REASONS FOR SUBSTANTIVE CHANGES

Chapter 25.04.010 Line

52-53

Presently the intent section of the Ordinance states that one of the goals of the Ordinance is to prevent overcrowding of the land; and another goal is to avoid undue concentration or dispersal of population. Overcrowding and undue concentration are redundant.

77-80

Throughout the proposed Ordinance, the terms: "*SUDAS Manual, including the City Supplement to the SUDAS Manual, and the Complete Streets Policy of the City of Sioux City*" to replace the term: "*the Sioux City Design Standards Manual.*" The City's Engineering Division has determined that it is more efficient and appropriate to follow SUDAS (which is applicable State-wide), the City's Supplement to SUDAS, and the Complete Streets Policy rather than to keep up the City's own Design Standards Manual.

87-91

Added *"A subdivision final plat and where required by this ordinance, a preliminary plat, shall be made when a tract of land is subdivided into three or more parcels irrespective of whether or not it is subdivided by simultaneous or repeated division, a quantity description, or a meets and bounds description regardless of whether or not a plat of survey has been recorded or by any other means."* This makes it clear that any time a lot is split more than once for any reason, a subdivision plat is required.

Also note Memo 1 - When Should Subdivisions be Required?

95-102

Added *"Exception Section"*

Staff attempted to fashon the "Exception Section" after the PD Section of the Sioux City 1976 Zoning Ordinance. It recognizes that due to Sioux City's rugged terrain, some areas - areas which the Comprehensive Plan calls for suburban or other types of development - simply can't be developed under normal subdivision regulations. This section would allow the Commission to replace "hard" Citywide regulations in these rugged areas with procedural oversight to ensure that subdivisions are developed in innovative ways while remaining safe. The City may waive or modify certain regulations but in return add other regulations to allow development that would otherwise be prohibited to go forward in a safe and orderly manner.

Note Memo 2 -"Exceptions to the Ordinance"

138-140

Added "*Creation of any parcel of Land divided contrary to the provisions of this chapter shall constitute a Municipal Infraction against the person recording the document creating said parcel*." We need an enforcement mechanism

Chapter
25.04.020

1-52
This entire Section was added in order to clarify the terms Simple Division, Minor Subdivision, Major Subdivision, and Auditor's Plat; to clarify when they are required, and to outline the various approval procedures.

Simple Divisions are usually brought to the attention of City staff by Assessor's staff or County Recorder's staff who are concerned that the division was improper. Review and approval is conducted solely by city staff. Enforcement action, if the division was done improperly, is conducted by staff.

Minor Subdivisions are an action that involves more than two splits but no public improvements and little to no grading. Given that essentially no activity occurs other than surveying and the creation of a final plat there is no reason to create or review a preliminary plat.

Plats for Minor Subdivisions go directly to the City Council for review and approval via final plat.

Major Subdivisions require review of a preliminary plat by both staff and the Planning and Zoning Commission and approval by Council. Since final plats that conform with an approved preliminary plat SHALL be approved there is no reason for the Planning and Zoning Commission to review final plats determined to be consistent with the approved preliminary plat, however, the City Council must approve all final plats via a resolution.

24.10.030

31-36
Added required R-O-W dimensions, grade, and area information. Understanding grades, and the amount of infrastructure and new maintenance responsibilities the City will be taking on with approval of a new subdivision must be part of subdivision review. Please note the matrix showing street design specifications in Section 24.10.60.

38-50
Added requirement for street names to be on the preliminary plat and added the City's Street naming policy. It is necessary for street names to appear on the preliminary plat so the names can be checked for consistency with the Street Naming Policy prior to any sewer or water permits being issued so they will not have to be changed later.

58-66
Added: *"If water service is proposed to/in the subdivision, the developer shall review with City staff to determine which pressure zone the subdivision is in and its maximum service elevation. If the final proposed elevation of any lots in the proposed subdivision is within ten (10) feet of the maximum service elevation for said pressure zone, the likely elevation of the building site on those lots shall be identified on the preliminary plat*". It is essential that new subdivisions have adequate water pressure for both domestic use and fire protection.

68-70
Added requirement that existing private utilities as well as their general extensions be shown on the preliminary plat as well as their extensions. Private utilities can be as important for subdivision development as public utilities.

72-83
Added and clarified requirements for submission of a drainage report with preliminary plat.

"The Preliminary Plat shall propose storm water detention ponds, whenever new impervious area is expected to exceed 5,000 square feet either from proposed new streets or expected residential development, including buildings, driveways and other new impervious surfaces. The location of new detention ponds as well as their design, shall be based on a drainage report prepared by a Professional Engineer currently licensed in the State of Iowa." The City's Storm Water Policy and Ordinance is listed in Section 12.16. It applies to all activities that create or alter storm water flows. This includes subdivision or other activities. Preliminary plats shall propose grading designs that retain storm flows from a 100 year storm event at developed levels and release at 10 year undeveloped levels. Essentially any major subdivision plat that proposes new streets will require the provision of onsite storm water detention (160 feet of new local service street, 31-feet wide will create 4,960 sq.ft. of surface area). Houses and driveways must also be considered. In order to avoid confusion between the various ordinance sections staff believes that the detention requirement should be placed in the Ordinance.

For the most part, these detention ponds will remain the responsibility of the developer or Home Owners Association and can be used as open space (when it is not detaining water) or can be designed as a water feature.

A drainage report, prepared by an engineer licensed in the State of Iowa shall be required for any subdivision expected to create 5,000 or more sq.ft. of impervious area.

87-89
Added names of adjoining subdivisions and details to be shown on the vicinity map. This is needed to better understand the proposal.

95-106
Added a requirement for a Street Lighting Plan using LED fixtures to be submitted with the preliminary plat. All street lights are being changed to LED. Review of street lighting needs to be done prior to drawing of the final plat so easements can be shown on the final plat. MidAmerican Energy is in the process of changing all street light fixtures to LED.
See Memo 3 - Street Lighting

109-113
Deleted drainage report requirements. Drainage report requirements were addressed above.

185-193
Added provisions to allow administrative approval for extensions of preliminary plat approval: Presently preliminary plat approvals expire after one year. Many subdivisions, especially those with multiple filings take more than one year to complete. There is no defined way to extend plat approval except to resubmit the preliminary plat and go through the process again and hope everyone reaches the same decision. That is a waste of time and adds an element of uncertainty to the process which does not help Sioux City's development climate. Over the years, staff has "worked" with developers to extend the preliminary plat approvals but it is better to have the procedures codified. As the ordinance is proposed, if progress towards completion of the project is being made, if proper dust and erosion control measures and other construction regulations have been followed

the Administrator may approve an extension administratively.

24.10.040
Line

39-40
Deleted ~~"shall be chosen to avoid confusion in sound and spelling with other street names in Sioux City and nearby jurisdictions" and added "which shall be identical to the street names shown on the preliminary plat~~" and added "Street names which shall be identical to the street names shown on the preliminary plat." Changing street names between the preliminary and final plat stage leads to confusion on the part of utility companies who are designing the service and use street named for reference during the design process.

86-91
Added: For developments that contain a detention pond or ponds, which will remain owned by either the home owners association, or the developer, the final plat must contain on its face, or be attached there-to, a document creating an easement, or otherwise allowing the City to access and maintain the detention pond(s) and recoup costs against the responsible parties in the event it is not otherwise maintained to SUDAS Standards. There needs be a way to allow the City to maintain detention ponds in the event no one else will.

94-98
Added "Said agreement shall be recorded by the City prior to recording the plat. In the case of such extraterritorial subdivisions plats, the resolution approving the plat shall reference the agreement with roll and image numbers and the agreement shall be cross referenced with the plat by the Recorder."
See Memo 4- Where should the Annexation agreements be filed?

151-153
Added: (3) One set of as-built plans, in a format acceptable to and approved the City Engineer, shall be submitted to the City Engineer prior to the time he affixes his signature to the final plat. The receipt and availability of "as built" plans for review are necessary for the proper future maintenance of the street and its underground utilities. The "as-built" plans themselves have often been difficult to get from developers. This revision makes receipt of "as built plans" a formal requirement and the City Engineer will not sign his signature on the plat until they have been received.

155-156
Added **"**Final Plats that are consistent with an approved preliminary plat SHALL be approved by the City Council". This is a long standing City policy needed to give developers assurances that they can install public improvements with assurance that a plat will be approved.

24.10.050
Line

13-18
Deleted “any or all of the subdivided … so that each lot will be suitable and useful for the construction of structures and other improvements.” And added “subject property in a manner consistent with the approved preliminary plat” Simply noting that the final grading must be consistent with the preliminary plat clarifies the process.

16-18
Deleted “30.070” and added “in addition to being consistent with the approved preliminary plat.” Clarifies that the entire Grading Ordinance is applicable.

27-39
Added “*Sidewalks to provide pedestrian circulation shall be constructed along both sides of all streets in a manner consistent with the approved preliminary plat. Sidewalks need not be installed prior to approval of the final plat but shall be installed by the lot owner prior to the time a Certificate of Occupancy for the structure on the lot is issued. In the event a structure is not built on the lot within four years after plat approval the City shall install the sidewalks on vacant lots and shall assess the owner of the lot for the cost of installation” Sidewalks shall be consistent with the City’s Complete Streets Policy in general and in particular shall be five feet wide in residential areas and ten feet wide in commercial areas.”* This sets out both policy and procedure for installing sidewalks.

48-55
Added *“Service water lines to the lot shall not be installed until a structure is built on the subject lot. At the time of construction, water service lines shall be tapped into the public water distribution main.”* Adding water stubs prior to house constriction allows potential contamination of water main and limits flexibility in the choice of water main location.

66-67
Added *“Service lines shall be extended to each lot*” It is important that approved subdivisions have access to all utilities one would reasonably expect in a new subdivision.

70-72
Added “*in 10’ X10’ easements shown on the final plat in private property at each intersection of a side lot line and the right-of-way line”.* Requiring the 10 X 10 easements takes care of most telephone and electric easement needs.
See Memo 5 - Utility Easements

73-75
Deleted “*Street lighting shall be installed by the electric utility company in conformance with the Design Standards Manual. The type and location of street lights shall be included on the plans of improvements for the subdivision”* Street lights are now installed by the developer and dedicated to the City with approval of the final plat.

75-81
Added “*Street lighting shall be installed in a manner consistent with the street lighting plan included in the approved preliminary plat. Installation shall be by the developer prior to approval of the final plat. Upon approval of the final plat, street lights shall be dedicated to the City and the City will maintain them.”* The type

and location of street lights shall be included on the plans of improvements for the subdivision. Street lights are now installed by the developer and dedicated to the City with approval of the final plat.

101-103
Added “No construction field changes shall be made without submission of revised plans, review of those plans, and written approval of the City Engineer” and deleted “City Engineering Division” This clarifies that field changes have to be documented and reviewed by the City Engineer. Changes not specifically signed off by the City Engineer (or acting City Engineer) shall not be considered valid.

109-110
Deleted *“For a deferral, the subdivider shall be required to enter into an agreement with adequate assurance of performance as provided in Section 5 below.”* This requirement has never been enforced.

141-146
Deleted sidewalk installation requirements. They are described above.

24.10.060
Line
46/85 Added "*In general, all new streets shall conform to the following matrix*" The only substantive changes are the addition of Local Service Street – Commercial Industrial Requirements." and increasing width requirements for residential and commercial sidewalks from four to five-feet and eight to10-feet respectively.

	Grade Min	Grade Max	R-O-W Street	R-O-W Turn around	Paving Width Street	Paving Radius Turnaround	Max Length
Arterial Street	0.5	6%	80 feet*	N/A	49-feet	N/A	N/A
Collector Street	0.5	8%	70-feet	N/A	31-feet	N/A	N/A
Alt Collector - One side parking only	0.5	8%	60-feet	N/A	27-feet	N/A	N/A
Local Service Street medium density residential	0.5	10%	60-feet	N/A	31-feet	N/A	N/A
Local Service Street - Commercial/Industrial	0.5	10%	60-feet	N/A	37-feet	N/A	N/A
Rural Alt - very low-density residential development with 120 foot frontages and no parking permitted on the street.	0.5	10%	55-feet	N/A	24-feet	N/A	N/A
Cul-de-sac turn around (Res)	0.5	10%	N/A	50-feet	N/A	35-feet	500-feet
Cul-de-sac turn around (Comm)	0.5	10%	N/A	60-feet	N/A	50-feet	500-feet
Sidewalks Residential					5-feet		
Sidewalks Commercial					10-feet		

*80-feet or as designed by the City Engineer or set forth in the general plan.

See Memo 6 - Cul-de-sac Radii
See Memo 7 - Comparison of Requirements with Other Cities

58-63
Added "*(X)On preliminary Plats which show dead end or cul-de-sac streets a study prepared in partnership with City staff must accompany the plat analyzing the possibilities of extending the street. Streets with no likelihood of extension should stop with enough distance between the end of the turn around and the property line to accommodate a lot. Streets with a likelihood or desirability of being extended must be extended so the right-of-way and paving meet the abutting property."* This is needed to

ensure that adequate review of potential street extensions occurs.
See Memo 8 Cul-de-sac studies and Street Extensions

64-66
Deleted *"(4) Half-width streets of at least two travel lanes shall be allowed only where the city' s general plan indicates that a major street is to center on the boundary between two development parcels".* Half streets is an out of date concept.

69-70
Added *"…. or where the street is expected or planned to be extended to connect with another part of the street system*." This clearly indicates one of the few times when cul-de-sacs can exceed 500 feet.

85-88
Deleted "*The size, materials and installation of the sanitary sewer facilities shall be in conformance with chapter 3 of the Sioux City Design Standards Manual"* and added *"The standard diameter for a sanitary sewer main, subject to oversizing as may or may not be required by the City Engineer, shall be eight inches."* This adds transparency to the ordinance allowing everyone to know that eight-inch sewers are required.

89-92
Added *"On preliminary plats which show dead end sanitary sewer lines, a study prepared in partnership with City staff must accompany the plat analyzing the possibilities of extending the sewer. Sewers with a likelihood of desirability of being extended must be designed so as to be able to be extended to the abutting property".* This is needed to ensure that adequate review of potential utility extensions occurs.

100-101
Added "*The standard diameter for a water main, subject to oversizing as may or may not be required by the City Engineer, shall be eight-inches."* This adds transparency to the Ordinance allowing everyone to know that eight-inch water mains are required.

103-106
Added *"On preliminary plats which show dead end water mains, a study prepared in partnership with City staff must accompany the plat analyzing the possibilities of extending the water main. Mains with a likelihood of desirability of being extended must be designed so as to be able to be extended to the abutting property".* This is needed to ensure that adequate review of potential utility extensions occur.

109/113
Deleted *"chapter 2 of the Sioux City Design Standards Manual" and added "The SUDAS Manual Storm water detention ponds shall located and designed in a manner consistent with the approved preliminary plat and shall remain the property of the developer and/or home owners association who shall be responsible for the maintenance of said detention ponds."* Sioux City no longer maintains its Design Standards Manual; storm water detention needs to be fully designed at the preliminary plat stage.

114/117
Added *"Street lights shall be provided and installed by the developer in a manner consistent with the street light plan approved as part of the preliminary plat. Street lighting will be dedicated to the City with approval of the final plat*." This clarifies procedure

118/122
Added: *All new street lighting shall consist of LED (Light Emitting Diode) fixtures. Street lighting shall be installed by the developer in conformance with the SUDAS Manual and specifications of the electric company. Said street lights shall be installed prior to consideration of the final Plat. With approval of the final plat, street lights shall be dedicated to the City*. This clarifies procedure.

123/127
Added *"Street, Directional and Public Hardware including but not limited to street name signs, stop signs and public directional signs shall be designed installed and maintained by the City. The location of the public hardware shall be designed as part of the detailed improvement plans and shall be installed prior to approval of the final plat."* This clarifies procedure.

Memo 1
When Should Subdivisions be Required?

It is the staff opinion that subdivision plats should be required whenever a lot of tract of Land is divided more than once irrespective of how or when those divisions occur.

Code of Iowa
"354.6 Subdivision plats.

1. A subdivision plat shall be made when a tract of Land is subdivided by repeated divisions or simultaneous division into three or more parcels, any of which are described by metes and bounds description for which no plat of survey is recorded".

Under the above verbiage, subdivision plats are not required under the following circumstances: If lots can be described in a manner that does not involve a meets and bounds description a subdivision plat is not required. A meets and bounds description is defined as a description that uses lengths and bearings. Therefore if you can describe lots without using bearings i.e. "the north 100-feet of Lot X", "the south 100-feet of the north 200-feet of Lot X", "the south 100-feet of the north 300-feet of Lot X," etc a tract of Land can be "subdivided without the benefit of a subdivision plat or any public review".

Also the subdivision requirement can be avoided simply by recording multiple plats of survey instead of a subdivision plat.

Staff intends to address these issues and require subdivision plats whenever a tract is divided into two or more parcels by using the following verbiage.

Proposed Ordinance 24.10.10 (X):"*A subdivision final plat and where required by this ordinance, a preliminary plat, shall be made when a tract of Land is subdivided into three or more parcels irrespective of whether or not it is subdivided by simultaneous or repeated division, a quantity description, or a meets and bounds description regardless of whether or not a plat of survey has been recorded or by any other means."* This makes it clear that any time a lot is split more than once for any reason, a subdivision plat is required."

The goal of the State Code is not to encourage a particular type of development. The goal of the State Code is to ensure that tracts of Land are divided in such a manner that adequate area calculations can be made for determining tax and assessment issues. Plats of survey or quantity descriptions are adequate for this function. Meets and bounds descriptions are not.

However, cities are empowered to require plats when State Code does not in order to guide development and to ensure proper development of Land, proper provision of utilities, proper street alignments etc. That is why the additional verbiage above and beyond what is in state Code is being recommended.

Memo 2

Exceptions to the Ordinance

Staff attempted to fashon the "Exception Section" after the –PD Section of the Sioux City 1976 Zoning Ordinance. It recognizes that due to Sioux City's rugged terrain, some areas - areas which the Comprehensive Plan calls for suburban or other types of development - simply can't be developed under normal subdivision regulations. This section would allow the Commission to replace "hard" Citywide regulations in these rugged areas with procedural oversight to ensure that subdivisions are developed in innovative ways while remaining safe. The City may waive or modify certain regulations but in return add other regulations to allow development that would otherwise be prohibited to go forward in a safe and orderly manner.

25.10.10 (7). Exceptions.
X. Sioux City has areas of very rugged terrain as well as areas of relatively flat terrain. Some of the areas of the most rugged terrain were incorporated into the City more than 125 years ago and numerous City policies have called for its development. It is recognized that some of areas of rugged terrain cannot realistically be developed in a manner consistent with City policies if all subdivision regulations are followed to the letter. For these areas, in order to allow implementation of City development policies, strict regulatory development standards must be replaced by procedural review standards to allow necessary relaxation of some subdivision regulations but only after detailed review to ensure traffic safety, and safe and adequate development occurs.

X The city council may make exceptions, modify or defer the requirements of this chapter based upon a written findings finding that strict compliance may result in extraordinary hardship or practical difficulties and/or that such relief may better help implementation of City development policies including but not limited to:
--The Comprehensive Plan
--The SUDAS Manual
--The City Supplement to the 2015 SUDAS Manual
--Best Engineering practices as interpreted by the City Engineer
--The City's Complete Streets Policy

X. Specific actions that may justify an exemption include but are not limited to:
--Excessive grading required to meet the above policies and practices
--Excessive damage done to the environment in order to meet the above policies and practices
--Inability to extend utilities to property in order to meet the above policies and practices due to topography
--Inability to extend utilities to property in order to meet the above policies and practices due to cost.
--The need to resolve conflicts between conflicting sets of regulations and standards

7. Exceptions.

X. Sioux City has areas of very rugged terrain as well as areas of relatively flat terrain. Some of the areas of the most rugged terrain were incorporated into the City more than 125 years ago and numerous City policies have called for its development. It is recognized that some of areas of rugged terrain cannot realistically be developed in a manner consistent with City policies if all subdivision regulations are followed to the letter. For these areas, in order to allow implementation of City development policies, strict regulatory development standards must be replaced by procedural review standards to allow necessary relaxation of some subdivision regulations but only after detailed review to ensure traffic safety, and safe and adequate development.

a. The city council may make exceptions, modify or defer the requirements of this chapter based upon a written findings finding that strict compliance may result in extraordinary hardship or practical difficulties and/or that such relief may better serve the purposes of these

regulations:
--The Comprehensive Plan
--The SUDAS Manual
--The City Supplement to the 2015 SUDAS Manual
--Best Engineering practices as interpreted by the City Engineer
--The City's Complete Streets Policy

X. Specific actions that may justify an exemption include but are not limited to:
--Excessive grading required to meet the above policies and practices
--Excessive damage done to the environment in order to meet the above policies and practices
--Inability to extend utilities to property in order to meet the above policies and practices due to topography
--Inability to extend utilities to property in order to meet the above policies and practices due to cost.
--When the tract of Land is of such an unusual shape that implementation of the above City policies and others approved by the City Council is impractical or impossible.
--When ownership patterns around the property to be subdivided make it impossible or excessively difficult to implement the above City policies
--The need to resolve conflicts between conflicting sets of regulations and standards

Memo 3
Street Lighting

Proposed 24.10.030.6 (X) *If streets are proposed, a street lighting plan shall be proposed indicating the type of lighting and the location of lighting. The Street lighting plan shall show street light spacing in conformance with the SUDAS Design Manual. All new street lighting shall consist of LED (Light Emitting Diode) fixtures. Street lighting shall be installed by the developer in conformance with the SUDAS Manual and specifications of the electric company. Said street lights shall be installed prior to consideration of the final Plat. With approval of the final plat, street lights shall be dedicated to the City.*

At present MidAmerican Energy is changing out all High Pressure Sodium (HPS) Street Light Fixtures in the City (there are also a handful of Mercury Vapor lights in lightly developed portions of the City that will be changed out as well) and replacing them with Light Emitting Diode (LED) Street light fixtures. Given Mid American's actions it seems logical that any new street lights be LED.

Presently residential street lighting installation has consisted of 100 watt HPS bulbs in "cobra head" fixtures. They case a Type 3 (football shaped) lighting pattern and are mounted to 25-foot tall poles. LED Lights should be similar.

The City's locating policy has been as follows:

In 1990 the city adopted ordinance 90/T-008971 requiring the developer (for both commercial and residential subdivisions) to provide and install all of the street lighting within any newly developed subdivision, when the plat is approved by the city the lighting is turned over to the city. This policy was developed by the city as a way to reduce lighting costs as city owned lighting is far less expensive per light than leased MidAmerican owned lighting as the energy consumed is the only ongoing expense when the light is a city owned light.

Because of previous policies and for other reasons there is a mix of city owned street lighting and MEC owned street lighting throughout Sioux City.

Staff would like to clarify this issue with the Subdivision to make clear that (1) the plat shall propose street lighting in conformance with SUDAS, (2) the developer shall install the lighting just like any improvement in the Subdivision (3) the final plat will not be approved until all subdivision improvements (including street lighting) are installed or bonded for and (4)upon approval of the final plat the lights will be dedicated to the City and the City will be responsible for maintenance.

Approval of street light design shall involve significant input from Mid American but City Engineering staff will have final approval (or denial) of the design.

The following spacing policy is general and for planning purposes. For details please refer to SUDAS

Memo 4

Where should the Annexation agreements be filed?

Section 24.10.1.2 (2) notes … "For extraterritorial subdivisions plats, an agreement signed by the property owner, binding future owners to petition for voluntary annexation of the property at such time as annexation becomes permissible under the Code of Iowa shall be affixed to the plat."

The reason for this requirement is to allow Land to be subdivided and developed in a manner desired by the Land owner without the danger of "boxing" the City in by rural developments and giving the City to option of involuntarily annexing large tracts of property or not developing. This action has largely been successful. However, in the long term there is concern that some of these agreements will be forgotten about or future owners of subdivided Land, who are bound by the agreement, may not be aware of the agreement when purchasing the Land.

These agreements are not normally recorded, but are simply filed with the City's subdivision files. Staff believes that having the signed agreement affixed to the subdivision mylar will better ensure that these agreements will be part of the property record.

There was some question about the appropriateness of these agreements. The Iowa Attorney general was consulted prior to approval of the ordinance. An excerpt of the agreement is as follows.

2005 WL 1305092 (Iowa A.G.)
Office of the Attorney General
State of Iowa
***1 Opinion No. 05-5-1**
***1 May 13, 2005**
***1 MUNICIPALITIES; CITIES; REAL PROPERTY: Subdivision platting. Iowa Code §§ 354.8, 354.9, 368.7, 368.19 (2005). A municipal ordinance may condition the city's approval of subdivision platting of Land within the two-mile extraterritorial area around the city limits on the property owner's consent to annexation if the city's comprehensive plan shows that the city has planned for development of the Land as part of the city's growth area and has the capability to extend municipal services such as water and sanitary sewer that would otherwise not be available to the subdivision. Annexation of the Land prior to approval of the subdivision may be required if the Land is contiguous to the city. An agreement to apply for voluntary annexation of the property in the future, when the property becomes contiguous to the city boundary, may be required if the Land is not currently contiguous to the city. (Smith to Warnstadt, State Senator, 5-13-05) # 05-5-1**

Further, working in conjunction with Legal Staff, these agreements have been modified as follows:

EXTRATERRITORIAL DEVELOPMENT AGREEMENT

THIS AGREEMENT made on _____ by and between _____ of _____, Iowa, (hereinafter "Developer") and the City of Sioux City, Iowa, 405 6th Street, Sioux City, Iowa (hereinafter "City").

R E C I T A L S

WHEREAS, Developer has proposed to subdivide and develop the following described real property (hereinafter "Property"):

_____
_____
_____
_____; and

WHEREAS, the Property lies within the jurisdiction of the City pursuant to Section 354.8 et. seq. and Section 414.23, The Code; and

WHEREAS, the Parties wish to set forth their various obligations and conditions in conjunction with such development and subdivision.

A G R E E M E N T

NOW, THEREFORE, IT IS AGREED between the City and Developer as follows:

1. Annexation Process: Developer shall, within ninety (90) days of receiving written notice from the City that the Property qualifies for annexation to the City under Chapter 368, The Code, commence and pursue the statutory process for the voluntary annexation of the Property to the City. Developer shall coordinate annexation efforts with the City and shall pursue such annexation in a diligent manner.

3. Binding Effect: The Parties agree that this Agreement shall be filed for record in the County in which the Property is located and shall be binding on Developer, its heirs, successors and assigns in title to the Property or any part thereof.

4. Notice: Any notice required or made herein shall be made in writing by certified mail to each party at the following addresses:

A. City of Sioux City, Iowa
ATTN: City Manager
405 6th Street
Sioux City, Iowa 51101

B. _____
ATTN: _____
_____
_____

C. Each Party may designate in writing to the other Party all changes in name of the person(s) and/or address(es) to whom or which any notice is to be delivered.

IN WITNESS WHEREOF, the Parties have executed this Agreement the date and year first above written.

CITY OF SIOUX CITY, IOWA **_____**
"City" **"Developer"**

By: _____ **By: _____**

Title: _____ **Title: _____**

Attest: _____

Title: _____

LGL\AGR2001\EXTRATERRITORIAL DEVELOPMENT AGREEMENT\050901CMR-1

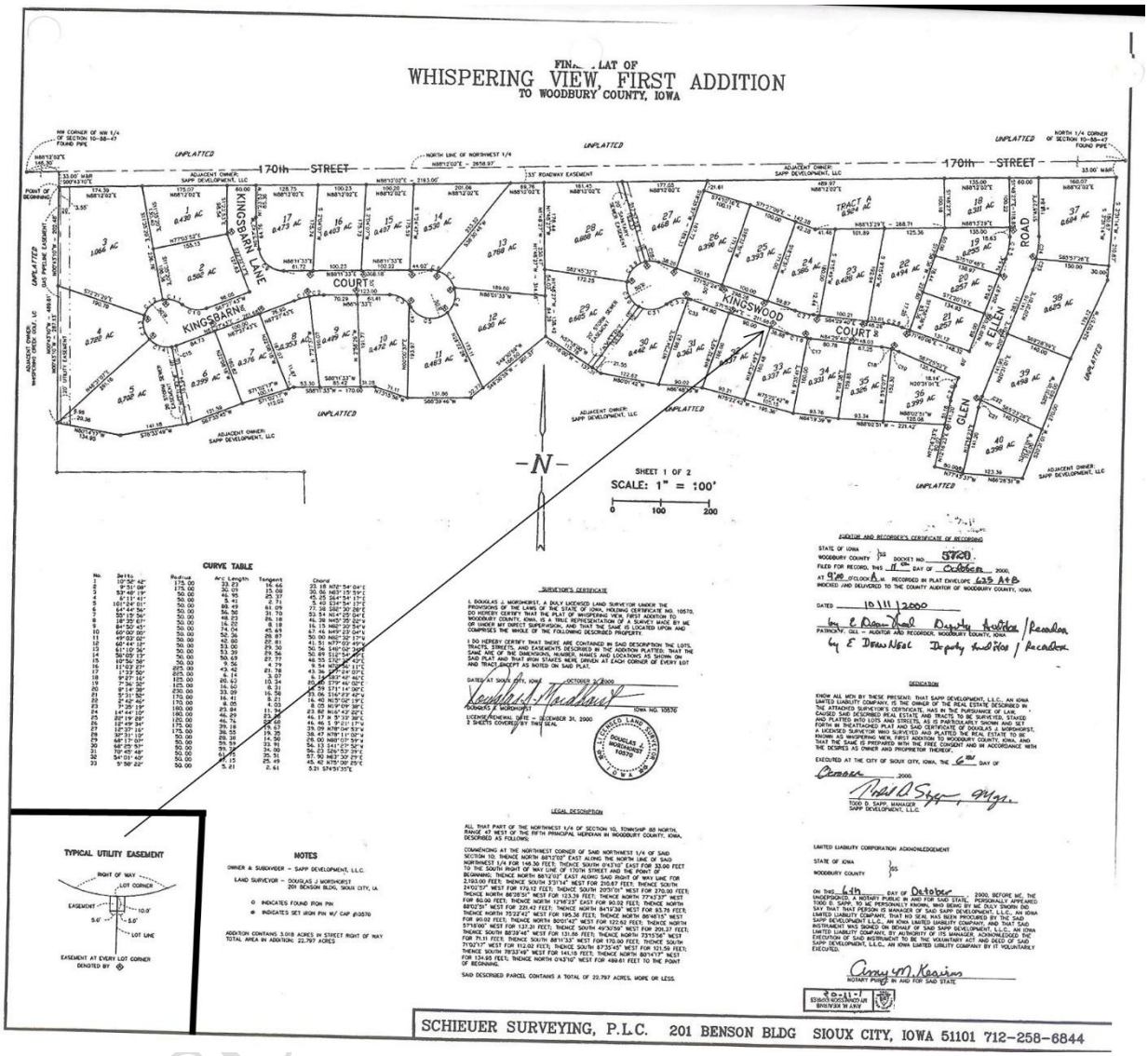
STATE OF IOWA)
: ss.
COUNTY OF WOODBURY)

On this _____ day of _____, 2015, before me, a Notary Public duly commissioned and qualified in and for said County and State, personally appeared _____, _____ of the City of Sioux City, Iowa, and _____, _____ of said City, each being to me personally known to be the identical persons and officers named in the foregoing instrument, who executed the same under and by virtue of the authority vested in them by the City Council of said City, and each for himself acknowledged the execution thereof to be his voluntary act and deed for the purposes herein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and notarial seal at Sioux City, Iowa, the day and year last above written.

Memo 5 –
Utility Easements

What follows is a 10 X 10 utility easement at the intersection of each lot line and R-O-W line.



Memo 6
Cul-de-sac Radii

Issues have been raised regarding the appropriate cul-de-sac turn around. Presently the UFC (Uniform Fire Code) calls for paved turn around radii of 48 feet. SUDAS calls for calls for paved turn around radii of 45 feet. The present Sioux City Subdivision Ordinance calls for paved turn around radii of 35-feet for residential and 37-feet for commercial cul-de-sacs.

Area cities requirements for paved residential turn arounds are as follows.

Sioux City	35 feet
Omaha	37.5 feet
Lincoln	43.5 feet
Davenport	40.5 feet
Norfolk	50 feet
Waterloo	35 feet
Bettendorf	40 feet
Yankton	38 feet
Lemars	50 feet
Mason City	30 feet
Ames	40 feet

Many other Cities either leave the approved radius up to the City Engineer, the local street standards manual or the comprehensive plan which are not readily available to the public.

A 35-foot radius turn around consists of about 427.5 sq. yards of concrete. A 48-foot radius turn around consists of about 804 yards of concrete. This is about an 88% increase in the amount of concrete required. At $40/sq. this results in a cost difference of about $15,000.

Each additional foot of radius adds about $520 to the cost of construction.

The advantages of larger cul-de-sac turn arounds for fire response, ease of maintenance and other purposes must be measured against impacts to development, and thus slower implementation of our comprehensive plan.

Memo 7
Comparison of Requirements with Other Cities

	Sioux City	Omaha	Lincoln	Davenport	Norfolk	Waterloo	Cedar Falls	Cedar Rapids	Bettendorf	Sioux Falls	Yankton	Lemars	Mason City	Sgt Bluff	Ames	Ankeny
Arterial Street - ROW	80	APCE	AP Comp	80	AP Comp	100	100	93-105	APCE	100	90	80	80-100	Comp Plan per	120	100
Arterial Street Paving	49	APCE	Comp	56	AP Comp	48	AP Comp	53-65	49	AP Comp	52	AP Comp	49	Comp	53	49
Collector Street - Paving	31	25-42	39	41	AP Comp	31	APCE	31-37	38	AP Comp	44	AP Comp	31	per Comp Plan	31	31
Collector Street - ROW	70	50-60	72	70	60	60	80	70-75	APCE	66-80	66	60	66	per Comp Plan	66-74	70
Collector Street - Grade	8%	10%	7%	6%	10%	8%	10	APCE	8	AP Comp	10	6	APCE	per Comp Plan	AP Comp	APCE
Local Service Street medium density	31	25	27	27	31	28	31	28-33	31	AP Comp	36	31	31	Comp	31-26	29
Local Service Street medium density residential - R-O-W	55-60	50	60	50	60	60	60	60	52	60	66	60	60	per Comp Plan	55	60
Local Service Street medium density residential - Max Grade	31	10%	7%	10%	10%	10%	10	APCE	8	AP Comp	AP Comp	8	APCE	per Comp Plan	APCE	APCE
Local Service Street Commercial-Industrial - Paving	37	25-30	39	27	31	31	APCE	APCE	31	60	36	31	27-31	per Comp Plan	31-26	29
Local Service Street Commercial-Industrial - R-O-W	60	50	66-72	50	60	60	10	APCE	APCE	AP Comp	66	80	50	31	55-63	60
Local Service Street Commercial-Industrial - Curb-sac Turn Around R-O	10	8%	AP Comp	10%	10%	6%	10	APCE	8	AP Comp		8	APCE	per Comp	per Comp per	APCE
Local Service Street W (Residential)	50	50	36	50	60	50	100	APCE	50.5	AP Comp	53	60	40	100	Comp	56
Cul-de-sac Turn Around Paving (Residential)	35	37.5' R	26	40.5	50	35	APCE	APCE	40	AP Comp	38	50	60	Comp	40	27
Cul-de-sac - Max Length	500	NA	500	600	400	720	600	APCE	600	500	800	500	600	600	150	500
Cul-de-sac Turn Around R-O-W Commercial	50	55	36	50	60	60	100	APCE	APCE	AP Comp	53	60	APCE	per Comp	per Comp	56
Cul-de-sac Turn Around Paving - Commercial	37	42.5 to 50	26	40.5	50		APCE	APCE	APCE	AP Comp	38	50	APCE	Comp Plan	45	27
Street Lights	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	yes	NA	NA	NA
Street Trees in R-O-W	NA	yes	yes	yes	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

All figures are in feet and radius unless noted otherwise.
APCE means "as per the City Engineer" Cities such as Dubuque, Des Moines, West Des Moines have design standards manuals, kept and interpreted by the City Engineer and not readily available to the public.
AP Comp means the subject regulations or designs are as per the Comprehensive Plan or the City's Master Street Plan.
Omaha - Street trees. For all streets other than special community streets, one street tree per lot per street frontage of at least 2.0 inch caliper shall be planted within the tree yard area between the curb and the sidewalk.
DavenportStreet trees shall be planted along both sides of all streets within the subdivision and on the side of the streets which abut the subdivision with the exception of cul-de-sac turnarounds in order to lessen air
Mason City The street light shall be placed within the street right of way at street intersections, mid-blocks of long blocks, or at the end of a long cul-de-sac. Lights are to be placed at the lot lines nearest the mid-bloc

Memo 8
Cul-de-sac studies and Street Extensions

Many, if not most, Cities strongly discourage long cul-de-sacs. Cul-de-sacs create undesirable, isolated neighborhoods. Wherever possible through Streets and connections should be created.

On preliminary plats which show dead end or cul-de-sac streets a study prepared in partnership with City staff must accompany the plat analyzing the possibilities of extending the street. Streets with no likelihood of extension should stop with enough distance between the end of the turn around and the property line to accommodate a lot. Streets with a likelihood or desirability of being extended must be extended so the right-of-way and paving meet the abutting property. This is needed to ensure that adequate review of potential street extensions occurs.

Normally this review would simply take place by reviewing the Comprehensive Plan and following its transportation Element. Sioux City's present Comprehensive Plan has no transportation element. Therefore individual review of cul-de-sacs at the time of preliminary Plat review must occur

Dubuque UDO –General: The arrangement of arterial and collector streets shall conform to the circulation plan of the comprehensive plan. For streets not shown in the comprehensive plan, the arrangement shall provide for the appropriate extension of existing streets.

Mason City – Arterial and collector streets and trails must be located and extended in general accordance with the comprehensive plan

1. Arterial streets must be located and extended in general accordance with the JCCOG arterial street plan and Iowa City comprehensive plan.

Bettendorf

- 61.061 – THROUGH STREETS.

In addition to the primary road extensions within the city which are designated as through highways by the Iowa Department of Transportation, the following streets are designated as through streets:

1st Avenue West from Williams Blvd. to West City Limits.

1st Street East from "B" Avenue N.E. to 8th Avenue S.E.

1st Street West from Penn Avenue N.W. to 16th Avenue S.W.

2nd Avenue from 19th Street S.E. to 3rd Avenue S.W.

2nd Avenue S.E. from 23rd Street Drive to 27th Street Drive.

2nd Street East from "B" Avenue N.E. to 14th Avenue S.E.

2nd Street S.W. from 1st Avenue to Wilson Avenue.

3rd Avenue from 1st Avenue West to 19th Street S.E.

MEMO 9
RELEVANT POLICIES

SIOUX CITY COMPREHENSIVE PLAN
See: https://www.sioux-city.org/planning/282-comprehensive-plan

SUDAS
See: http://www.iowasudas.org/

INTERNATIONAL FIRE CODE
See: http://publicecodes.cyberregs.com/icod/ifc/index.htm

COMPLETE STREETS POLICY
RESOLUTION NO. 2014- _____

RESOLUTION ADOPTING A COMPLETE STREET POLICY FOR FUTURE PLANNING AND DESIGN OF SIOUX CITY'S TRANSPORTATION NETWORK.

WHEREAS, on May 20, 2013, pursuant to Resolution No. 2013-0391, the City Council of the City of Sioux City declared its support with achieving Blue Zones® Certifications and to understand Blue Zones® level of well-being and improve upon those things at which those in Blue Zones® areas excel so that the City of Sioux City and the community will improve its well-being, productivity, and economic vitality; and

WHEREAS, as a requirement of the Blue Zones® initiative, the City has developed a Complete Streets Policy which will be used to guide future decisions related to the planning of the City's development of new and replacement infrastructure; and

WHEREAS, the policy set forth herein should be adopted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that the following is hereby adopted as the Council's Policy on Complete Streets:

Sioux City
Complete Streets Policy

Policy Purpose:

The Complete Streets Policy promotes the incorporation of safe and accessible use of Sioux City's transportation infrastructure by all users. The various uses may include pedestrian, bicycle, public transportation, cars and trucks. Through the policy the City will evaluate its various transportation networks to assess safe and reliable access by all users throughout the City. The various networks include city roadways, trail systems and sidewalks.

Continuous evaluation of these systems independent and in relation to one another will provide the information necessary to ensure that appropriate connectivity is available and incorporated into future transportation network planning. The policy will ensure that planners and designers of the City's transportation infrastructure are provided with guidance and appropriate direction to consider Complete Streets principles for all future projects.

In the development of reconstruction projects the City will evaluate the application of complete streets practices based upon a set of performance standards which will include safety criteria, traffic counts, pedestrian usage, and general public feedback. The objective application of this data will determine the configuration of a street and the application of the complete streets

principles. As with all reconstruction practices the City will use the latest and best design criteria to ensure safety for all uses singularly and combined.

Transportation Planning:

The City has a number of transportation networks which are designed for specific uses. These networks include the road system, the trail system, and the sidewalk system. Complete Streets will provide consideration for how these systems function together and are supportive of the others.

Planning and design decisions will consider the function and accessibility of all transportation networks. Complete streets will support efforts to ensure that the various systems are connected in a way that is safe and provides an effective mechanism for multimodal transportation throughout the City. Each system will be evaluated for its connectivity to the other systems and transportation planning efforts will consider what improvements are necessary to provide or improve upon system connections where necessary.

Sidewalk Policy:

Residential Development
All new development shall be constructed as to meet the City ordinance 20.04.180 for the construction of sidewalks. All new residential developments and City infrastructure reconstruction projects will evaluate the use of 5 foot sidewalks. Five foot sidewalks are consistent with American with Disability Act requirements and over all provide more room for pedestrian access. Sidewalks along both sides of the road are preferred but in cases where the right of way will not allow the use of 5 foot sidewalks on both sides the construction of a 5 foot sidewalk on one side of the road is preferred to a narrower sidewalk on two sides of a street.

Commercial Development
All commercial development shall evaluate the construction of 10 foot trail width sidewalks in front of new development. City reconstruction projects will also consider the use of 10 foot sidewalks to replace existing 4 foot sidewalks in front of existing commercial development. The decisions will be made in consideration of the proximity and connectivity to other commercial establishments and the larger City trail system. The City may designate commercial development areas that require trail width sidewalk construction as part of new facility development.

The City will consider pedestrian safety in the use of appropriate aides to insure that ADA accessibility is accommodated in all road reconstruction. This will include the use of regulation sidewalk grades, street/sidewalk transitions and the inclusion of islands for pedestrian safety in large intersections. Additionally, where appropriate the City will use designs that provide the shortest distance for pedestrians to cross intersections. While these considerations are to be made in all street designs the application of them will have increased importance in the high traffic areas which include but are not limited to commercial areas.

Trail Policy:

As the City trail system is used to supply the main arterial connection for Sioux City's bicycle and pedestrian traffic, the City will continuously seek opportunities to connect its trail system and enhance this network. The overall intent of this policy is to provide safe and reliable transportation connections throughout Sioux City for all forms of transportation thus connection of the sidewalk and street system to the trails provides a critical link between neighborhoods, commercial districts, and recreational opportunities.

Through the consideration of using 10 foot sidewalks in commercial development areas and painted (shared use) lanes on the streets, the City will seek to enhance the connectivity of the

trail system to and through the other City transportation networks. Enhancements to the other systems are key to providing access to the trail system and meeting the strategic plan expectation for providing close access of the trail system to all residences.

Areas that need to be connected will be prioritized and planned as part of the City's annual capital improvements plan (CIP) evaluation. The CIP will be the mechanism which allows the City to publically discuss the projects which will connect the various systems and will allow for a public evaluation of trail connectivity. These evaluations will include but not be limited to hard connectivity of the City's existing trail network, accessibility to the various major areas of town (ex. Riverside, Leeds, Downtown, Morningside, etc.), the appropriate application of street marking as it relates to bicycle connectivity and the condition to the existing network.

Road Network:

The City will apply Complete Streets principles in a manner that allows for the enhancement of the connectivity and shared use of existing transportation networks. These enhancements will be suggested in consideration of a verity of factors which will be applied to the evaluation of existing road networks or the design associated with City reconstruction projects.

New infrastructure:

The incorporation of Complete Streets concepts into the design and planning of new infrastructure shall ensure that consideration is given to the accessibility and connectivity of the various City transportation networks. New streets will support the development of Complete Streets through any or all of the following alternatives: 1) dedicated on street bicycle accessibility connecting to the nearest dedicated local roadway, 2) a 10' trail width sidewalk on at least one side of the street connecting to the nearest dedicated local roadway, or 3) accessibility to a trail connected to the City's designated trail system.

Exceptions may be considered based upon the proximity of the new roadway to a designated trail system, availability of space required to construct to required infrastructure, or other exception which are specifically presented by the developer. Exceptions will be granted by the Public Works Director or designee as part of the City Design Review Process. Exceptions must be presented in writing with a site drawing for the development.

Infrastructure Reconstruction:

The City or its design consultants will incorporate Complete Streets concepts in reconstruction projects. The application of these concepts will include any or all of the following: 1) replacement of streets with adequate widths to support the inclusion of dedicated bike lanes, 2) the replacement of sidewalks with a trail width (10') sidewalk, or 3) a plan to implement shared use options for roadways. These concepts will be applied in consideration of their relationship to other transportation alternatives, the cost to the project, the safety of users, and the coordination with other projects.

Complete Streets concepts will not be applied to projects that do not fit into the City's Connectivity Plan. This will avoid the island application of concepts in an area that support shared use but have little or no potential to connect with other parts of the community. Generally this Connectivity Plan will follow the established bicycle routes. The primary focus in the reconstruction effort will be to enhance the bicycle routes to make them more accessible and safe. Secondarily the connection of neighborhoods to the bicycle routes will be important.

Existing Infrastructure:

The designated bike route system is the basis for planned enhancements to the City's infrastructure to improve connectivity. This system is established as a safe and connected route

for bicycle transportation. The City will commit to the enhancement of these routes to improve their condition, accessibility and safety. The enhancements will involve the use of on street markings to designate bike lanes where supported by adequate street width or shared use markings in areas that do not have adequate street width.

Other improvements will include the construction of trail width sidewalks where they are supported and provide connectivity to the City trail system. The integration of the networks is key in providing adequate system connectivity. The trail system as the arterial bicycle and pedestrian access will be used to provide safe and dedicated bicycle and pedestrian access where available. All efforts will be made to get bicycles and pedestrian traffic from neighborhoods to a dedicated trail as expeditiously as possible.

Residential streets will not have special considerations made for the connection to other infrastructure due to restrictions associated with street width, parking and traffic volume. The considerations for these improvements will be reserved to collector and arterial roadways.

All Agencies All Roads

All relevant City agencies will review and revise as necessary their plans, manuals, policies, processes and programs to foster the implementation of Complete Streets on roadways not under the jurisdiction of the City but subject to financing, regulation of or otherwise involving an action by any city agency. Such projects shall include, but not be limited to, privately-built roadways and projects on non-city roadways funded in part or entirely by City funds.

Policy Application

With the adoption of this policy the City will begin the application of complete street practices as described in this document for the 2015 construction season. All subsequent changes will need to be made through modification of this policy and amendments to resolution which authorizes the application of this policy.

PASSED AND APPROVED: July 28, 2014

Robert E. Scott, Mayor

ATTEST: _____

Lisa L. McCardle, City Clerk

SIOUX CITY

CITY PLAN AND ZONING COMMISSION

July 30, 1990

Honorable Mayor and
Members of the City Council
City of Sioux City, IA

Dear City Council Members:

At a regular Meeting of the City Plan and Zoning Commission held July 24, 1990, the following item was considered.

PROPOSED SUBDIVISION REGULATIONS TEXT AMENDMENT (4621)

Gary Dumas, Planning Director, in accordance with established Council policy, requests approval of text amendments to the Sioux City Subdivision Regulations to provide standards for the installation of street lights in new subdivisions.

It was moved, seconded, and motion carried (8-0) that the City Plan and Zoning Commission recommend to the City Council approval of the proposed Subdivision Regulations text amendment, subject to the inclusion of language so as to make this standard applicable only to new residential subdivisions.

Finding of Facts and Reasons:

1. Modification of the section of the Subdivision Regulations governing the installation of improvements in new residential subdivisions is necessary so as to be consistent with established City Council policy governing street lighting in new subdivisions.

This item is found on Page 18 of the City Plan and Zoning Commission Minutes for July 24, 1990.

Sincerely,

Colonel A. Krage

Colonel F. Krage, Moderator

cc: File

CC46.21/PLANZONE/TEXT

PROPOSED SUBDIVISION REGULATIONS TEXT AMENDMENT
STREETLIGHTING STANDARDS

Underlined portions indicate text proposed to be added.
{Bracketed portions indicate text to be deleted}

I. Amend Section 24.16.270 to read as follows:

24.16.270 Improvements. Every subdivision shall contain normal improvements before acceptance or have such improvements assured by the posting of a bond as set forth herein. Improvements shall include those set forth in Sections 24.16.280 through {24.16.360} 24.16.370.

II. Amend Chapter 24.16 to include the following new Section:

24.16.370 Street lights. Street lights shall be provided along all proposed streets within the subdivision in accordance with the streetlight spacing standards of the City. Streetlight installations shall consist of high pressure sodium bulbs within "cobra" type fixtures and are to be mounted on 25 foot fiberglass poles.

STORM WATER MANAGEMENT

12.16.030 Applicability.

This chapter shall be applicable to all subdivision or site plan applications, unless eligible for an exemption or granted a waiver by the city Engineer under the specifications of section 12.16.120 of this chapter. This chapter also applies to Land development activities that are smaller than the minimum applicability criteria if such activities are part of a larger common plan of development that meets the following applicability criteria, even though multiple separate and distinct Land development activities may take place at different times on different schedules. In addition, all plans must also be reviewed by the environmental services department to ensure that established water quality standards will be maintained during and after development of the site and that post construction runoff levels are consistent with any local and regional watershed plans.

To prevent the adverse impacts of storm water runoff, the environmental services department has developed a set of performance standards that must be met at new development sites. These standards apply to any construction activity creating 5,000 or more square feet of impervious surface. The following activities may be exempt from these storm water performance criteria:

1.Any logging or agricultural activity which is consistent with an approved soil conservation plan or a timber management plan prepared or approved by the Soil and Water Conservation District, as applicable;
2. Additions or modifications to existing single-family structures;
3. Developments that do not create more than 5,000 square feet of impervious surface, provided they are not part of a larger common development plan;
4. Repairs to any storm water treatment practice deemed necessary by the city Engineer.
When a site development plan is submitted that qualifies as a redevelopment project as defined in section 12.16.060 of this chapter, decisions on permitting and on-site storm water requirements shall be governed by special storm water sizing criteria found in the storm water design manual. These criteria are dependent on the amount of impervious area created by the redevelopment and its impact on water quality. Final authorization of all redevelopment projects will be determined after a review by the environmental services department

12.16.070 Permit Required.

No Land owner or Land operator shall receive any of the grading or other Land development permits required for Land disturbance activities without first meeting the requirements of this chapter prior to commencing the proposed activity.

Chapter 12.16. Storm Water Management

Contents:

12.16.150 General Performance Criteria.

Unless judged by the environmental services department to be exempt or granted a waiver, the following performance criteria shall be addressed for storm water management at all sites:
1.All site designs shall establish storm water management practices to control the peak flow rates of storm water discharge associated with specified design storms and reduce the generation of storm water. These practices should seek to utilize pervious areas for storm water treatment and to infiltrate storm water runoff from driveways, sidewalks, rooftops, parking lots, and Landscaped areas to the maximum extent practical to provide treatment for both water quality and quantity.
2.New development shall minimize discharge of untreated storm water directly into a jurisdictional wetland or local water body. Where such discharges are proposed, the impact of the proposal on wetland functional values shall be assessed using a method acceptable to the environmental services department. In no case shall the impact on functional values be any greater than allowed by the Army Corps of Engineers (USACE) or the appropriate state agency responsible for natural resources.
3.To protect stream channels from degradation, a specific channel protection criteria shall be provided as prescribed in the current storm water manual.
4.Development sites are required to prepare and implement a storm water pollution prevention plan, and shall file a notice of intent under the provisions of the National Pollutant Discharge Elimination System (NPDES) general permit filed with the Iowa Department of Natural Resources. This is a federally

enforceable requirement administered by the city beginning March 10, 2003. The storm water pollution prevention plan requirement applies to both existing and new industrial sites and construction sites greater than one acre.
5.Storm water discharges from Land uses or activities with higher potential pollutant loadings, known as "hotspots", may require the use of specific structural treatments and pollution prevention practices.
6.Prior to design, applicants are required to consult with the environmental services department to determine if they are subject to additional storm water design requirements.
7.The calculations for determining peak flows as found in the storm water design manual shall be used for sizing all storm water management practices.
8.That the proposed development is in compliance with the City flood plain ordinance.
9.If water supply is an issue, the storm water management plan should include provisions for beneficial use of storm water where practical.
12.16.160 Minimum Control Requirements.
All storm water management practices will be designed so that the specific storm frequency storage volumes (e.g., recharge, water quality, channel protection, 10-year, 100-year) as identified in the current storm water design manual are met, unless the environmental services department grants the applicant a waiver or the applicant is exempt from such requirements. In addition, if hydrologic or topographic conditions warrant greater control than that provided by the minimum control requirements, the environmental services department reserves the right to impose any and all additional requirements deemed necessary to control the volume, timing, and rate of runoff and impacts to flood plains.
(Ord. 2002-1015)
12.16.190 Landscaping Plans Required.
All storm water management practices must have a Landscaping plan detailing the vegetation to be planted and how and who will manage and maintain this vegetation. This plan should be prepared for sites larger than 5 acres. The Landscaping plan may be included as part of the drainage plan.
12.16.200 Maintenance Agreements.
All storm water treatment practices, not dedicated to the city, shall have an enforceable operation and maintenance agreement to ensure the system functions as designed. This agreement will include any and all maintenance easements required to access and inspect the storm water treatment practices, and to perform routine maintenance as necessary to ensure proper functioning of the storm water treatment practice. In addition, a legally binding covenant specifying the parties responsible for the proper maintenance of all storm water treatment practices shall be secured prior to issuance of any permits for Land disturbance activities. This covenant will include a demonstration of financial capacity to implement the practices specified in the maintenance agreement.
12.16.220 Storm Water Management Plan Required for All Developments.
No application for development will be approved unless it includes a storm water management plan detailing in concept how runoff and associated water quality impacts resulting from the development will be controlled or managed. This plan must be prepared by a Professional Engineer approved by the environmental services department and must indicate whether storm water will be managed on-site or off-site and, if on-site, the general location and type of practices.
The storm water management plan(s) shall be referred for comment to all other interested agencies, and any comments must be addressed in a final storm water management plan. This final plan must be signed by a Professional Engineer, who will verify that the design of all storm water management practices meet the submittal requirements outlined in the storm water design manual. No preliminary plat, building permit, grading permit, or sediment control permit shall be issued until a satisfactory final storm water management plan, or a waiver thereof, shall have undergone a review and been approved by the environmental services department after determining that the plan or waiver is consistent with the requirements of this chapter.