be refundable, unless the administrative subdivision final plat is withdrawn by the subdivider prior to consideration by the Planning Director.

(3) The administrative subdivision final plat shall be prepared in accordance with final plat requirements specified and set forth in Section 33-8(6), excepting subsections (m) and (r). A place of certification to be signed by the Planning Director shall also be provided.

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(4) The Planning Director shall examine the administrative subdivision final plat as to its compliance with the Zoning ordinance, Subdivision ordinance and Building Code of the City. If the Planning Director finds that the administrative subdivision final plat has been prepared and submitted in compliance with the aforementioned ordinances, the Planning Director shall approve such plat. If the Planning Director finds that the proposed plat does not qualify for approval as an administrative subdivision final plat, the Planning Director shall return the proposed plat to the subdivider, without an approval.

(5) Upon approval of the administrative subdivision final plat, the subdivider shall, within twelve (12) months, furnish the following departments the data as shown below or such approval shall become null and void:

(a) Register of Deeds

(i) Approved administrative subdivision final plat

- (ii) Protective covenants, restrictions and conditions, if any.
- (b) City Clerk
 - (i) Print of approved administrative subdivision final plat.
- (c) Public Works Director
 - (i) Reproducible of administrative subdivision final plat.

Article III. Subdivision Agreement

§33-9. Procedure

No approved final plat shall be released by the planning director until a subdivision agreement shall have been entered into between the subdivider and the City. Approval of an administrative subdivision shall not be contingent upon the requirement of a subdivision agreement between the subdivider and the City. The city attorney shall prepare such agreement with assistance of the director of Planning, the public works director, and the director of utilities operations. The agreement shall provide for the needs of the subdivision, including but not limited to pavement, water mains, sanitary sewers, storm sewers, sidewalks, grading, waste treatment, and open space requirements. Security may be required to assure performance under the agreement.

Amended by Ord. No. 8921, effective 7-28-2004

§33-10. Engineering Data

The subdivision agreement shall require that all final engineering plans and specifications for public improvements bear the signature and seal of a registered professional engineer and shall be furnished by the subdivider to the Department of Public Works for approval prior to contracting for construction of any improvements.

Article IV. Minimum Design Standards

§33-11. General

Land within the proposed subdivision which the Planning Commission finds to be unsuitable for subdividing due to flooding or bad drainage or other topographic features likely to be harmful to the safety, welfare, or general health of the future residents of the proposed subdivision shall not be subdivided until the objectionable features have been eliminated or until adequate safeguards against such hazards are provided.

§33-12. Streets and Alleys

(1) The arrangement of streets shall conform as nearly as possible to the street plan of the General Development Plan with provisions for the extension of arterial and collector streets. Streets in the subdivision, normally shall connect with streets already dedicated in adjoining or adjacent subdivisions, and provisions may be required for future connections to adjoining unsubdivided tracts.

(2) Local streets should be so planned as to discourage through traffic. Cul-de-sacs should normally not be longer than five hundred feet and shall terminate with right-of-way turn-around having a diameter of not less than one hundred feet, and an outside curb diameter of not less than eighty feet for residential areas. Cul-de-sacs within industrial or commercial areas shall have a right-of-way diameter of not less than 120 feet and an outside curb diameter of not less than 100 feet.

(3) Collector and Arterial streets should be planned with minimal local street and driveway accesses. Residential subdivisions should be designed with street patterns that provide driveway access from local streets.

(4) Whenever a proposed subdivision is adjacent to or contains a portion of an existing or proposed federal or state highway, provision in such subdivision shall be made for one of the following methods of development:

(a) If the highway is either a non-access or controlled access thoroughfare, one of the following two methods of development shall be required:

(i) A frontage street adjacent and parallel to such thoroughfare shall be provided;

or

(ii) Lots shall back or side to such thoroughfare and have access to another street. Lots in commercial or industrial zoning districts shall have a landscaped area averaging thirty feet in width, or other approved landscaping, adjacent to such thoroughfare, and outside storage of unassembled or unfinished materials or products and inoperable equipment or motor vehicles shall be suitably screened by a sight-obscuring fence, foliage, or other screening material. Lots in residential zoning

districts shall have a sight-obscuring fence, foliage, or other screening material adjacent to such thoroughfare. The sight-obscuring fence shall not be metal strips or slats in a chain link fence.

(b) If the highway is not a non-access or controlled access thoroughfare, one of the following methods of development shall be required:

(i) Either method required for a non-access or controlled access thoroughfare may be applied; or

(ii) Lots may have frontage directly on such thoroughfare, provided, that the minimum setback for any new building in any zoning district shall be thirty feet, and shall be landscaped except for approved driveways.

(5) Half streets shall be prohibited except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations, or where it is found to be practicable to require the dedication of the other half when adjoining property is subdivided.

(6) Under normal conditions streets shall be laid out as to intersect as nearly as possible at right angles, except where topography or other conditions justify variations. More than four approaches to any intersection shall be prohibited. Street jogs at intersections with centerline offsets of less than 75 feet should be avoided.

(7) Alleys may be provided in commercial and industrial districts. Alleys shall be avoided in residential districts except to extend existing alleys to a street.

(8) The right-of-way widths, improvements, and grades for streets and alleys included in any subdivision shall not be less than the minimum right-of-way and outside curb dimensions or less than the minimum grade for each classification as follows:

Residential Areas

	R.O.W.	Improved	Grade
Arterial Street-Five Lane Design	100'	65'*	0.3%
Arterial Street	80'	47'*	0.3%
Collector Street	60'	41'*	0.3%
Local Street	60'	37'	0.3%
(parking on one side)	60'	31'***	0.3%
(no parking either side)	60'	26'***	0.3%
Cul-de-sac Street	60'	37'	0.3%
(parking on one side)	60'	31'	0.3%
(no parking either side)	60'	26'	0.3%
Frontage Street	40'	29'	0.3%
Alley	16'	16'	0.3%

Commercial or Industrial Areas

	R.O.W.	Improved	Grade
Arterial Street-Five Lane Design	100'	65'**	0.3%
Arterial Street	80'	47'**	0.3%
Collector Street	60'	45'**	0.3%
Local Street	60'	41'	0.3%
(parking on one side)	60'	41'	0.3%
(no parking either side)	60'	41'	0.3%
Cul-de-sac Street	60'	41'	0.3%
(parking on one side)	60'	41'	0.3%
(no parking either side)	60'	41'	0.3%
Frontage Street	65'	41'	0.3%
Alley	24'	22'	0.3%

Medians

Location: Medians may be located within streets to be dedicated to the public.

Lane width: A minimum unobstructed lane width of twenty (20.0) feet (improved 21' back of curb to back of curb) is required between the median curb and the street curb.

Landscaping: Medians within the public right-of-way may be landscaped, maintenance of landscaped medians shall be the responsibility of a property owners association created at or before filing the final plat. The city will maintain concrete medians or bricked medians within the public right-of-way.

All streets shall be designed and graded to the full right-of-way widths stated.

* The developer shall not be responsible for providing improvements wider than 37 feet at his expense.

** The developer shall not be responsible for providing improvements wider than 41 feet at developer's sole expense.

*** A residential local street or cul-de-sac street improvement width of 31 feet (parking on one side); or, a residential local street or cul-de-sac street improvement width of 26 feet (no parking either side) shall normally not be permitted, and shall only be considered under special exceptional circumstances.

(9) Drives, streets, or roadways within condominium, townhouse, or planned unit developments shall have a minimum right-of-way, improvement, and grade \pm determined by agreement between the subdivider, public works director, director of Planning, and approved by the city council.

(10) The horizontal alignment on all streets except in unusual cases shall be as follows:

Radii of Horizontal Curves (Center Line)	
Arterial Streets	700' minimum
Collector Streets.....	300' minimum
Local Streets	100' minimum

§33-13. Blocks

(1) Block Length: Intersecting streets determining block lengths shall be provided at such intervals as to serve cross traffic adequately and to meet existing streets and customary subdivision practice in the immediate area. Blocks shorter than 450 feet and longer than 1200 feet in residential districts should be avoided.

(2) Block Width. The width of a block shall be sufficient to allow for two tiers of lots with utility easement, if required. Blocks intended for business or industrial use shall be of such width as may be best suited for the contemplated use of the property taking into consideration the probable arrangement of parking and truck loading and maneuvering upon the property.

(3) Very Large Lots and Blocks. When a tract is subdivided into larger than normal lots or parcels, such lots or parcels should be so arranged as to permit the logical location and opening of future streets and appropriate resubdivision with provision for adequate utility connections for such resubdivision. Easements for the future openings and extension of such streets may, at the direction of the Planning Commission, be made a requirement of the plat.

§33-14. Lots

(1) Minimum Dimensions: The minimum width of lots shall be as required by the Zoning Chapter of the Grand Island City Code. Side lot lines should be at right angles to straight street lines and radial to curved street lines. Lots having a depth of less than 100 feet should be avoided. Lot sizes shall meet or exceed the requirement of the Zoning Chapter and should as near as practical meet or exceed the typical lot size for building sites in the immediate vicinity. Each lot shall be a buildable site after taking into account all yard spaces required by the Zoning Chapter. Excessive lot depth in relation to width should be avoided.

(2) Corner Lots Wider: Corner lots in residential areas shall be of sufficient size to comply with the requirements of the Zoning Chapter.

(3) Double Frontage: Lots with street frontage at both front and rear shall be avoided except when backing on a controlled access thoroughfare.

(4) Street Frontage: Each lot shall have frontage (minimum width of twenty (20) feet) on a street that will allow for practical, physical vehicular ingress/egress, and allow for the proper provision of present or future municipal services to the lot.

(5) Reversed Frontages and Key Lots: Reversed frontages at cross street intersections should be avoided except where it will match existing development. Key lots, being those inside lots fronting on side streets, should be avoided except where they are matching existing development and other lots are excessively deep. Key lots shall be prohibited where they disrupt utility or drainage easements. Reverse frontage and normal corner lots when adjacent to a key lot shall have additional width to allow front yard setbacks on both streets.

(6) Septic Tanks: In subdivisions within city jurisdiction outside of corporate limits where buildings are to be served by septic tanks, the size of lots shall be sufficiently large to accommodate adequate drainage fields. Standards set forth by the appropriate County and State or other agencies shall be met.

(7) Flag Lots: Flag lots, being those lots landlocked from public right-of-way except for a narrow tract of land of less width than minimum frontage as required by the Zoning Chapter should be discouraged except where development cannot reasonably be accomplished without their use. When such lots are platted, it shall be a requirement of the developer, builder, and owner to direct and maintain storm water drainage from the flag lot to the public right-of-way without directing the flow to adjoining property, i.e., drainage shall be by means of that strip of land connecting the area of the structure to the public right-of-way unless other drainage facilities are approved by the public works director.

Amended by Ord. No. 8921, effective 7-28-2004

§33-15. Easements

(1) Utility Easements: Unless otherwise required by the director of Planning, the director of utilities operations, or the public works director, utilities easements shall be 20 feet wide, falling half on adjoining lots along rear lot lines, and where necessary the same shall apply to side lot lines. The full width of an easement may fall on one lot. They shall be planned for easy and continuous access for maintenance, shall be continuous through the block and shall connect as nearly in line as possible with adjoining easements. To facilitate the use of easements, rear lot lines in curvilinear platting shall form straight lines for as long a distance as feasible. Direction changes shall fall so that a side lot line will intersect the point of change so as to allow the guywire easements to be located on lot lines.

(2) Drainage Easements: Drainage easements for storm sewers or open channels shall be required where storm drainage cannot be practically carried under streets or in the right-of-way. Open channel drainage easements shall be required where there is evidence that the natural drainage for a large area traverses the subdivision. Drainage easements shall be sufficient in width so that motorized equipment may be used in their maintenance.

§33-16. Pedestrian Ways

Pedestrian ways may be required so as to allow cross access for pedestrians in very long blocks. In general, blocks of 800 feet or more in length may have a requirement for a pedestrian way near the center of the block and shall have a minimum width of six feet. Pedestrian ways shall have a sidewalk width of four feet and have a minimum 42 inch high chain link fence on both sides.

§33-17. Reserve Strips of Land

Reserve strips of land controlling access to or egress from their property, or from any other street or alley, shall not be permitted within any subdivided area.

§33-18. School, Park, or Open Space Sites

The Planning Commission may require the subdivider to reserve for purchase-option certain parcels of land for public use. The public agency shall have from the time of submission of the preliminary study to the submission of the final plat to exercise the purchase-option under this provision. The exact location of the reserved area shall be subject to approval of the Planning Commission.

Article V. Minimum Improvements

§33-19. Minimum Improvements

Inasmuch as the primary purpose of subdividing land is to create building sites, and inasmuch as vehicular access and certain utilities are essential to urban development, it shall be the responsibility of the developer to install in accordance with plans, specifications, and data approved by the public works director, certain required improvements as follows:

(1) Staking: The following described monuments shall be installed before the public works director shall approve the plat, or in lieu thereof, a performance bond in an amount equal to the cost of doing such work shall be furnished to the City of Grand Island before the public works director shall certify to the council that the required improvements have been satisfactorily arranged.

(a) The external boundaries, corners of blocks and lots, all points of curvature, and points of tangency, shall be monumented by an iron rod or pipe not less than 1/2 inch outside diameter and extending at least 24 inches below grade.

(2) Grading of Lots: When any building site is filled to a depth in excess of five feet, said fill shall be laid down in six-inch layers, and each layer shall be given six passes with a sheepsfoot roller with optimum moisture present for compaction to equal the bearing strength of the natural ground, indicated by Proctor test or other test which may be approved by the public works director.

(3) Storm Drainage shall be conveyed to an approved storm drainage system if available and adequate to accept the runoff from the fully developed subdivision. Available shall mean a system approved by the public works director to serve the proposed subdivision. If an approved system is available but not of adequate capacity, then provisions must be made for on-site detention to reduce the peak flow out of the subdivision to that which the approved system can accommodate. The detention cell shall be sized to accommodate a ten-year design storm as per criteria acceptable to the public works director. In computing cell capacity only the capacity above the elevation at which approved positive drainage exists will be considered. Detention cells without approved positive drainage will not be accepted. Determination of the approved form of positive drainage shall be made by the public works director. Gravity drainage shall be used if possible. Provisions shall be made for surface water traversing the subdivision. The subdivision agreement shall prohibit filling in of ditches or other drainage facilities and specify ownership and maintenance responsibility of detention cells and other drainage features not dedicated to the public.

(4) Sanitary Sewer shall be provided to connect all lots in the subdivision in accordance with standard specifications of the City of Grand Island to an approved public system if available and adequate to accept the flow from the fully developed subdivision. Available shall mean an existing approved system or a system approved for construction by the City. The city council may extend consideration of the preliminary study for up to 120 days to consider a sanitary sewer extension approval. In no case shall the minimum diameter for residential developments be less than eight inches, and for commercial and industrial developments the minimum shall be ten inches. If an approved system is not available, then individual systems may be permissible on an initial basis, however, the subdividers shall be required to install the complete system to serve the subdivision even though it may not be connected with the approved system.

The requirement to install the complete but unconnected system shall not apply to existing right-of-ways, with existing improvements, when determined by the Planning Director along with recommendations from the Public Works Department and the Utility Department that public service mains will not be installed to serve the subdivision in the near future.

The requirement to install the complete but unconnected system shall not apply for a subdivision having four (4) lots or less unless the subdivision is part of a larger development being finalized in phases, except when:

- (a) The construction of the public system which will serve the subdivision is provided for in the current approved Capital Improvement Program for the City of Grand Island, or;
- (b) The Council officially amends said program to include a public system which will serve the subdivision, and;
- (c) The City can provide the subdivider sufficient information for the design and construction of his system.

In the event that individual systems are to be used, then the Subdivision Agreement shall state that the lot owners waive the right to protest creation of a sanitary sewer district abutting the subdivision or to serve the subdivision, shall keep all easements free of any obstructions, including fences, trees and bushes, sheds, etc.; shall indemnify the City of any removal/replacement/repair costs for obstructions in easements for the construction of such district, and shall connect to such district within two (2) years of the district construction completion.

(5) Water Supply shall be provided to connect all lots in the subdivision in accordance with standard specifications for the City of Grand Island to an approved public system if available and adequate to serve the needs of the fully developed subdivision. Available shall mean an existing approved system or a system approved for construction by the City. The city council may extend approval of the preliminary study for up to 120 days to consider a water main extension approval. Fire hydrants shall be installed in a pattern approved by the director of utility operations and the fire chief. If an approved system is not available, then individual systems may be permissible on an initial basis, however, the subdivider shall be required to install the complete system to serve the subdivision even though it may not be connected with the approved system.

The requirement to install the complete but unconnected system shall not apply to existing right-of-ways, with existing improvements, when determined by the Planning Director along with a recommendation from the Public Works Department and the Utility Department that public service mains will not be installed to serve the subdivision in the near future.

The requirement to install the complete but unconnected system shall not apply for a subdivision having four (4) lots or less unless the subdivision is part of a larger development being finalized in phases, except when:

- (a) The construction of the public system which will serve the subdivision is provided for in the current approved Capital Improvement Program for the City of Grand Island, or;
- (b) The Council officially amends said program to include a public system which will serve the subdivision, and;
- (c) The City can provide the subdivider sufficient information for the design and construction of his system.

In the event that individual systems are to be used, then the Subdivision Agreement shall state that the lot owners waive the right to protest creation of a water district abutting the subdivision or to serve the subdivision, shall keep all easements free of any obstructions, including fences, trees and bushes, sheds, etc.; shall indemnify the City of any removal/replacement/ repair costs for obstructions in easements for the construction of such district, and shall connect to such district within two (2) years of the district construction completion.

(6) Grading shall be completed to official grade on all streets for the full width of the right-of-way and fills shall be compacted sufficiently to assure adequate support for permanent paving, as set forth by standard specifications of the City of Grand Island.

(7) Street Surfacing: Paving, including curbs and gutters, shall be completed on all streets in accordance with the standard specifications of the City of Grand Island and in conformity with any official street plans which may be adopted by the city council of Grand Island. Standard installations for sanitary sewer, storm drainage, and water may be required to be installed before paving, subject to the recommendation of the public works director, even though such facilities cannot be connected with the City system at the time of approval of the plat.

(8) Public sidewalks four feet wide shall be constructed in accordance with sidewalk standards along each side of all public street right-of-way to serve all lots in the plat. This requirement may be waived until the Council directs such installation for a subdivision having four lots or less unless:

- (a) the subdivision has curb and gutter; or,

(b) such installation would result in continuity with an existing sidewalk on at least one side of the new subdivision; or,

(c) the subdivision is part of a larger development being finalized in phases.

(9) Inspections of improvements under construction shall be performed under the supervision of a professional registered engineer and upon completion, shall be subject to inspection and approval by the Department of Public Works prior to acceptance by the City of Grand Island. The subdivider may enter into an agreement with the City whereby the developer of the subdivision shall pay for inspection personnel which may be furnished by the City under supervision of the public works director, on all improvements constructed by such developer of such subdivision as provided for in this chapter. An "as-built" set of plans and specifications including required test results bearing the seal and signature of a registered professional engineer shall be filed with the Director of Public Works by the subdivider prior to acceptance of these improvements by the City.

§33-20. Installation of Improvements

Developers may select either method or combination of methods listed below to comply with the minimum improvements requirements:

(1) They may install the required improvements before council approval of the final plat.

(2) They may submit a petition or petitions requesting the City to construct street surfacing, sanitary sewer, and water mains in the proposed subdivision by the district method. In that event, the City will prepare plans and specifications for all such improvement districts and shall assess the cost of such improvements to the adjacent property, as provided by law. The size of any street improvement district, sanitary sewer district, or water main district, shall be determined by the city council. Construction of any such district shall be subject to the City's ability to finance any of the improvements. When any length of a full-width street is being dedicated as a part of the subdivision, the subdivider shall install water and sewer lines, without using the improvement district method, prior to the creation of any street improvement district.

(3) They may enter into a Subdivision Agreement for the installation of the required improvements.

Sidewalks shall be constructed when the adjacent lot is built upon and shall be regulated and required with the building permit for such lots, unless a waiver to construct when directed by the city council is provided in the Subdivision Agreement.

Article VI. Miscellaneous

§33-21. Modification of Requirements

Upon hearing, the city council may modify or waive specific provisions of this chapter in its application to specific tracts of land, provided, it finds that:

- (1) The strict application of a particular provision would produce undue hardship.
- (2) Such hardship is not shared generally by other properties in the proposed subdivision, or in the case of modifications or waivers affecting an entire proposed subdivision the hardship is not shared generally with other similar subdivisions.
- (3) The authorization of the modification or waiver will not be a substantial detriment to adjacent property and the character of the proposed subdivision will not be adversely changed.
- (4) The granting of such modification or waiver is based upon demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit, or caprice.
- (5) The granting of such modification will not unduly compromise the intent of this chapter.

§33-22. Penalty

Any person violating the provisions of this chapter shall, upon conviction, be deemed guilty of a misdemeanor.

33-23 Subdivision Naming

Submitted plats shall not have a number to start the subdivision name. Example – 4 Times 4. Sub. (Not allowed); Four Times Four (allowed). Subdivision names that start with initials with periods are not accepted. Example: R. J. M., Subdivision. (Not allowed); RJM Subdivision (allowed).

33-24 Original Mylar Subdivision Plat

The original Mylar of subdivision plats submitted to the Regional Planning Commission for review, shall be signed by all title holders involved with the plat, prior to the time of the regular meeting date, and the Mylar present at the meetings for the chairman to sign.

Mylar plats not presented at the meeting, will be signed by the chairman at the next regular regional planning commission meeting. Subdivision shall not be forwarded to the City Council until all such signatures are in place.

Mylar plats will not be released by the City until such time as all subdivision agreements have been signed and connection fees or other fees related to the development have been paid by the developer.

**ADDENDUM “B”
DRAWING STANDARDS AND SAMPLE PLATS**

Drawing standards refer to drawings presented in model space. Line type and line width on paper space drawings shall match model space drawings as presented.

Examples:

1: Subdivision Boundary – The outer boundary line of the subdivision.

Layer Name: Subdivision Boundary.

The boundary shall be drawn equal to an AutoCAD line weight of 1.0mm and shall be a solid line.

2: New Easements – Easements dedicated with this plat.

Layer Name: New Easements.

Easements shall be drawn equal to an AutoCAD line weight of 0.30mm and shall be a dashed line.

3: Existing Easements – Easements dedicated prior to this plat.

Layer Name: Existing Easements.

Existing easements shall be drawn equal to an AutoCAD line weight 0.18mm and shall be a dashed line.

4: Lot Line – New lot lines.

Layer Name: New lot lines.

New lot lines shall be drawn in AutoCAD line weight of 0.30mm and shall be a solid line

5: Measurements- Distance, angles, bearings.

Layer Name: Measurements, or Dimension.

Measurements shall be shown with distance, angle, and bearings on all lot lines where allowable. In a case of large subdivision plats, distance, angle, and bearings shall be shown along the centerline on existing and new easement.

Text fonts, size, and placement shall be readable legible and clear.

6: Adjacent Property's

Surrounding property lines, subdivision, undeveloped ground, right of way, easements, section lines or quarter section lines shall be drawn in AutoCAD line weight of 0.18mm

and shall be dashed or dash dot. Subdivisions adjacent shall also show subdivision names, lot numbers, block numbers.

Note: Subdivision plats plotted on Mylar shall have no gray tone lines.

7: All plats and revised plats submitted shall include a schedule of revisions showing the time and date of the original drawing and subsequent revisions.

8: Hall County Register of Deeds

A space shall be reserved on the subdivision plat for the register of deeds stamp; a space shall be 6" X 3"

All notary stamps must be clear, complete and readable when reproduced.

All signatures must be clear, complete and readable when reproduced.

All dates and signatures must agree with the dates and signatures in the acknowledgments. (the acknowledgement must state the exact name that was signed.)

A paper copy of the subdivision plat shall be presented to the Register of Deeds offices for review at the time copies are presented to the Regional Planning department for review.

Names and titles in acknowledgments must be identical to the signatures and titles of the parties who sign. (acknowledgements must include the marital status of individuals and/or position or title for persons signing on behalf of partnerships, corporations or limited liability corporations).

Electronic Subdivision Requirements

Layer Name	Description	Font Size
Subdivision Boundary	The outer boundary of the subdivision	
Existing Easement	Easements dedicated prior to this plat	
New Easements	Easements dedicated with this plat	
Section Line	Section and quarter section lines	
Lot Line	New lot lines	
Measurement	Distances, angles, bearings	0.1
Subdivision Name	Subdivision Name	0.5
	Governing Body	0.3
	Surveyor	0.15
Street Name	Street names	0.25
Lot Number	Lot numbers	0.2
Block Number	Block numbers	0.2
Text	Certificates	0.2
	Dedications	0.1
Adjacent Property	Surrounding property lines, subdivision, lot number, block number, unplatted ground, rights-of-way, easements	

Agenda Item #7

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

August 28, 2006

SUBJECT:

Concerning amendments to the Subdivision Ordinance for the City of Grand Island and its 2 mile extra-territorial jurisdiction. Amendments to be considered include minor corrections, rewording of some portions of the regulations and the addition of Addendum "B" Drawing Standards and Sample Plat (C-24-2006GI)

PROPOSAL:

The City of Grand Island adopted new subdivision regulations in July 2004. The changes proposed here are suggestions from planning department and other City Staff. These changes are designed to standardize the plats received by the planning department from the various surveyors and engineers that work in the Grand Island area. Deletions are called out and additions are underlined.

OVERVIEW:

The changes to the main part of the Chapter 33 are primarily typographic, grammar and numbering changes. Naming conventions and a requirement that the signed plat be present at the planning commission meeting have been added to the miscellaneous requirements.

The major changes involve Addendum B. These are proposed drawing standards and a sample drawing showing what the plat should look like. The adoption of these changes will standardize plats received by the Planning Commission for the City of Grand Island.

RECOMMENDATION:

That the Regional Planning Commission recommend that the Grand Island City Council **approve** the changes to the Grand Island Subdivision Ordinance as requested.

_____ Chad Nability AICP, Planning Director