MEMO

TO: Planning and Zoning Commission Members

FROM: Luke Parris, City Planner

DATE: April 12, 2016

RE: Subdivision Regulations

The City's Subdivision Regulations are a key piece of city code that guides the type of development in the City. Whereas the Zoning Ordinance specifically deals with allowable uses, the subdivision regulations deal with how land is divided and the criteria to do so. As with all regulations, it is important to revisit the language frequently to ensure that the code is in line with the goals of the City. The current Subdivision Regulations were adopted in October 2006. After recently updating the City's Zoning Ordinance, and with the current work updating the Land Use chapter of the Comprehensive Plan, staff feels it is important to look at the Subdivision Regulations to determine which areas might need updating. Below are a list of sections and some background on why we feel an update may be needed.

Review and Approval Procedures for Final Plats

Review and approval of a final plat is the last stage of the development process before building permits can be pulled. Smooth transition from the platting process to the building permit process is important to land developers. Often times at this stage the land developer has commitments for lots and has a desire to record the final plat so that abstracts can be created and land can be transacted upon. For the City, the final plat is a key step to ensuring that all public infrastructure is built in an acceptable manner. At times the City's interest and the developer interest come into conflict. Having a clear approval process can reduce the conflicts and provide a clear set of expectations to the developer.

The approval process as identified in the Subdivision Regulations is as follows:

1. Developer submits final plat to the City for review
2. Staff coordinates review and provides comments to the developer
3. Planning & Zoning Commission review and referral to Council with a recommendation
4. City Council consideration and approval
    a. The Council shall not give final approval of the plat until all improvements serving the area of the final plat have been constructed and accepted by the Council.
    b. The Council can give tentative approval of a final plat to approve the plat's street and lot layout prior to construction of required improvement with the condition the improvements will be completed prior to releasing the plat for recording at the county.
    c. Approval of the final plat and final acceptance of improvements shall be given by resolution of the Council.
    d. The Council directs the Mayor and City Clerk to certify the resolution and the plat as approved.

The process as described above has not been precisely followed during the current staff's administration of the code, nor has it been precisely followed when reviewing records of plat approval going back to 2006. The approval process used in practice has been as follows:

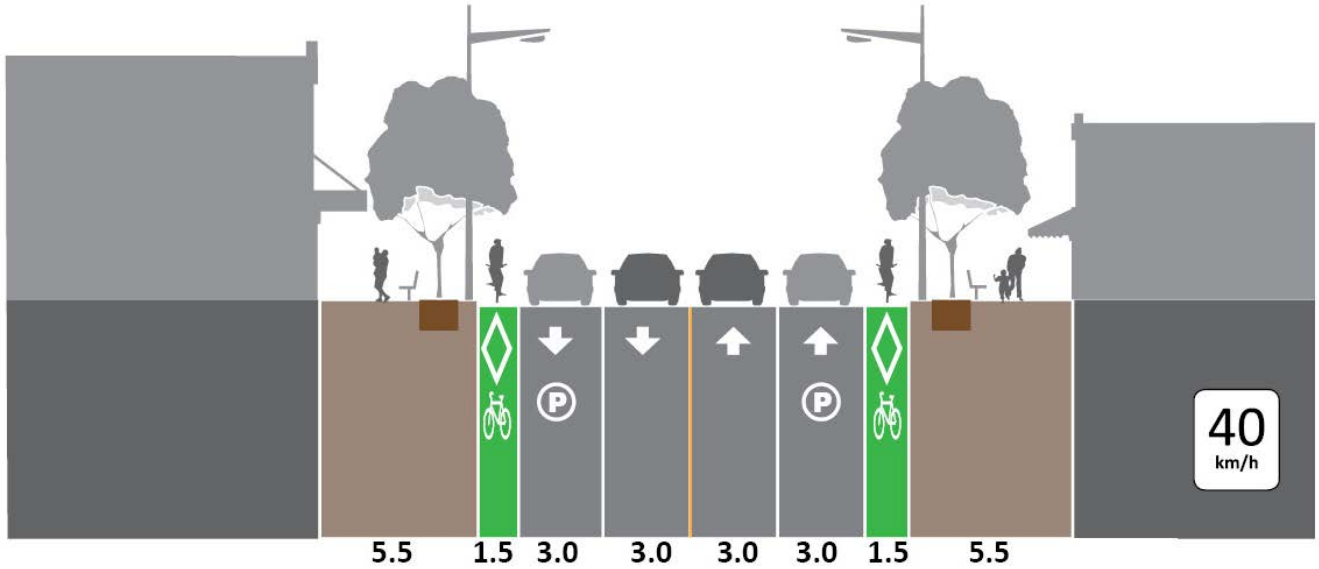
1. Developer submits final plat to the City for review
2. Staff coordinates review and provides comments to the developer
3. Planning & Zoning Commission review and referral to Council with a recommendation

4. City Council consideration and approval
    a. The Council resolution includes a condition that the developer adheres to all provisions in the Subdivision Regulations. This has allowed staff to obtain Council approval and hold the final plat for recording until the City accepts the public infrastructure.
    b. The Public Works Department takes the acceptance of the public infrastructure to Council, usually on a separate timeline at a separate meeting.
    c. The Council resolution includes language allowing for the Planning & Economic Development Director, or his designee, to stamp, sign and release the final plat once all conditions of the Subdivision Ordinance are released.

Recent discussions with local developers have called to issue a concern with the need to wait for the City Council to formally approve the public infrastructure at a separate meeting. The development community contends that approval by Council is a formality as long as the Public Works Department has inspected the infrastructure and is recommending acceptance to the Council. A potential solution would be to allow City staff to release a plat for recording once the Public Works Department has inspected and decided to recommend acceptance to the Council.

Complete Streets Policy

The City of Norwalk was one of the first metro communities to adopt a complete streets policy into its subdivision regulations. The idea of Complete Streets is that a street should be designed to accommodate all users of the public right-of-way, such as bicyclists, pedestrians, automobiles, and transit use. Norwalk's Complete Streets Policy was adopted 10 years ago and large amount of additional research has gone into how Complete Streets should be designed. This section could be bolstered by looking at current examples of Complete Street policies and implementing some of the best practices.



Example cross section of a complete street

Street Design Standards

The Subdivision Regulations includes a long section describing the criteria for the design of streets in the City of Norwalk. The design of our streets has just as much impact on the aesthetic of the community as the Zoning Codes Architectural Standards. The section provides standards for:

- Compatibility with the Comprehensive Plan
- Continuity of Existing Streets or Planned Streets
- Traffic Circulation
- Street Intersection Design
- Block Length
- Cul-de-sac use and length
- Street Names

- Topographic Features
- Alleys
- Access to Major Thoroughfares
- Traffic Impact Studies
- Dedication to the City
- Street Widths
- Rural Cross Section Streets
- Street Grade
- Temporary Turnarounds

This section should be looked at in conjunction with the Complete Streets policy to ensure that the design standards are compatible with Complete Streets. Additionally, the City has adopted the Statewide Urban Designs and Standards (SUDAS) guidelines for public infrastructure. SUDAS is a great resource for general practices on design throughout the state of Iowa; however, with the current street design standards and the adoption of SUDAS, there are many cases of inconsistency between the two.

Lot Design Standards

This section will need a brief review to ensure that any changes made in the Zoning Ordinance update are incorporated into the lot design standards.

Drainage

This section provides details on how the City requires property to be drained. The City has recently started requiring that drainage easement be label as private when they are not leading into a public facility. This language should be formalized in the code. Further review of best practices in storm water management will be reviewed and considered for incorporation.

Parkland Dedication

This section provides details the requirement for dedicating parkland to the city. Developers currently have three options to meet the dedication requirement if they don't provide the parkland space in their development. Those options are:

1. Dedicate land owned elsewhere in the City for use as parks or trails.
2. Construct or install park improvements equal to the fair market value of the park land required.
3. Pay a cash deposit as a performance surety in an amount equal to the fair market value of the park land required.

These three options need to be reviewed to ensure they are still allowed under state law. If the options continue to be used, a definition of the fair market value of the land should be developed.

Fees

This section details the fees for the various development review activities conducted by the City. The fee structure should be reviewed in relation to the fees charged by other communities to determine if any adjustment is needed.