

TITLE 11
SUBDIVISION REGULATIONS

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11.02 Subdivision Regulations

Chapter 11.02

SUBDIVISION REGULATIONS

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11.02.010 TITLE

An ordinance providing for Subdivision Control of Land within the jurisdiction of the Town of Grandview, Spencer County, Indiana.

BE IT ORDAINED by the Board of Trustees of the Town of Grandview under authority of Chapter 174, Acts of 1947, General Assembly of the State of Indiana and all acts amendatory thereto:

11.02.010.010 Short Title. This ordinance may be cited as: "Town of Grandview Subdivision Control Ordinance ". (Ord. 1968-8, Article I, S1, Aug. 5, 1968)

11.02.010.020 Application of Ordinance. No lot, tract, or parcel of land within any subdivision, within the jurisdiction of the Grandview Plan Commission shall be subdivided unless it be in conformity with the provisions of this ordinance. (Ord. 1968-8, Article I, S2, Aug. 5, 1968)

11.02.020 GENERAL REGULATIONS

11.02.020.010 Rules of Construction. In this ordinance words used in the present tense include the future, the singular includes the plural and the singular. The word "shall" is mandatory and not optional. Unless otherwise specified, all distances shall be measured horizontally, in any direction. (Ord. 1968-8, Article II, S1, Aug. 5, 1968)

11.02.020.020 Sale of Land. No lot, tract, or parcel of land within any subdivision, as established by Article III, shall be offered for sale, nor shall any sale, contract for sale, or option be given until such subdivision plans have been properly reviewed and officially approved by the Grandview Plan Commission and by the Board of Trustees of the Town of Grandview, State of Indiana. (Ord. 1968-8, Article II, S2, Aug. 5, 1968)

10.02.020.030 Installation of Improvements. No improvements, such as sidewalks, water supply, storm water drainage, sewerage facilities, gas service, electric service or lighting, or grading, paving, or surfacing of any street, shall be made within any subdivision platted after the effective date of this ordinance by any owner or owners or his or their agent, or by any public service corporation at the request of such owner or owners or by his or their agent until the plat for the subdivision and also the plans for the improvements have been properly reviewed and officially approved by the governing body having jurisdiction. (Ord. 1968-8, Article II, S3, Aug. 5, 1968)

11.02.020.040 Detailed Plan Submission. Where a tract of land is proposed to be subdivided in several stages over a period of years and the subdivider intends to request approval in parts, he shall, at the time of submission of the first part, submit a detailed plan of the entire tract to be eventually developed, with appropriate sectioning to demonstrate to the Grandview Plan Commission that the total design as proposed for the entire subdivision is feasible. The Grandview Plan Commission may give preliminary approval to the over-all plan and final approval on the parts as they are submitted. (Ord. 1968-8, Article II, S4, Aug. 5, 1968)

11.02.020.050 Provisions. The provisions of this report shall be held to be the minimum requirements necessary in the subdivision of land. (Ord. 1968-8, Article II, S5, Aug. 5, 1968)

11.02.030 DEFINITIONS

As used in this ordinance, the following words shall have the meanings and references given, unless the context clearly indicates otherwise

11.02.030.010 Administrator, Zoning. The officer designated and authorized by the Commission or Town Board to enforce the zoning ordinance. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.020 Alley. A permanent public service-way or right-of-way, dedicated to public use, other than a street, place, road, cross-walk, or easement, designed to provide a secondary means of access for the special accommodation of abutting property. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.030 Block. A unit of property entirely surrounded by the public highways, streets, railroad rights-of-way, waterways, tract boundary line, or other barriers, or combination thereof. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.040 Building Setback Line -- Building Line. The line nearest the front or side of and across a lot establishing the minimum yard to be provided between the principal building or structure and the lot line . (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.050 City. Town of Grandview, State of Indiana. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.060 Clerk-Treasurer. The Clerk-Treasurer of the Town of Grandview, County of Spencer, State of Indiana. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.070 Commission. Grandview Town Plan Commission, Spencer County, State of Indiana. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.080 County. The County of Spencer, State of Indiana. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.090 County Board. The Board of Commissioners of the County of Spencer, State of Indiana. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.100 Cross-Walk. A strip of land dedicated to public use, which is reserved through a block to provide pedestrian access to adjacent areas. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.110 Cul-de-sac. (Court) A short street having one end open to traffic and being permanently terminated by a vehicle turn-around. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.120 Dead-End Street. A street having one of its ends closed with no provision for a vehicle turn-around. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.130 Drainage Right-of-Way. The lands required for the installation of storm water sewers or drainage ditches, or required along a natural stream or water course for preserving the channel and providing for the flow of water therein. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.140 Easement. A grant by the property owner of the use of a strip of land by the public or a person for specified purposes. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.150 Jurisdiction. All of the Town of Grandview and that portion of the County lying outside of and immediately adjacent to its corporate limits. A drawing representing its external limits is on file in the Office of the Recorder of Spencer County, Indiana. Exceptions as provided in Chapter 174 of the Act of 1947, of the General Assembly of Indiana, and all Acts amendatory thereto, as is now or may hereafter be in effect. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.160 Lot. A parcel of land of specific form and dimension, defined by a metes and bounds description or by boundary lines in a recorded deed or, situated within a legally recorded plat, and designated by number or letter, for convenience and accuracy, in legal conveyance of the title thereto. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.170 Lot, Corner. A lot abutting two (2) or more streets at their intersection, where the interior angle of intersection does not exceed one hundred thirty-five degrees (135°). (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.180 Lot, Front. That part of a lot adjacent to and parallel with the street. The front of a corner lot shall be determined, at the time of application for the improvement location permit, by either the owner, builder, developer or their agent and the zoning administrator. Once the front is determined, the structure shall then be erected in conformity with the zoning ordinance and this subdivision ordinance. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.190 Lot, Interior. Any lot other than a corner lot, including a through lot. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.200 Lot, Through. A lot having frontage on two (2) parallel or approximately parallel streets. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.210 Lot, Width. The lineal measurement of the building setback line on the affected lot. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.220 Maintenance Guarantee. Any security which may be accepted that guarantees certain improvements constructed under conditions set forth by the Commission, shall at the time they are accepted for public maintenance be in such condition as to require no additional work beyond normal upkeep. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.230 Master Plan. The complete plan, or any of its parts, serving as a guide for the development of the Town of Grandview, State of Indiana, prepared by the Commission and adopted by the Town Board, in accordance with the authority conferred by Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana and Acts amendatory thereto, as is now or may hereafter be in effect. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.240 Performance Guarantee. Any security which may be accepted in lieu of a requirement that certain improvements be made before the Commission or Town Board approval becomes effective, said security shall be filed with the Clerk-Treasurer prior to the release of the drawings of a final plat; including performance bonds, escrow agreements, and other similar collateral or surety agreements. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.250 Person. A corporation, or firm, partnership, association, organization, or any other group acting as a unit, as well as a natural person. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.260 Place. An open, unoccupied, officially designated space, other than a street or alley, permanently reserved as the principal means of access to abutting property. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.270 Plat. The map or drawings of all or a portion of a parcel of land which is being or is proposed to be subdivided for the purpose whether immediate or future, of transfer of ownership subsequent to the adoption of this ordinance. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.280 Plat, Final. The final map or drawings of all or a portion of the subdivision which is presented to the Commission for final approval in accordance with this ordinance, and which if approved shall be filed with the County Recorder for the purpose of recordation and taxation prior to the transfer of ownership of any parcel, tract, or lot as approved. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.290 Plat, Preliminary. The drawings, maps, and documents described in 11.02.050.030, indicating the proposed layout of the subdivision which is submitted to the Plan Commission for consideration and tentative approval. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.300 Plat Officer. The individual designated by the Town Board and approved by the Plan Commission who shall be responsible for the proper management of subdivision plat submissions and amendments thereto as outlined in this document. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.310 Road Setback Line. The line established by a city street and road setback resolution in conjunction with the county road setback resolution along certain designated public roads. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.320 Sketch Plan. A free hand pencil drawing showing, with reasonable accuracy, the proposed locations of streets and lots within the proposed subdivision. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.330 Street. A right-of-way, other than an alley, dedicated or otherwise legally established to the public use, usually affording the principal means of access to abutting property. A street may be designated as a highway,

thoroughfare, parkway, boulevard, road, avenue, lane, drive, or other appropriate name. The arterial thoroughfares and primary and secondary streets are designated on the thoroughfare map of the Master Plan for Grandview, Indiana. For the purpose of this report, streets shall be classified as follows:

- (1) Arterial Thoroughfares -- This type of facility serves mainly to move through traffic; Indiana and U. S. marked routes as well as some county roads and important intra-city streets are considered under this classification. Where a highway is a non-limited access route, these facilities also perform a secondary function of providing direct access to abutting land and thus interconnect principal traffic generators.
- (2) Primary (Major) Routes -- These facilities serve to connect cities with each other as well as to link smaller towns or settlements with the arterial thoroughfares system. Primary routes provide access to abutting land and generally serve all principal traffic generators.
- (3) Secondary (Connector) Roads -- These facilities serve intra-city movements of traffic, such as that moving between a subdivision and a major street. The principal difference between the connector road and streets or roads of higher classification is the length of trip each principally serves. They are intended to supply the abutting property with the same degree of land service as the local street, while at the same time serving larger volumes of traffic.
- (4) Local (Residential) Streets -- The sole function of these streets is to provide access to the immediately adjacent property. Local access streets are intended to carry low volumes of traffic.
- (5) Marginal Access Street -- A street designed to connect not more than two (2) streets, and which normally parallels an arterial thoroughfare, or a primary or secondary street, and is not separated from the said thoroughfare or street by a lot or a tier of lots, and which is specifically so designated and approved as such on the plat of the subdivision. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.340 Subdivider (Developer). Any person or his agent engaged in developing or improving a tract of land which complies with the definition of a subdivision as defined in this report. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.350 Subdivision. The division of any parcel of land, after the enactment of this ordinance, shown as a unit, as part of a unit, or as contiguous units on the last preceding transfer of ownership thereof, into three (3) or more parcels, or lots, any one of which is less than ten (10) acres in area, in any twelve (12) months period of time, for the purpose, whether immediate or future, of transfer of ownership, or the improvement of one or more of the lots or parcels of land for residential, commercial, or industrial structures or groups of structures. All divisions of land meeting the above described definition of a subdivision shall

have after the enactment of this ordinance, a plat recorded in the office of the Clerk-Treasurer of the Town of Grandview as well as in the office of the Recorder of the County of Spencer, State of Indiana, said plat shall comply with all provisions of this ordinance and any amendments hereto. Where no new streets or roads are involved, divisions of land for agricultural purposes, divisions of property by testamentary or intestate provisions, or divisions of property upon court order shall not be considered subdivisions. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.360 Subdivision, Minor. The division of any parcel of land, after the enactment of this ordinance, shown as a unit, as part of a unit, or as contiguous units on the last preceding transfer of ownership thereof, into not more than four (4) parcels, or lots, in any twelve (12) months period of time for the purpose, whether immediate or future, of transfer ownership, all of which have frontage on an existing improved street, and, any one of which contains not less than one (1) acre in area, and, not involving the extension of municipal facilities, and, not adversely affecting the development of the remainder of the parcel, and, not in direct conflict with any provisions or portions of the Master Plan, Zoning Ordinance, or this Subdivision Ordinance. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.370 Town. Town of Grandview, State of Indiana. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.380 Town Board. The Board of Trustees of the Town of Grandview, State of Indiana. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.390 Town Engineer. The City or Town Engineer of Grandview, State of Indiana. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.400 Yard. A space on the same lot with a building, which is open, unoccupied, and unobstructed by structures, except as provided in the zoning ordinance. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.030.410 Zoning Ordinance. The part of the Master Plan, now or hereafter adopted, which includes an ordinance and map which divides the area within the city planning jurisdictional limits into districts, with regulations and requirements and procedures for the establishment of land use controls. (Ord. 1968-8, pt. Article III, Aug. 5, 1968)

11.02.040 ADMINISTRATION

11.02.040.010 Grandview Town Plan Commission.

The Grandview Town Plan Commission shall review the tentative and preliminary plans and the final plat and exercise the responsibilities provided in this ordinance. There is hereby created the office of Plat Officer who shall be appointed by the Grandview Town Plan Commission. The Plat Officer shall

administer the provisions of this ordinance and, in addition thereto and in furtherance of said authority, he shall:

- (1) Maintain permanent and current records of this ordinance including amendments hereto;
- (2) Receive and file all sketch plans, preliminary plats, minor plats, and final plats (together with applications);
- (3) Forward copies of the preliminary plat, the minor plat, and the final plat to other appropriate agencies for their recommendations and reports;
- (4) Assimilate all comments, recommendations and reviews from the applicable Town and County officials, and make a recommendation for action to the Grandview Plan Commission on every subdivision plan or plat which the Commission is to consider. The recommendations will either be for approval, disapproval or deferral. Reasons for the recommendation shall be clearly stated;
- (5) Receive and file copies of all final plats and check their compliance with the preliminary plan;
- (6) Receive "as built" plans, as outlined in Article V, Section 6, and forward prints of such plans to the proper governmental departments;
- (7) Inspect and make recommendations concerning approval or disapproval of streets and improvements, in accordance with the provisions of this ordinance;
- (8) Make all other, determinations required of him by the regulations herein. (Ord. 1968-8, Article IV, S1, A-H, Aug. 5, 1968)

11.02.050 PROCEDURE

11.02.050.010 Preliminary Considerations. In order to make the most of opportunities related to the subdivision and to conserve time, effort, and expense, the owner or subdivider shall submit to the Plat Officer at an informal conference a sketch plan of the proposed subdivision. He shall consult with the Plat Officer, City Engineer, and when outside corporate limits, the County Surveyor, or appointed official, and other public officials prior to the preparation of the preliminary plat for the subdivision; the Master Plan for the City should be reviewed to determine how the preliminary plat will fit into the Master Plan. Requirements for major and minor streets; school and recreation sites, community facilities; shopping centers; sanitation, water supply and drainage; and the relationship to other developments, existing and proposed, in the vicinity shall be determined in advance of the preparation of the preliminary plat. No land shall be subdivided for residential use unless adequate access to the land over

improved streets or thoroughfares exists or will be provided by the subdivider, or if such land is considered by the Commission based upon recommendations of the Indiana Department of Natural Resources, to be unsuitable for such use by reason of flooding or improper drainage. (Ord. 1968-8, Article V, S1, Aug. 5, 1968)

11.02.050.020 Filing of Preliminary Plats. A subdivider desiring approval of a plat of a subdivision shall submit a written application, therefore, to the Plan Commission, such application shall be accompanied by the information, requirements, and plans set forth in 11.02.050.030, all in accordance with the requirements set forth in this ordinance.

- (1) Three (3) copies of the completed application for subdivision approval form shall be submitted to the Town Clerk-Treasurer no later than twenty-one (21) days prior to the Plan Commission meeting, at which consideration is desired. At the time of filing, a fee of \$15.00 shall be paid to the Town Clerk-Treasurer to cover the costs of publishing notices and of notifying the persons concerned with the pending hearing on said subdivision. The Town Clerk-Treasurer shall retain one copy of the application and receipt the remaining two (2) copies, one of which shall be attached to the preliminary drawings, which shall be delivered to the Plan Commission office by the subdivider, the third receipted copy shall be retained by the subdivider as proof of payment. The subdivider shall deliver at least ten (10) prints of the preliminary plat drawing along with four (4) copies each of the soil survey map and the location map which shall be submitted as part of the preliminary plat to the Plan Commission office. The Plan Commission shall transmit one (1) copy of the preliminary plat for review and approval to the following officials or agencies:

City or Town Engineer

County Highway Engineer, along with construction plans
when outside corporate limits

County Highway Supervisor, along with construction plans
when outside corporate limits

County Surveyor when outside corporate limits

School Superintendent in whose district said plat is located

County Board of Health

Indiana Department of Natural Resources, Division of Water

and to any other agency whom it considers to have an interest in the proposed subdivision, with a request for comments from the agency.

Three (3) copies shall be retained by the Plan Commission for the following purposes:

One copy shall be used for review by the person or persons assigned within the Plan Commission staff or separately as the Town Zoning Officer or Administrator.

One copy shall be retained in the Plan Commission files and shall be marked with any corrections or additions deemed necessary by the Plat Officer, the above listed officials or agencies, and the Plan Commission when the plat is considered in public hearing.

One copy shall be retained until such time as all the various officials and agencies and the Plan Commission have made their review and commented on approval of the plat. This copy will then be marked and returned with a letter of approval or disapproval to the subdivider. (Ord. 1968-8, Article V, S2A, Aug. 5, 1968)

- (2) If the preliminary plat is approved by the Plan Commission, the applicant shall be authorized to proceed with the preparation of the final plat. The Plat Officer shall return to the subdivider a copy of the preliminary plat and a letter of approval or disapproval of the preliminary plat no later than ten (10) days following the date of the hearing; in case of disapproval giving reasons and specifying aspects of nonconformance with existing ordinances. (Ord. 1968-8, Article V, S2B, Aug. 5, 1968)
- (3) Preliminary approval shall confer upon the applicant the following rights for a one (1) year period from the date of approval.
 - A. That the general terms and conditions under which the preliminary approval was granted shall not be changed.
 - B. That the said applicant shall submit on or before the expiration of the one year period the whole or part or parts of said plat for final approval. In the case of a subdivision being developed in stages, the applicant may elect to have final approval delayed for a period not to exceed three (3) years from the date of preliminary approval for the remaining portions of the plat, after submission of the original part within the above specified period. In the event the subdivider fails to submit within the prescribed time a final plat, of all or part of the area included in the preliminary plat, then the approval given the preliminary plat or the remaining portion of the preliminary plat shall lapse and be considered null and void. (Ord. 1968-8, Article V, S2C, Aug. 5, 1968)

11.02.050.030 Preliminary Plat Requirements. A preliminary plat shall be provided by the subdivider and consist of the following:

- (1) Soil Survey Map. (Information shall be obtained from or be prepared by the United States Department of Agriculture Soil Conservation Service) showing:
 - A. Identification of all soil types located within the boundaries of the plat along with descriptions of soil characteristics as named in the nation-wide classification system. (Ord. 1968-8, Article V, S3A, Aug. 5, 1968)

- (2) Location Map. (Which may be prepared by indicating the following data on available maps) showing:
 - A. Boundary line of the proposed subdivision indicated by a solid heavy line and the total approximate acreage involved.
 - B. Subdivision name and location, specifying U. S. survey and township lines, city and county and state.
 - C. Any and all thoroughfares related to the subdivision.
 - D. Title, scale, north arrow, and date. (Ord. 1968-8, Article V, S3B, Aug. 5, 1968)

- (3) Preliminary Plat showing:
 - A. Name of the subdivision and location
 - B. Names and addresses of the owner, subdivider, and the registered land surveyor who prepared the plat.
 - C. Streets and rights-of-way on and adjoining the site of the proposed subdivision; showing the names and including roadway widths; approximate gradients; types and widths of pavement, curbs, sidewalks, cross-walks, planting strips, and other pertinent data.
 - D. All lot lines adjacent to and abutting the subdivision, showing the subdivision or the developer's name or some other means of identification.
 - E. Layout of lots, showing approximate dimensions and numbers.
 - F. Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds, or other public, semi-public or community purposes.

- G. Easements, existing and proposed, showing locations, widths, and purposes.
- H. Building setback or front yard lines and dimensions and requirements of Town and County Road Setback Resolution.
- I. Location and size of nearest water main, sewer outlet, and other pertinent utilities, if applicable.
- J. Location, type and minimum size of utilities, if any, to be installed.
- K. In instances where the subdivider plans to construct a common sewage treatment facility or a common water supply system, or both, the subdivider shall submit evidence to the Plan Commission that said preliminary plans have been submitted to the Indiana State Board of Health for their action.
- L. If the developer intends to install the improvements prior to the approval of the final plat of any portion of this preliminary plat he shall submit the improvement plans and specifications as specified in Section 11.02.050.060 along with the preliminary plat.
- M. Tract boundary lines showing dimensions, bearings, angles, and references to known land lines.
- N. Contours at vertical intervals of not more than five (5) feet where the slope is greater than ten (10) per cent and not more than two (2) feet where the slope is less than ten (10) per cent. Elevations shall be marked on such contours based on the datum plan approved by the Plat Officer, or on sea level datum.
- O. Tree masses and all individual trees having a caliper of twelve inches (12") or greater, key plan, legend, and notes.
- P. Location of existing structures within and immediately adjacent to the plat.
- Q. Two copies of the preliminary outline of the deed restrictions and covenants that would be placed upon the subdivision.
- R. Landscaping plans and proposed limits on the location and intensity of signs, advertising, and off-street parking should be included in the case of a proposed subdivision for industrial or commercial use.

- S. Scale*, north arrow, and date.
- T. Such other data as the Plan Commission may by rule require. Any such rule shall be adopted by Commission resolution only after a public hearing.
- * The preliminary plat of the subdivision shall be drawn to a scale of fifty (50) feet to one (1) inch, or one hundred (100) feet to one (1) inch; provided, however, that if the resulting drawing would be over thirty-six (36) inches in the shortest dimension, a scale as recommended by the Commission may be used. (Ord. 1968-8, Article V, S3C, Aug. 5, 1968)

11.02.050.040 Approval of Final Plats.

- (1) The final plat shall be submitted to the Plan Commission for final approval no later than fourteen (14) days prior to the Commission meeting at which final consideration is desired. The submission shall include the plans and specifications for the required improvements as set forth in 11.02.070. All documents shall bear the approving signature of the Town Engineer, and/or appointed officials, and the transmittal to the Plan Commission and the Town Board shall include a letter from the City Engineer or County Surveyor, and/or appointed officials, describing such approval and setting forth an estimate to cover the cost of the proposed improvements for performance guarantee purposes. (Ord. 1968-8, Article V, S4A, Aug. 5, 1968)
- (2) Upon review by the Commission, the final plat shall be forwarded to the Town Clerk-Treasurer for submission to the Town Board with all recommendations from the Plan Commission attached. If the final plat is approved by the Plan Commission, the original tracing shall bear, on the face of the plat, the signatures of the President or Vice-President and the Secretary of the Plan Commission along with the official seal of the Plan Commission, said approval shall be entered in the Commission minutes. (Ord. 1968-8, Article V, S4B, Aug. 5, 1968)
- (3) In the event of disapproval the Commission shall set out in the Commission minutes, and attach to a copy of the plat, the reasons for and specify the aspects of nonconformance with existing ordinances and notify the subdivider of the same no later than ten (10) days following the date of the hearing. No plat shall be forwarded to the Town Clerk-Treasurer or the Town Board until it has been approved by the Commission. (Ord. 1968-8, Article V, S4C, Aug. 5, 1968)
- (4) In instances where the subdivider proposes to construct a common sewage treatment facility or a common water supply system, or

both, the Plan Commission shall not give Final Plat approval until: (1) the State Board of Health and the State Stream Pollution Control Board give approval to the final engineering and construction plans for the facility; (2) the Public Service Commission, in the instance where a common sewage treatment facility is to be constructed, has granted the subdivider or the appropriate corporation a certificate of territorial jurisdiction. Furthermore, where the subdivider proposes to construct a common sewage treatment facility and/or a common water supply system, the Plat Officer, upon receipt of the construction plans as required in 11.02.050.040(1), of this chapter, shall immediately deliver one (1) copy of each of these plans to the County Health Officer. (Ord. 1968-8, Article V, S4D, Aug. 5, 1968)

- (5) In the event a final plat is denied because of the interpretation of data supplied by the United States Department of Agriculture Soil Conservation Service or because of the recommendation of the Indiana Department of Natural Resources the subdivider may request in writing another hearing at which he shall provide additional evidence attesting to the adequacy of said plat, said hearing shall be scheduled no later than sixty-two (62) days after the hearing at which the original final plat was denied. Part of the said additional evidence shall be in the form of a certification from a Professional Civil Engineer registered in the State of Indiana, obtained at the subdivider's costs, stating in effect that he, the engineer, has performed the tests and/or surveys, in the presence of a representative of, or in a manner meeting the approval of the body whose recommendations caused disapproval, necessary to determine that in the engineer's opinion the area in question will provide adequate public health, safety, convenience, and general welfare of present or future owners of any lots, parcels or tracts of the subdivision providing that all improvements are installed according to the drawings submitted with the original final plat. (Ord. 1968-8, Article V, S4E, Aug. 5, 1968)
- (6) The approval of the final plat improvements design by the Town Board shall be indicated on the original tracing of the plat, to be filed for record, by the affixing of the signatures of the members of the Town Board; in the event of disapproval the Town Board shall set out, and attach to a copy of the plat, the reasons for and specify the aspects of nonconformance with existing ordinances and notify the subdivider of the same. A copy of the plat showing the Town Board action shall be filed in the office of the Plan Commission. (Ord. 1968-8, Article V, S4F, Aug. 5, 1968)
- (7) The approved final plat shall be returned to the Town Clerk-Treasurer to be held until such time as the subdivider has:
 - A. Posted the performance guarantee as set forth in 11.02.050.070, of this chapter, or,

- B. Presented to the Town Clerk-Treasurer a statement signed by the Town Engineer, County Surveyor, County Highway Supervisor, or Engineer, or authorized official stating that all utilities, facilities and improvements have been installed in accordance with all requirements and provisions of this ordinance, or,
- C. Presented to the Town Clerk-Treasurer proof of deposit of funds with an approved lender of the Veterans Administration or Federal Housing Authority in an amount to guarantee installation and completion of said improvements, or,
- D. Presented to the Town Clerk-Treasurer proof of the execution of contracts with contractors, acceptable to the Town Board, providing for the construction and completion of the improvements, as prescribed by this or any other Municipal, State or Federal Ordinances, within a reasonable time from date thereof, said completion date shall be specified on the contracts.

Upon the compliance of the above requirements the Town Clerk-Treasurer shall release to the subdivider or his agent the approved final plat. (Ord. 1968-8, Article V, S4G, Aug. 5, 1968)

11.02.050.050 Final Plat Requirements. The final plat shall be provided by the subdivider and shall meet the following specifications.

- (1) The final plat may include all or only a part of the preliminary plat which has received approval. (Any portion of the preliminary plat to be recorded shall be filed as a final plat not later than one (1) year after approval of the preliminary plat, otherwise such approval shall be void.) (Ord. 1968-8, Article V, S5A, Aug. 5, 1968)
- (2) The original drawing of the final plat shall be drawn on tracing media with waterproof black drawing ink to a scale of fifty (50) feet to one (1) inch, or one hundred (100) feet to one (1) inch, provided that, if the resulting drawing would be greater than thirty-six (36) inches in the shortest dimension, a scale of two hundred (200) feet to one (1) inch may be used. Four (4) black, or blue line prints shall be submitted with the original final plat; or, in order to conform to modern drafting and reproduction methods, four (4) black or blue line prints and a reproducible cloth or film positive of the final plat shall be submitted. Prints filed in the permanent records of the Commission shall include, one print made after recording of the final plat and bearing the official stamp attesting the fact of the recording, and a reproducible transparent film positive print of the final plat, as approved. (Ord. 1968-8, Article V, S5B, Aug. 5, 1968)

- (3) All elevations shall be referenced to the established datum and the said reference shall be clearly stated on any plans or drawings showing such datum, providing bench marks are located within a reasonable distance. (Ord. 1968-8, Article V, S5C, Aug. 5, 1968)
- (4) All dimensions shall be shown in feet and decimals of a foot. (Ord. 1968-8, Article V, S5D, Aug. 5, 1968)
- (5) The following basic information shall be shown; all surveys for a final plat shall be made under the active and personal direction of a land surveyor, registered in the State of Indiana.
 - A. Accurate boundary lines, with dimensions and bearings or angles, which provide a survey of the tract, closing with an error of closure of not more than one (1) foot in five thousand (5,000) lineal feet of boundary distance, one copy of the traverse calculations determining such closure shall be submitted with the final plat. Coordinates shall be established for all property corners.
 - B. Accurate distances and directions to the nearest established street corner or official monuments. Reference corners shall be accurately described on the final plat.
 - C. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract, shown by heavy solid lines.
 - D. Accurate metes and bounds description of the boundary and the included area to the nearest one hundredth of an acre.
 - E. Right-of-way line of streets, easements, and other rights-of-way, and property lines of lots and other tracts, with accurate dimensions, bearings and curve data, including radii, arcs and chords, points of curvature and tangency, and central angles.
 - F. Name and right-of-way width for each street or other right-of-way.
 - G. Location, dimensions, and purposes of any easement, shown by light, dashed lines.
 - H. Number to identify each lot or site.
 - I. Purpose for which sites, other than residential lots, are dedicated or reserved.
 - J. Building setback or front yard lines showing all dimensions.

- K. Floor elevation and siting of each proposed building when in danger of inundation, subject to approval on recommendation of Indiana Department of Natural Resources.
- L. Location, type, material, and sizes of all monuments and lot markers, including elevations related to mean sea level as established by the United States Geological Survey.
- M. Names of owners and mortgagees accepting said plat, with record owner or owners personally signing the plat and all plans or drawings providing for the installation of the improvements.
- N. Reference to recorded subdivision plats of adjoining platted land by record name, date and number, shown by medium dashed lines.
- O. Restrictions of all types which will run with the land and become covenants in the deeds for lots.
- P. Title, north arrow, scale, and date.
- Q. Certification by a land surveyor with registration numbers and seal affixed to all documents of the final plat.
- R. Certification by the registered land surveyor stating that all lots conform to the requirements of the zoning district in which they are located.
- S. Certificate of dedication of all public streets and areas.
- T. Certificate for approval by the Town Engineer or County Surveyor.
- U. Certificate for approval by the Plan Commission.
- V. Certificate for approval by the Town Board.
- W. Certificate for approval by the Spencer County Board of Health.
- X. Such other data as the Plan Commission may by rule require. Any such rule shall be adopted by Commission resolution only after a public hearing. (Ord. 1968-8, Article V, S5E, 1-24, Aug. 5, 1968)

11.02.050.060 Improvement Plans and Specifications. The final plat submission to the Commission shall be accompanied by the plans and specifications for the improvements required under 11.02.070. The plans and profiles of all streets, storm and sanitary sewers, water lines, and drainage structures, together with their drainage area, shall be prepared on standard plan and profile sheets and shall bear the seal and signature of the registered professional engineer and/or registered land surveyor responsible for their preparation. A cross section of the proposed streets shall be included showing the widths of roadways, location and width of sidewalks, and the location of underground utilities. The plans shall show the lines of all proposed sidewalks and the location of all proposed street lights. The plans, cross sections, and specifications for the proposed improvements shall be submitted to and approved by the Town Engineer, County Surveyor, and/or appointed officials, prior to submission to the Commission with the final plat. Four (4) black or blue line prints of the approved documents shall be included with the final plat submission. After the completion of the construction of the improvements, a set of reproducible prints showing the as-built details and changes, if any, shall be filed with the Plat Officer, or appointed official. (Ord. 1968-8, Article V, S6, Aug. 5, 1968)

11.02.050.070 Performance Guarantee. A performance guarantee shall be required from the subdivider in the amount of the estimate approved by the Town Engineer or appointed official, for the cost of the proposed improvements. The performance guarantee shall run to the Town Board and be with good and sufficient surety satisfactory to the Town Board and as approved by the Town Attorney, conditioned upon the installation of the required improvements within two (2) years after the approval of the final plat. Filing of the actual bond or other security shall not be required until after the final plat approval, provided that sufficient information concerning the form of guarantee to be used shall be submitted with the final plat documents to provide ample surety to permit the approval of the Commission and the Town Board. In addition to the provision of a performance bond, a maintenance bond shall be provided by the developer, running to the Town or County, which shall guarantee that such utilities and streets as have been constructed for Town or County acceptance will be in acceptable condition at such time as formal agreement for the Town or County to maintain such improvements is made. Such maintenance bond shall become effective at the termination date of the performance bond, or upon completion of construction, and shall be in effect until at least 70% (seventy per cent) of the lots are developed or for two (2) years whichever is later, after which period acceptance of the improvements covered shall be made by the Town or County. A certificate indicating that the Town Board has received such performance and maintenance bonds shall be forwarded to the Plan Commission for their record. (Ord. 1968-8, Article V, S7, Aug. 5, 1968)

11.02.050.080 Approval of Minor Plats.

- (1) The plat of a minor subdivision shall be submitted to the Plan Commission for approval no later than fourteen (14) days prior to the Commission meeting at which final consideration is desired.

The submission shall include the items required in 11.02.050.090 and 11.02.050.100, and possibly 11.02.050.110, and shall be in conformity with all applicable sections of 11.02.060 and 11.02.070, of this Chapter; all documents shall bear the approving signature of the Town Engineer or appointed officials. (Ord. 1968-8, Article V, S8A, Aug. 5, 1968)

- (2) The minor plat shall conform to the requirements set forth in 11.02.050.040(2), (3), (5), and (6). The word "final" in the first above stated section shall be construed to mean "minor" so as to conform with 11.02.050.080. (Ord. 1968-8, Article V, S8B, Aug. 5, 1968)
- (3) In instances where the subdivider proposes to construct a common sewage treatment facility or a common water supply system, or both, the Plan Commission shall not give Minor Plat approval until:
 - A. The State Board of Health and the State Stream Pollution Control Board give approval to the final engineering and construction plans for the facility;
 - B. The Public Service Commission, in the instance where a common sewage treatment facility is to be constructed, has granted the subdivider or the appropriate corporation a certificate of territorial jurisdiction. Furthermore, where the subdivider proposes to construct a common sewage treatment facility and/or a common water supply system, the Plat Officer, upon receipt of the construction plans as required in 11.02.050.080 (1), of this Chapter, shall immediately deliver one (1) copy of each of these plans to the County Health Officer. (Ord. 1968-8, Article V, S8C, Aug. 5, 1968)
- (4) In the event the subdivider is required, because of existing conditions, to install or cause to be installed common utilities, other than public, he shall then comply with the applicable requirements set forth in 11.02.050.040 (6). The Town Clerk-Treasurer shall comply with said 11.02.050.040 (6), unless common utilities are not required; in that event he shall release on demand by the subdivider or his agent the approved minor plat. (Ord. 1968-8, Article V, S8D, Aug. 5, 1968)

11.02.050.090 Minor Plat Requirements. The minor plat shall be provided by the subdivider and shall meet the following specifications:

- (1) The minor plat shall conform to the requirements set forth in 11.02.050.050 (2) through 11.02.050.050(5), both inclusive - The word "final" in the first above stated section shall be construed to mean "minor" so as to conform with this Section 11.02.050.090. (Ord. 1968-8, Article V, S9, Aug. 5, 1968)

11.02.050.100 Improvement Plans and Specifications. In the event the subdivider is required, because of existing conditions, to install or cause to be installed common utilities, other than public, he shall then comply with the applicable requirements set forth in 11.02.050.060. (Ord. 1968-8, Article V, S10, Aug. 5, 1968)

11.02.050.110 Performance Guarantee. In the event the subdivider is required, because of existing conditions to install or cause to be installed common utilities, other than public, he shall then comply with the applicable requirements set forth in 11.02.050.070, except that no maintenance bond shall be required. (see 11.02.110.010). (Ord. 1968-8, Article V, S11, Aug. 5, 1968)

11.02.060 MINIMUM DESIGN AND DEVELOPMENT STANDARDS.

The subdivider shall conform to the following principles and standards of land subdivision in the design of each subdivision or portion thereof which has not been officially recorded in the office of the Clerk-Treasurer of the Town of Grandview and the Recorder of Spencer County, Indiana, on or before the effective date of this ordinance.

11.02.060.010 General. The subdivision plan shall conform to design standards that will encourage good development patterns and particularly to the principles and standards which are generally exhibited in the Master Plan. The streets, drainage rights-of-way, school sites, public parks, playgrounds, and other public facilities are shown on the officially adopted Master Plan and Maps and every subdivision designed shall be in harmony with said Master Plan and all applicable sections of the zoning ordinance for the Town of Grandview, Indiana, as now or hereafter amended. (Ord. 1968-8, Article VI, S1, Aug. 5, 1968)

11.02.060.020 Streets.

- (1) The street and alley layout shall provide access to all lots and parcels of land within the subdivision. Street jogs of less than one hundred and twenty-five (125) feet shall be avoided. Cul-de-sacs shall not exceed five hundred (500) feet in length, unless necessitated by prevailing conditions which create undue hardship, said hardship to be determined by the Commission upon adequate showing by the subdivider. (Ord. 1968-8, Article VI, S2A, Aug. 5, 1968)
- (2) Local streets shall be designed so as to discourage through traffic. (Ord. 1968-8, Article VI, S2B, Aug. 5, 1968)
- (3) Proposed streets shall be adjusted to the contour of the land so as to produce usable lots and streets of reasonable gradient. (Ord. 1968-8, Article VI, S2C, Aug. 5, 1968)
- (4) Certain proposed streets, where appropriate, shall be extended to the boundary of the tract to be subdivided so as to provide for

normal circulation of traffic within the vicinity. (Ord. 1968-8, Article VI, S2D, Aug. 5, 1968)

- (5) Wherever there exists a dedicated or platted portion of a street or alley adjacent to the proposed subdivision, the remainder of the street or alley shall be platted to the width herein prescribed within the proposed subdivision, unless the Commission finds it unnecessary. (Ord. 1968-8, Article VI, S2E, Aug. 5, 1968)
- (6) Reserve strips controlling access to streets shall be prohibited except where their control is definitely placed with the Town Board or, when outside corporate limits, the Board of Commissioners of Spencer County, Indiana, under conditions approved by the Plan Commission. (Ord. 1968-8, Article VI, S2F, Aug. 5, 1968)
- (7) Widths of street rights-of-way shall conform to the widths specified in Plate 1, attached hereto and made a part of this ordinance (chapter). These widths may be increased or decreased or varied in unusual circumstances by the Plan Commission and the Town Engineer and when outside corporate limits the County Surveyor, or appointed official. (Ord. 1968-8, Article VI, S2G, Aug. 5, 1968)
- (8) Half streets shall not be permitted except:
 - A. To provide right-of-way for officially adopted planned streets or highways.
 - B. Whenever an existing half street is adjacent to a tract to be subdivided, in which case the other half of the street shall be platted within such tract to be subdivided, or the existing platted half street shall be vacated prior to final approval .
 - C. Where the subdivider believes it is absolutely necessary to plat such, in which case, realizing that the Commission expects this half street to be improved, the subdivider shall submit engineering and construction plans concerning this half street to the Plat Officer. The Plat Officer, after consultation with the Town Engineer or when outside corporate limits the County Surveyor and the County Highway Supervisor, shall make a recommendation concerning the proposed platting of said half street to the Plan Commission, who shall decide whether to permit the platting and improvement of it. (Ord. 1968-8, Article VI, S2H Aug. 5, 1968)
- (9) No dead-end street shall be permitted where the same is in conflict with the Master Plan. Temporary dead-end streets will be permitted where the approved preliminary plat shows that the street will be extended to conform to the provisions of this ordinance and/or to

provide access to adjacent property where deemed necessary by the Commission to provide for adequate flow of future traffic, provided the length of said dead-end shall not be greater than two hundred and fifty (250) feet. A circular right-of-way in excess of the required street right-of-way at the termination of a temporary dead-end street shall not be required. (Ord. 1968-8, Article VI, S2I, Aug. 5, 1968)

- (10) Subdivisions that adjoin or include existing streets that do not conform to the required widths shall dedicate the adequate width along either or both sides of said street so said street shall be in conformity with all provisions of this ordinance. (Ord. 1968-8, Article VI, S2J, Aug. 5, 1968)
- (11) Streets shall be laid out so as to intersect as nearly at right angles as possible. (Ord. 1968-8, Article VI, S2K, Aug. 5, 1968)
- (12) If the smaller angle of intersection of two streets is less than sixty (60) degrees, the radius of the arc of the intersection of the property lines shall be as deemed advisable by the Plan Commission. (Ord. 1968-8, Article VI, S2L, Aug. 5, 1968)
- (13) At the intersection of two streets the property line corners shall be rounded by arcs with radii of not less than twenty (20) feet or chords of such arcs.
 - A. When one (1) or more of the streets involved in an intersection is a limited access street, highway, thoroughfare, boulevard, or parkway, the foregoing minimum standards may be increased by the Commission. (Ord. 1968-8, Article VI, S2M, Aug. 5, 1968)
- (14) At intersections of a street with an alley, the property line corners shall be rounded by arcs with radii of not less than fifteen (15) feet or chords of such arcs. (Ord. 1968-8, Article VI, S2N, Aug. 5, 1968)
- (15) Intersection of more than two (2) streets at one point shall be avoided. (Ord. 1968-8, Article VI, S2O, Aug. 5, 1968)
- (16) Where parkways or special types of streets are involved, the Plan Commission may apply special standards to be followed in the design of such parkways or streets. (Ord. 1968-8, Article VI, S2P, Aug. 5, 1968)
- (17) Whenever the subdivision contains or is adjacent to a railroad right-of-way or a highway designated as a "limited access highway" by the appropriate highway authorities, provision shall be made for a marginal access street, or a parallel street at a distance acceptable for the appropriate use of the land between the highway or railroad and such streets. (Ord. 1968-8, Article VI, S2Q, Aug. 5, 1968)

- (18) Horizontal visibility on curved streets and vertical visibility on all streets shall be maintained along the center lines as specified on Plate III attached hereto and made a part of this ordinance. (Ord. 1968-8, Article VI, S2R, Aug. 5, 1968)
- (19) Horizontal curvature measured along the center line shall have a minimum radius as specified on Plate I attached hereto and made a part of this ordinance. (Ord. 1968-8, Article VI, S2S, Aug. 5, 1968)
- (20) All changes in grade shall be connected by vertical curves of sufficient radii to provide smooth transitions and required sight distances. (Ord. 1968-8, Article VI, S2T, Aug. 5, 1968)
- (21) Between reversed curves on all streets, there shall be a minimum tangent as specified on Plate I attached hereto and made a part of this ordinance. (Ord. 1968-8, Article VI, S2U, Aug. 5, 1968)
- (22) Maximum grades for streets shall be as specified in Plate III attached hereto and made a part of this ordinance. (Ord. 1968-8, Article VI, S2V, Aug. 5, 1968)
- (23) The minimum grade of any street gutter shall not be less than twenty-five hundredths of one per cent (0.25%). (Ord. 1968-8, Article VI, S2W, Aug. 5, 1968)
- (24) No street shall have a name which will duplicate or so nearly duplicate as to be confused with the name of an existing street within the town; unless the proposed street is an extension of or in alignment with an existing street, in which case the duplication shall be mandatory. In no instance shall any street name include the word North, South, East, or West, unless it denotes that geographical direction. (Ord. 1968-8, Article VI, S2X, Aug. 5, 1968)
- (25) Alleys shall be discouraged in residential areas but shall be included in commercial and industrial areas where needed for loading and unloading or access purposes; and, where platted, shall be at least twenty (20) feet in width. (Ord. 1968-8, Article VI, S2Y, Aug. 5, 1968)
- (26) Dead-end alleys shall be avoided where possible, but, if unavoidable, shall be provided with adequate turn-around facilities at the dead-end, as determined by the Plan Commission. (Ord. 1968-8, Article VI, S2Z, Aug. 5, 1968)

11.02.060.030 Blocks.

- (1) Blocks shall not normally exceed thirteen hundred twenty (1,320) feet in length, unless unusual circumstances justify greater length. (Ord. 1968-8, Article VI, S3A, Aug. 5, 1968)

- (2) Blocks shall be of sufficient width to permit two tiers of lots of appropriate depth, except where an interior street parallels a limited access highway, major street, or railroad right-of-way. (Ord. 1968-8, Article VI, S3B, Aug. 5, 1968)
- (3) No other specific rule is made concerning the shape of blocks, but blocks shall fit easily into the over-all plan of the subdivision and their design must evidence consideration of lot planning, traffic flow, and public areas. (Ord. 1968-8, Article VI, S3C, Aug. 5, 1968)
- (4) Within blocks of over seven hundred (700) feet in length the Plan Commission may require, at or near the middle of the block, a public walk connecting adjacent streets or other public areas, shopping centers, etc. Width of right-of-way for such walks shall be at least ten (10) feet and shall be intended for the use of pedestrians only. (Ord. 1968-8, Article VI, S3D, Aug. 5, 1968)

11.02.060.040 Lots.

- (1) All lots shall abut on a street which is accessible to an established public street already in use. (Ord. 1968-8, Article VI, S4A, Aug. 5, 1968)
- (2) Side lines of lots shall be at approximately right angles to straight streets and on radial lines on curved streets. Some variation from this rule is permissible, but pointed or very irregular lots shall be avoided. (Ord. 1968-8, Article VI, S4B, Aug. 5, 1968)
- (3) Double frontage lots shall not be platted, except that where desired along primary or secondary streets, lots may face on an interior street and back on such thoroughfare. In that event a planting strip, or a planting screen, at least twenty (20) feet in width shall be provided along the rear of the lot and the design shall be such that access to these lots shall be only from an interior street. (Ord. 1968-8, Article VI, S4C, Aug. 5, 1968)
- (4) Lot dimensions, areas, and building setback lines, shall conform to and be not less than the minimum specified by the Town Grandview, County of Spencer, State of Indiana, Zoning Ordinance, as now or hereafter amended, for the district in which the lot is located; except where a main water supply system or a sanitary system is not available, and the lot area necessary to adequately provide for the efficient operation of a private water supply and/or sewage disposal system on the lot, would be greater, to be in accord with the Spencer County Board of Health and/or the Indiana State Board of Health then their area recommendation shall become the minimum lot area. (Ord. 1968-8, Article VI, S4D, Aug. 5, 1968)

- (5) Wherever possible, a unit shopping center, based on sound development standards, should be designed in contrast to the platting of lots for individual commercial use. (Ord. 1968-8, Article VI, S4E, Aug. 5, 1968)
- (6) Corner residential lots should be wider than normal to permit appropriate setbacks from both streets. Interior residential lots abutting a corner lot should be wider than the average interior lot in order to permit a wider side yard adjacent to the corner lot. (Ord. 1968-8, Article VI, S4F, Aug. 5, 1968)
- (7) Residential lots fronting on arterial, primary or secondary streets shall have extra depth to permit deeper building setbacks from such traffic arteries, as specified by the zoning ordinance. (Ord. 1968-8, Article VI, S4G, Aug. 5, 1968)

11.02.060.050 Easements.

- (1) Where alleys are not provided, easements for utilities shall be provided. Such easements shall have a minimum width of fourteen (14) feet, and where located along interior lot lines, one-half the width should be taken from each lot. Before determining the location of easements the plan shall be discussed with the local utility companies to assure the proper placing for the installation of services. (Ord. 1968-8, Article VI, S5A, Aug. 5, 1968)
- (2) Whenever a subdivision is traversed by a water course, drainage-way, channel, or stream, there shall be provided a drainage right-of-way which shall be for the purpose of widening, improving or protecting the stream at the subdivision's expense. To insure proper drainage right-of-way width the following requirements shall be incorporated in the plat.
 - A. In order to protect stream banks and to allow for maintenance, an easement of fifty (50) feet (or more as may be required by the County Drainage Board), measured from the normal high bank on each bank of any ditch or creek shall be provided.
 - B. In order to protect river banks and to allow for maintenance, an easement of seventy (70) feet (or more as may be required by the County Drainage Board), measured from the normal high bank on each bank of any river shall be provided.
 - C. In order to allow for the creation of a new channel or drainage-way, or relocation of an existing channel, an easement of one hundred (100) feet (or more as may be required by the County Drainage Board), measured from the

normal high bank on both sides of said proposed channel shall be provided.

The width of the drainage rights-of-way shall be adequate for any necessary channel relocations and straightenings, and to determine adequacy the drainage right-of-way shall be reviewed by the County Drainage Board. The drainage right-of-way shall relate as closely as possible to the requirements of the Master Plan. Parallel streets or parkways may be required in connection therewith. (Ord. 1968-8, Article VI, S5B, Aug. 5, 1968)

- (3) A guy line easement of sufficient width and length as determined by the utility company, shall be provided. Said easement length shall be measured from the apex of the deflection angle. (Ord. 1968-8, Article VI, S5C, Aug. 5, 1968)

11.02.060.060 Public Use Areas.

- (1) Where sites for parks, schools, playgrounds, or other public use areas as shown in the Master Plan are located within the subdivision area, the Commission shall require that such areas be so designated on the final plat. Within three (3) years after the approval of the final plat, the authority having jurisdiction shall acquire the designated land or commence proceedings to acquire it by condemnation, otherwise the owner may make any permitted use of the site, as permitted by the zoning district within which it lies. (Ord. 1968-8, Article VI, S6A, Aug. 5, 1968)

11.02.060.070 Topography, Natural Vegetation, and Flooding.

- (1) In the subdividing of any land within the jurisdiction, due regard shall be shown for all natural features, such as tree growth, water courses, or other similar elements which, if preserved, would add attractiveness to the proposed development. (Ord. 1968-8, Article VI, S7A, Aug. 5, 1968)
- (2) The natural topography shall be retained wherever possible in order to reduce excessive run-off onto adjoining property and to avoid extensive regrading of the site. (Ord. 1968-8, Article VI, S7B, Aug. 5, 1968)
- (3) Floor elevations of all buildings shall be carefully studied in relation to existing topography, proposed street grades, existing twelve (12) inches and over caliper trees, and other pertinent site features. (Ord. 1968-8, Article VI, S7C, Aug. 5, 1968)
- (4) Consideration shall be given to varying the setback line required in the zoning district where the subdivision is proposed in order to retain wherever possible existing topography, rock formations, and

large trees. Consideration shall be given only after the Board of Zoning Appeals has granted a building line variance for the affected subdivision. (Ord. 1968-8, Article VI, S7D, Aug. 5, 1968)

- (5) Where there is a question as to the suitability of a lot or lots for their intended use due to factors such as rock formations, flood conditions, or similar circumstances, the Commission shall consider withholding approval of such lots. (Ord. 1968-8, Article VI, S7E, Aug. 5, 1968)

11.02.070 IMPROVEMENTS.

Utility and street improvements shall be provided by the subdivider in each new subdivision in accordance with the standards and requirements described in the following sections.

11.02.070.010 Streets. Streets shall be completed in accordance with the plans, profiles, specifications, and cross sections prepared for the subdivider by a professional civil engineer and/or registered land surveyor duly registered in the State of Indiana, and as approved by the Town Engineer or when outside of corporate limits the County Highway Supervisor or Highway Engineer, or appointed officials. In no event shall any street plan be approved unless the entire improvement width is proposed to be installed within the proposed subdivision, unless said plan is in conformity with 11.02.060.020 (8), of this Chapter.

- (1) The streets shall be surfaced to a minimum width according to the type of street, as specified in Plate I, attached hereto and made a part of this ordinance (chapter). (Ord. 1968-8, Article VII, S1A, Aug. 5, 1968)
- (2) Curb and gutter shall not be permitted to be installed along the edges of surfaced streets of less than 27 feet in width. However, curb and gutter shall be installed in conformity with 11.02.070.020. In all cases, the surfaced street widths given in Plate I shall include curb and gutter. (Ord. 1968-8, Article VII, S1B, Aug. 5, 1968)
- (3) The streets shall be graded, surfaced, and improved to the dimensions required by the cross sections and the work shall be performed in the manner prescribed in the current edition of Indiana State Highway Specifications. Streets shall comply with the minimum standards specified in Plates I, II, III and IV attached hereto and made a part of this ordinance. Grading for street improvements shall not create soil slopes exceeding a vertical rise of one (1) foot for each two (2) feet of horizontal distance unless retaining walls are to be provided. (Ord. 1968-8, Article VII, S1C, Aug. 5, 1968)

- (4) The street surface shall be of Portland cement concrete or a flexible pavement, and shall be constructed in accordance with design characteristics at least equal to those specified in Plates I, II, III, and IV attached hereto and made a part of this ordinance, and specifications approved by the Town Engineer or when outside the corporate limits the County Highway Supervisor or Highway Engineer, or appointed official. (Ord. 1968-8, Article VII, S1D, Aug. 5, 1968)
- (5) Prior to the construction of street or alley pavements, adequate surface and subsurface (if required) drainage shall be installed by the subdivider. Pipe used for drainage purposes shall be of corrugated metal, reinforced concrete, or extra strength vitrified clay or an approved design, size, and strength to meet the requirements of the specific conditions which may be encountered. Minimum diameters of pipe to be used shall meet the requirements of the specific conditions which may be encountered, see 11.02.070.070, and shall be approved by the Town Engineer unless outside the corporate limits, then by the County Highway Supervisor or Engineer, or appointed official. (Ord. 1968-8, Article VII, S1E, Aug. 5, 1968)
- (6) All construction shall be completed in accordance with the specific conditions in the agreement for improvements and the accepted plans and specifications, and in a manner acceptable to the authorities having jurisdiction. When changes from the accepted plans and specifications become necessary during construction, written approval from the authorities having jurisdiction shall be secured prior to the execution of such changes and four (4) copies of the approved revised drawings shall be submitted to the Plat Officer for distribution. (Ord. 1968-8, Article VII, S1F, Aug. 5, 1968)
- (7) Adequate provision shall be made for the continuous maintenance of all street improvements by dedication to and acceptance by the Town Board unless outside corporate limits, then by the County Board as provided in 11.02.050.070, and all applicable Sections of 11.02.110. (Ord. 1968-8, Article VII, S1G, Aug. 5, 1968)

11.02.070.020 Curbs and Gutters.

- (1) Concrete curb and gutter shall be provided along the outside edge of all street pavements in subdivisions where the density of development is three (3) lots per gross acre or greater. (Ord. 1968-8, Article VII, S2A, Aug. 5, 1968)
- (2) Curbs and gutters, if necessary, shall be installed by the subdivider in compliance with the approved plans, profiles and cross-sections. They shall be constructed of air-entrained Portland cement concrete and they shall be at least eighteen (18) inches wide and not less than

- six (6) inches thick where the curb abuts the street pavement. (Ord. 1968-8, Article VII, S2B, Aug. 5, 1968)
- (3) Curbs and gutters shall be constructed in conjunction with the street pavements on all streets where parking is to be permitted. (Ord. 1968-8, Article VII, S2C, Aug. 5, 1968)
 - (4) Curb construction for concrete pavements shall be integral, and roll-type curbs shall be permitted where the distance between the back of the curb and the nearest sidewalk is at least three (3) feet on residential and feeder streets. (Ord. 1968-8, Article VII, S2D, Aug. 5, 1968)
 - (5) All plans for the installation of the curb and gutter shall conform to all applicable sections of this ordinance and shall be approved by the Town Engineer (unless outside the corporate limits, then by the County Highway Supervisor or Highway Engineer), the Plan Commission, and the Town Board (unless outside the corporate limits, then by the County Board) prior to the installation. (Ord. 1968-8, Article VII, S2E, Aug. 5, 1968)

11.02.070.030 Sidewalks.

- (1) Sidewalks on each side of a street shall be provided within a subdivision when the subdivision averages three (3) lots or more per gross acre. Sidewalks on one (1) side of the street shall be provided within a subdivision when the subdivision averages less than three (3) lots per gross acre, provided, however, the Plan Commission may waive the above requirement in those subdivisions with less than two (2) lots per gross acre and only upon showing by the developer that the sidewalks will serve no specific or future need. Sidewalks shall be of Portland cement concrete with a minimum thickness of four (4) inches on a four (4) inch gravel or crushed stone base and a minimum width of four (4) feet, and the edge of walks adjacent to the property line of the street shall be placed at least one (1) foot from the property line within the street right-of-way. (Ord. 1968-8, Article VII, S3A, Aug. 5, 1968)
- (2) Cross-walks within the blocks shall be improved with a four (4) foot walk of either Portland cement concrete four (4) inches thick or asphaltic concrete two (2) inches thick on four (4) inch compacted aggregate base. The base should be extended beyond sidewalk on either side to distance equal to depth of base. (Ord. 1968-8, Article VII, S3B, Aug. 5, 1968)
- (3) If for any reason sidewalks are not provided, the street grade shall be completed so that the minimum amount of additional grading would be necessary for any future provision of sidewalks. (Ord. 1968-8, Article VII, S3C, Aug. 5, 1968)

11.02.070.040 Sewage Disposal. The developer shall install or cause to be installed a system for the disposal of sanitary sewage in the subdivision by one of the following means:

- (1) Public System. A complete sanitary sewer system which shall convey the sewage into an established municipal or other public agency sanitary sewage disposal and treatment system, at a point and in a manner approved in writing by the municipal or other public agency involved. The plans for the complete installation of the sewage system showing all locations, material, size, profiles and any connections thereto, shall be prepared by a registered engineer and/or registered land surveyor at the expense of the subdivider or developer and shall be approved by and meet the requirements of the affected municipal or other public agency and the State Board of Health. (Ord. 1968-8, Article VII, S4A, Aug. 5, 1968)

- (2) Private or Quasi Public System.
 - A. A complete sanitary sewage system to convey the sewage to a treatment plant provided by the developers or others in accordance with the requirements of the County or the State Board of Health.

 - B. A complete sanitary sewer system which shall connect into the sanitary sewage disposal system of a sewage disposal company which shall hold, at the time of plot submission, a certificate of territorial authority issued by the Public Service Commission of Indiana authorizing such sewage disposal service for the area in which the subdivision is located. The plans for the complete installation of the sewer system both within the subdivision and any off-site installations serving said subdivision showing all locations, size, material, profiles, and capacities, shall be submitted to and be approved by the County and/or the State Board of Health. (Ord. 1968-8, Article VII, S4B, Aug. 5, 1968)

- (3) Septic Tank. If the developer submits proper evidence to the County Health Department that neither of the above forms of sewage disposal and treatment is possible or economically feasible, then the Town Board shall permit the developer to use a private sanitary sewage disposal system on each individual lot consisting of a septic tank, and absorption field, or other approved treatment system, when installed in accordance with the standards and approval of the County and the State Boards of Health. Part of the said proper evidence shall be in the form of a print of the plat showing the location of, the depth of, and the percolation rate of the test holes, one located on each lot of a percolation test conducted by an engineer. The information shown shall be certified

to by a Professional Civil Engineer registered in the State of Indiana. (Ord. 1968-8, Article VII, S4C, Aug. 5, 1968)

- (4) The subdivider shall furnish the Commission a complete set of plans and profiles as approved by the various authorities. (Ord. 1968-8, Article VII, S4D, Aug. 5, 1968)

11.02.070.050 Water Supply. The developer shall install or cause to be installed a water system for the subdivision by one of the following methods:

- (1) **Public System.** A complete water main system which shall be connected to a public or other community water supply which is approved by the County and/or State Board of Health. The plans for the complete installation showing size, location, depth, material and all connections thereto including fire hydrants, shall meet the requirements and receive the approval of the County and/or the State Board of Health. (Ord. 1968-8, Article VII, S5A, Aug. 5, 1968)
- (2) Private System.
 - A. A community water supply system including well, pump, and all appurtenances thereto, necessary to supply a minimum pressure of forty (40) pounds per square inch. The plans showing location, depth, size, and material of mains, valves, and connections thereto shall meet the requirements of and be approved by the Spencer County Board of Health and/or the State Board of Health; or,
 - B. A complete water main system which shall connect into the water main system of a utility company which shall be authorized to operate within the area in which the subdivision is located and which shall be subject to the control of the Public Service Commission of Indiana. The plans for the complete installation of the water main system within the subdivision showing size, location, depth, material, and all connections thereto, including fire hydrants, shall be approved by and meet the requirements of the County and/or State Board of Health. (Ord. 1968-8, Article VII, S5B, Aug. 5, 1968)
- (3) Individual Supply. If the developer submits proper evidence to the County Health Department that neither of the above forms of water supply is possible or economically feasible, then the Town Board shall permit an individual water supply on each lot in the subdivision subject to compliance with all requirements and approval of the County and/or State Board of Health. (Ord. 1968-8, Article VII, S5C, Aug. 5, 1968)

- (4) The subdivider shall furnish the Commission a complete set of plans and profiles as approved by the various authorities. (Ord. 1968-8, Article VII, S5D, Aug. 5, 1968)

11.02.070.060 Privately Developed Facilities. Where the subdivision is to contain sewers, sewage treatment facilities, water supply system, park areas, or other physical facilities which will not be maintained by existing public agencies, provision shall be made by trust agreement, which is a part of the deed restrictions and which is acceptable to the proper public agencies, for jurisdiction over the continuous maintenance, supervision, operation, and reconstruction of such facilities by the lot owners in the subdivision. Other restrictions not inconsistent or in conflict with the provisions of this or other ordinances of the Town and County may also be included. (Ord. 1968-8, Article VII, S6, Aug. 5, 1968)

11.02.070.070 Storm Drainage.

- (1) Adequate surface and subsurface drainageways for the removal of storm water shall be provided by the subdivider. The extent to which storm drainage facilities shall be required shall be based upon an analysis of need prepared for the subdivider by a registered professional engineer and/or registered land surveyor. The analysis shall be based upon the rational method of computing storm water run-off using the one-hour rainfall to be expected at a five (5) year frequency. Times of concentrations, soil infiltration rates, and other variable factors to be used in the analysis shall be discussed with and approved by the County Surveyor during the preliminary consideration of the subdivision. The engineer (or his agent) preparing said analysis shall provide the County Surveyor with a copy of the computations used in the completion of the analysis. (Ord. 1968-8, Article VII, S7A, Aug. 5, 1968)
- (2) A storm water sewer system, which shall be separate and independent of the sanitary sewer system, with surface inlets, shall be provided by the subdivider in all cases where curb and gutter is to be installed and whenever the available evidence indicates that such a system is necessary due to the inadequacy of the natural surface drainage. (Ord. 1968-8, Article VII, S7B, Aug. 5, 1968)
- (3) Distance from streams or main drainage channels: any persons proposing to locate a structure or a use within one hundred (100) feet of any stream or main drainage channel in any zoning district shall include with the application for an improvement location permit and/or a certificate of occupancy, statement from the Indiana Department of Natural Resources, based on a study of the watershed area and the probable run-off, that the structure or use in the proposed location will leave adequate space for the flow of flood water, provided, however, that no building shall be permitted

within seventy-five (75) feet of the top of the bank of any stream or main drainage channel. (Ord. 1968-8, Article VII, S7C, Aug. 5, 1968)

- (4) The subdivider shall furnish the Commission a complete set of plans and profiles as approved by the various authorities. (Ord. 1968-8, Article VII, S7D, Aug. 5, 1968)
- (5) All plans and workmanship shall be in compliance with the 1965 Indiana drainage code. (Ord. 1968-8, Article VII, S7E, Aug. 5, 1968)

11.02.070.080 Public Utilities.

- (1) All utility lines for telephone and electric service when carried on overhead poles shall be provided for with rear and side lot line easements. Gas mains shall be located within line easements or on public rights-of-way. (Ord. 1968-8, Article VII, S8A, Aug. 5, 1968)
- (2) Where telephone and/or electric service lines are to be placed underground throughout the subdivision, the conduit or cables shall be located within easements or public rights-of-way and in a manner which is in agreement with the utility companies and in compliance with the Indiana Public Service Commission regulations. Furthermore, all transformers and terminal boxes shall be located so as not to be hazardous to the public. (Ord. 1968-8, Article VII, S8B, Aug. 5, 1968)
- (3) All excavations for public utilities made under paved areas shall be properly backfilled with approved granular materials thoroughly compacted in place, subject to the approval of the Town Engineer unless outside corporate limits then by the County Highway Supervisor and/or Engineer. (Ord. 1968-8, Article VII, S8C, Aug. 5, 1968)

11.02.070.090 Street Lighting. Provisions for easements shall be made by the subdivider for the future lighting of public streets within the subdivision in accordance with the standards and requirements of the County and the electric utility. (Ord. 1968-8, Article VII, S9, Aug. 5, 1968)

11.02.070.100 Street Signs.

- (1) Appropriate metallic street signs with reflectorized lettering mounted on metallic posts and as specified by the Town shall be installed by the subdivider at all street intersections on diagonally opposite corners so that they will be on the far right hand side of the intersection for traffic on the more important streets. Signs indicating both streets shall be erected at each location mounted as close to the corner as practical, facing traffic on the cross street, with the nearest portion of each sign not less than one (1) foot nor

more than ten (10) feet back from the curb line. (Ord. 1968-8, Article VII, S10A, Aug. 5, 1968)

- (2) Before the final plat is approved, the subdivider shall submit to the Plan Commission a statement from the local postmaster approving the names of the proposed streets and of the proposed systems of postal address along such streets. (Ord. 1968-8, Article VII, S10B, Aug. 5, 1968)

11.02.070.110 Landscape Development.

- (1) All unpaved or otherwise unimproved areas within the public rights-of-way or public use areas, shall be graded and seeded in an approved manner. (Ord. 1968-8, Article VII, S11A, Aug. 5, 1968)
- (2) Street trees shall be provided by the subdivider along all streets where trees do not exist. The trees shall be of a species suitable for local soil and climatic conditions, adapted to street use and shall be at least one and one-half (1 1/2) inch caliper measured one foot from the ground. At street corners the trees shall be located at a minimum of twenty-five (25) feet from the intersection of the street right-of-way lines, otherwise they shall be located so as not to interfere with utilities or sidewalks and placed forty (40) to fifty (50) feet apart. The trees shall be placed in the grass area between the curb and sidewalk, unless this space is less than six (6) feet wide, in which case the trees shall be planted on the lots. (Ord. 1968-8, Article VII, S11B, Aug. 5, 1968)
- (3) In informal types of street patterns, informal planting of street trees in accordance with an approved landscape development plan may be permitted. (Ord. 1968-8, Article VII, S11C, Aug. 5, 1968)

11.02.070.120 Monuments and Markers.

- (1) Permanent monuments shall be set:
 - A. At the intersection of all lines forming angles in the boundary of the subdivision.
 - B. At the intersection of street right-of-way lines and at the beginning and end of all curves along street property lines. (Ord. 1968-8, Article VII, S12A, Aug. 5, 1968)
- (2) Markers shall be set, unless otherwise located by a monument:
 - A. At all points where lot lines intersect street right-of-way lines.
 - B. At all angles in the lot property lines.

- C. At all other lot corners. (Ord. 1968-8, Article VII, S12B, Aug. 5, 1968)
- (3) Monuments shall be of concrete, with minimum dimensions of four inches (4") at the top and six inches (6") at the bottom and thirty-six inches (36") in length, and shall be marked at the top with either a copper or steel dowel imbedded so that the top of the dowel shall be flush with the top surface at the center of the monument; or an iron or steel solid bar at least thirty-six inches (36") in length and not less than one (1) inch in diameter. Markers shall consist of galvanized steel or wrought iron pipe or steel bars at least eighteen (18) inches in length and one-half (1/2) of an inch in outside diameter. (Ord. 1968-8, Article VII, S12C, Aug. 5, 1968)
- (4) Monuments and markers shall be provided by the subdivider and so placed that the center point shall coincide with the intersection of lines to be marked and the top level with the surface of the surrounding ground after final grading. (Ord. 1968-8, Article VII, S12D, Aug. 5, 1968)

11.02.070.130 Cluster Development. In order to promote the health and general welfare of the County and to preserve and make available open space, the Plan Commission may grant a developer the right to vary the residential building density within a tract to be developed, leaving a substantial area free of building lots; the right to vary the density shall, however, be subject to the following conditions:

- (1) An over-all plan of the entire tract showing roads, lot lines, lot areas, easements, encumbrances, and other relevant data shall be submitted in accordance with 11.02.050, 11.02.060, 11.02.070 and 11.02.080 of this Chapter. (Ord. 1968-8, Article VII, S13A, Aug. 5, 1968)
- (2) Over-all density shall not exceed that of the zoning district in which the land occurs. The houses in the proposed subdivision shall be grouped in clusters. The minimum lot area shall be two-thirds of the minimum normally required in the zoning districts in which the land occurs. Minimum yard requirements in a cluster development shall be:

Front Yard	10 feet
Side Yard	8 feet (except that garages and carports upon adjacent lots may join at the property line or be grouped on land away from the individual lot)
Rear Yard	15 feet

(Ord. 1968-8, Article VII, S13B, Aug. 5, 1968)

- (3) In cases where a developer has designed special groups of dwellings and garages, the Plan Commission, after inspecting plans and elevations, may grant smaller lot minimum sizes than those in Paragraph (2) above provided that the sanitary systems are approved by the County and/or State Board of Health, or appointed official, that the over-all density does not exceed that permitted within the zoning district in which the land occurs or that the layout is not detrimental to the health and general welfare of the community. (Ord. 1968-8, Article VII, S13C, Aug. 5, 1968)
- (4) The balance of the land not contained in the lots or within the road rights-of-way shall be contiguous and of such condition, size, and shape as to be usable for recreation. Such land shall be held in corporate ownership by the owners of lots within the development and the developer shall incorporate into the deeds of all property within the development a clause giving to the owners an interest in such open land which shall be used for recreational purposes only. (No structure except those incidental to the recreational use shall be permitted thereon.) Open land shall be a minimum of one and one-half (1 1/2) acres (and shall be subject to taxation). In the case of such tracts of three (3) or more acres, the developer may petition the Town to maintain the land to be used as open space. (Ord. 1968-8, Article VII, S13D, Aug. 5, 1968)

11.02.080 REQUIRED RESTRICTIONS

11.02.080.010 Statements upon plats. Each final plat submitted to the Commission for approval shall contain statements in the restrictive covenants providing for the following items:

- (1) All utility easements as dedicated on the face of the plat shall be kept free of all permanent structures and the removal of any obstructions such as structures, trees, shrubbery, fences, or other installation thereon, whether temporary or permanent, by a utility company shall in no way obligate the utility company in damages or to restore the obstruction to its original form. (Ord. 1968-8, Article VIII, SA, Aug. 5, 1968)
- (2) Before any lot or tract located within the subdivision may be used and occupied, such use or occupier shall first obtain from the Zoning Administrator the Improvement Location Permit required by the Town of Grandview Zoning Ordinance. (Ord. 1968-8, Article VIII, SB, Aug. 5, 1968)
- (3) Before any house or building on any lot or tract in the subdivision shall be used and occupied as a dwelling or as otherwise provided in the subdivision restrictions, the developer or any subsequent owner of said lot or tract shall install all improvements serving said lot or

tract as provided in said plans and specifications filed with the Town Board. (Ord. 1968-8, Article VIII, SC, Aug. 5, 1968)

- (4) Before any house or building on any lot or tract in the subdivision shall be used or occupied as a dwelling or as otherwise provided in the subdivision restrictions and zoning ordinance, the developer or any subsequent owner of said lot or tract shall first obtain from the Zoning Administrator the Certificate of Occupancy as required by the Town of Grandview Zoning Ordinance. (Ord. 1968-8, Article VIII, SD, Aug. 5, 1968)
- (5) Prohibiting the further subdivision of any lot or combination of lots, within the subdivision previously approved by the Commission, unless and until the Commission has reviewed and approved the change. (Ord. 1968-8, Article VIII, SE, Aug. 5, 1968)

11.02.090 SUGGESTED CERTIFICATION FORMS.

To entitle a final plat to be recorded, such certificates as required by law shall be lettered or printed on the Final Plat. This article lists certain certificates, some of which shall be placed on every plat; other certificates are optional and serve as a guide only.

11.02.090.010 Deed of dedication. Each final plat submitted to the Commission for approval shall carry a deed of dedication in substantially the following form:

"We the undersigned _____ (Names) _____, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and do hereby lay off, plat and subdivide, said real estate in accordance with the within plat.

This subdivision shall be known and designated as _____ (Name) _____, an addition to _____ (Name) _____. All streets, alleys, parks, and other public lands shown and not heretofore dedicated, are hereby dedicated, to the public.

Front and side yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the street, there shall be erected or maintained no building or structure."

Witness our Hands and Seals this _____ day of _____ 19____

State of Indiana)

County of Spencer) SS

Town of _____)

Before me the undersigned Notary Public, in and for the City, County and State, personally appeared _____ (Name) _____, _____ (Name) _____, _____ (Name) _____ and each separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed; for the purposes therein expressed. Witness my hand and Notarial Seal this ___ day of _____ 19____

Notary Public

(Ord. 1968-8, Article IX, SA, Aug. 5, 1968)

11.02.090.020 Surveyor certification. Each final plat submitted to the Commission for approval shall carry a certificate signed by a Registered Professional Engineer or Land Surveyor in substantially the following form:

I, _____ (Name) _____ hereby certify that I am a Professional Engineer (or a Land Surveyor), licensed in compliance with the laws of the State of Indiana; that this plat correctly represents a survey completed by me on _____ (Date) _____, that all the monuments shown thereon actually exist; and that their location, size, type and material are accurately shown.

(SEAL) _____
(Ord. 1968-8, Article IX, SB, Aug. 5, 1968)

11.02.090.030 Approval by Plan Commission.

APPROVED
PLAN COMMISSION OF
_____, INDIANA

President

Vice-President

Secretary

This _____ day of _____, 19____.

(Ord. 1968-8, Article IX, SC, Aug. 5, 1968)

11.02.090.040 Approval by Town Council.

APPROVED
TOWN COUNCIL OF
THE TOWN OF _____, INDIANA

This _____ day of _____, 19____.

(Ord. 1968-8, Article IX, SD, Aug. 5, 1968)

11.02.100 ACCEPTANCE OF SUBDIVISION IMPROVEMENTS

11.02.100.010 Completed Construction Notification. When the subdivider has completed construction of the improvements he shall notify the Plat Officer by letter (in four (4) copies) of this fact, and formally request a final inspection by the Town and County Inspecting Officials. In this letter he shall briefly describe all the improvements and he shall enclose four (4) copies of the subdivision plat which shows these improvements as installed. No later than fourteen (14) days after the receipt of this letter by the Plat Officer, weather conditions permitting, the Town and County Inspecting Officials shall make their inspections. (Ord. 1968-8, Article X, S1, Aug. 5, 1968)

11.02.100.020 Recommendation for Acceptance. Before acceptance of subdivision improvements, the Plat Officer, the Town Engineer, and, if applicable, the County Surveyor, and the County Highway Superintendent shall inspect said improvements as described above and submit a report to the Town Board and/or Board of County Commissioners, whichever is applicable, on the condition of such improvements and a recommendation for their action thereon. (Ord. 1968-8, Article X, S2, Aug. 5, 1968)

11.02.100.030 Written Notification. No later than seven (7) days after the final inspection of the subdivision improvements, the subdivider shall be notified by the Plat Officer in writing of the results of the inspection. (Ord. 1968-8, Article X, S3, Aug. 5, 1968)

11.02.100.040 Pre-Expiration Inspection. The Town and County Inspecting Officials shall, no later than six (6) weeks before the expiration date of the maintenance bond, inspect the subdivision streets and improvements to ascertain their condition. The subdivider shall be notified by letter, no later than five (5) weeks before said expiration date, as to the results of the inspection. Should there be conditions concerning the improvements which the Town and County Inspecting Officials find unsatisfactory, the subdivider has opportunity to correct them. No later than fourteen (14) days prior to the expiration date of the subdivision bond, the Plat Officer shall relate by letter to the Town Board, the Town Attorney, and the subdivider the condition the Town and County Inspecting Officials find the streets and improvements in and, consequently, their recommendation regarding the release of the maintenance bond. (Ord. 1968-8, Article X, S4, Aug. 5, 1968)

11.02.110 IMPROVEMENT LOCATION PERMIT -- CERTIFICATE OF OCCUPANCY

No Improvement Location Permit or Certificate of Occupancy shall be issued by any governing official for the construction of any building, structure, or improvement to the land or any lot within subdivision as defined herein, which has been approved for platting or replatting, until all requirements of the Subdivision and Zoning Ordinances have been fully complied with. (Ord. 1968-8, Article XI, Aug. 5, 1968)

11.02.120 RECORD OF PLATS AND ENFORCEMENT

11.02.120.010 Term. The plat of any proposed subdivision shall be recorded for taxation purposes, within one year of the final approval date of the Plan Commission, in the office of the Town Clerk-Treasurer of Grandview and in the office of the Recorder of Spencer County, Indiana. (Ord. 1968-8, Article XII, S1, Aug. 5, 1968)

11.02.120.020 Pre-Recording Approval. After the enactment of this ordinance no plat of any subdivision shall be permitted to be recorded by the Town Clerk-Treasurer or the Recorder of Spencer County, Indiana, and no plat of any subdivision shall have any validity until it is approved as prescribed by this ordinance. (Ord. 1968-8, Article XII, S2, Aug. 5, 1968)

11.02.120.030 Enforcement.

- (1) It shall be the duty of the Commission to enforce the provisions of this ordinance in the manner and form and with the powers provided in the laws of the State of Indiana. (Ord. 1968-8, Article XII, S3A, Aug. 5, 1968)
- (2) All departments, officials and employees of the Town of Grandview, County of Spencer, Indiana, which are vested with the duty of authority to issue permits or licenses shall issue no permit or license for any use, building or purpose if the same would be in conflict with the provisions of this ordinance. (Ord. 1968-8, Article XII, S3B, Aug. 5, 1968)

11.02.130 VALIDITY

If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or of any other part, section, clause, provision or portion of this ordinance. (Ord. 1968-8, Article XIII, Aug. 5, 1968)

11.02.140 SAVING CLAUSE

The enactment of this ordinance shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or part of provision of any ordinance of the Town of Grandview of Spencer County, Indiana, prior to the taking effect of this ordinance. (Ord. 1968-8, Article XIV, Aug. 5, 1968)

11.02.150 VIOLATION PENALTY

11.02.150.010 Fine. Any person, whether as principal, agent, owner, lessee, tenant, contractor, builder, architect, engineer, or otherwise, who violates any provision of this ordinance shall be guilty of a misdemeanor and upon conviction

shall be punished by a fine of not less than ten dollars (\$10.00) nor more than three hundred dollars (\$300.00) for each offense. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ord. 1968-8, Article XV, S1, Aug. 5, 1968)

11.02.150.020 Removal of nuisance. The erection, construction, enlargement, conversion, moving or maintenance of any structure and the use of any land or structure which is continued, operated or maintained contrary to any provision of this ordinance is hereby declared to be a nuisance and in violation of this ordinance and unlawful. The Commission may institute a suit for injunction in the Circuit Court of any Superior Court of Spencer County to restrain any person or governmental unit from violating any provision of this ordinance and to cause such violation to be prevented, abated or removed. Such action may also be instituted by any property owner who may be especially damaged by the violation of any provision of this ordinance. (Ord. 1968-8, Article XV, S2, Aug. 5, 1968)

11.02.150.030 Remedies. The remedies provided for in this section shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law. (Ord. 1968-8, Article XV, S3, Aug. 5, 1968)

11.02.160 ADOPTION

Any subdivision which has received final approval by the Town Board or Board of County Commissioners, whichever is applicable, prior to the adoption of this ordinance shall be considered an approved final subdivision. If the approved final subdivision plat is not recorded within three hundred and sixty (360) days after the date of the Town Board's or County Board's approval, said approval shall be termed null and void. In the event a plat is considered invalid said plat shall then be resubmitted as a preliminary plat and shall meet all requirements of this ordinance.

This ordinance shall take effect upon its passage and approval by the Town Board.

PASSED and ENACTED by the Board of Trustees of the Town of Grandview, Indiana on the 5th day of August, 1968. (Ord. 1968-8, Article XVI, Aug. 5, 1968)

11.02.200 PLATES

11.02.200.010 PLATE I

MINIMUM STANDARDS FOR STREET DESIGN WITH CURBS*

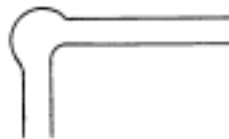
<u>Street</u>	<u>Right-of-Way Width</u>	<u>Roadway Width***</u>	<u>Radius of Horizontal Curves, Figures to the Centerline</u>	<u>Tangents Between Reverse Curves</u>
Arterial Thoroughfare **	150 ft.	**	**	**
Primary and Parkways **	100 ft.	**	300 ft.	100 ft.
Secondary **	80 ft.	40 ft .	200 ft.	40 ft.
Local	50 ft.	27 ft.	150 ft. (+)	40 ft.
Cul-de-sac	50 ft.	27 ft.	150 ft.	40 ft.
Cul-de-sac Turn Around Diam.	100 ft.	70 ft.		
Marginal Access	40 ft.	27 ft.	150 ft.	**
Business and Industrial Districts	80-100 ft .	56 ft.	500 ft.	200 ft.
Boulevard ** 1/	**	24 ft.	200 ft.	40 ft.

* Specifications for roadway construction shall be as specified in this ordinance and any other subsequent and applicable ordinance.

** Minimum standards for these streets shall be as indicated or as determined by the Plan Commission and the County Highway Supervisor.

*** Roadway width is as required for curbed streets and indicates distance from back to back of curb.

(+) In instances where a turn of 90 degrees, or near 90 degrees, is planned, a lesser radius is acceptable; however, an enlargement of the right-of-way and pavement is required on the outside edge of the street. See sketch.



1/ In the event boulevard type streets are constructed, provision shall be made in the deed restrictions for the continuous maintenance of the median strip, grassed area, by the lot owners in the subdivision, said provision shall be stated in a manner which is acceptable to the Commission and the Town Board.

(Ord. 1968-8, Plate 1, Aug. 5, 1968)

11.02.200.020 Plate II.

MINIMUM STANDARDS FOR STREET DESIGN WITHOUT CURBS

<u>Street</u>	<u>Right-of-Way Width</u>	<u>Roadway Width</u>	<u>Road Shoulder Width*</u>
Primary	100 ft.	34 ft.	8 ft.
Secondary	80 ft.	30 ft.	8 ft.
Local	60 ft.	24 ft.	8 ft.
Cul-de-sac	60 ft.	24 ft.	8 ft.
Cul-de-sac Turn Around Diam.	120 ft.	75 ft.	8 ft.
Marginal Access	40 ft.	22 ft.	8 ft.
Business and Industrial Districts	80-100 ft.	50 ft.	10 ft.
Boulevard** 1/		22 ft.	8 ft.

* Road shoulder on both sides of the pavement shall be constructed to the width shown, and the slope of said shoulder shall be one-half (1/2) inch per foot.

** Minimum standards for these streets shall be as indicated or as determined by the Plan Commission and the County Highway Supervisor.

Where roadside swales are constructed, the side slopes shall not be of a steeper gradient than two (2) feet of horizontal measurement to one (1) foot of vertical measurement unless the vertical rise is in conformity with 11.02.070.010(3).

1/ In the event boulevard type streets are constructed, provision shall be made in the deed restrictions for the continuous maintenance of the median strip, grassed area, by the lot owners in the subdivision, said provision shall be stated in a manner which is acceptable to the Commission and the Town Board.

Radius of horizontal curves and tangent lengths between reversed curves shall be identical to the requirements specified in Plate 1.

(Ord. 1968, Plate II, Aug. 5, 1968)

11.02.200.030 PLATE III

MINIMUM GRADIENT STANDARDS FOR STREET DESIGN

<u>Street</u>	<u>Maximum Gradient</u>	<u>Minimum Gradient</u>	<u>Clear Sight Distance</u>
Arterial Thoroughfare *	5%	0.25%	500 ft.
Primary and Parkways *	5%	0.25%	300 ft.
Secondary *	5%	0.25%	200 ft.
Local	6%	0.25%	150 ft.
Cul-de-sac	6%	0.25%	150 ft.
Marginal Access	6%	0.25%	200 ft.
In Business Districts	2%	0.25%	500 ft.

* Minimum standards for these streets shall be as indicated or as determined by the Plan Commission and the County Highway Supervisor.

(Ord. 1968-8, Plate III, Aug. 5, 1968)

11.02.200.040 Plate IV

**PLATE IV 1/
DESIGN CHARACTERISTICS OF STREET PAVEMENTS 2/**

Pavement	Type of Street 3/	
	Secondary	Local and Alley
CONCRETE		
Uniform (Design) Thickness	7"	6"
Base (Compacted Sand Base)	<u>3"</u>	<u>2"</u>
Total Thickness	10"	8"
ASPHALTIC CONCRETE 4/		
Wearing Surface	1 1/2"	1"
Binder	3 1/2"	2 3/4"
Water Bound Macadam	6"	3"
Compacted Aggregate Base	<u>8"</u>	<u>7 1/2"</u>
Total Thickness	19"	14 1/4"

-
- 1/ These design specifications are based on a California Bearing Ratio (C.B.R.) of 3%.
 - 2/ All material and workmanship shall be as required to meet Indiana State Highway Department standards.
 - 3/ All primary street design requirements shall be based on information obtained from on-site engineering studies.
 - 4/ For intersections and parking strips on residential streets, use secondary street design characteristics.

(Ord. 1968, Plate IV, Aug. 5, 1968)

11.02.250 EXHIBIT

11.02.250.010 Exhibit 1 - Street cross section standards.

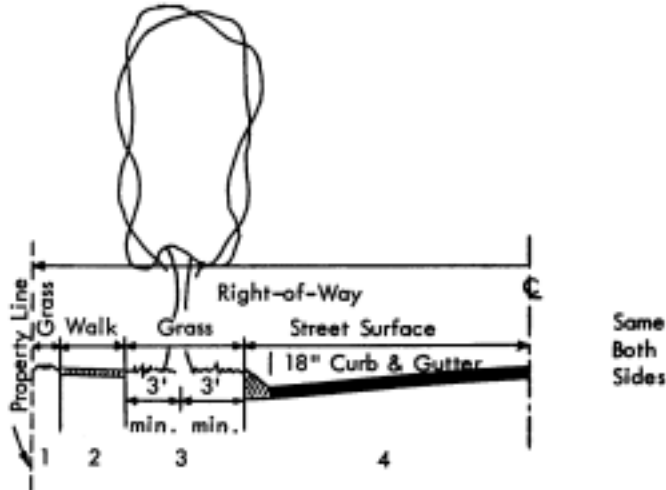


Exhibit I
Spencer County, Indiana
STREET CROSS SECTION STANDARDS

CROSS SECTION	RIGHT-OF-WAY	1	2	3	Full Width 4	PARKING DATA
ARTERIAL THOROUGHFARES						
A-A	80 - 150'	4'	4'	8 - 16' *	48'	No Parking Either Side
B-B	70 - 100'	4'	4'	6 - 21' *	42'	No Parking Either Side
PRIMARY STREETS						
C-C	60 - 80'	2'	4'	3 - 13' *	42'	No Parking Either Side
D-D	50 - 70'	2'	4'	7 - 17' *	24'	No Parking Either Side
SECONDARY STREETS						
E-E	60 - 70'	2'	4'	4 - 9'	40'	Parking Both Sides
F-F	50 - 60'	2'	4'	3 - 8'	32'	Parking One Side
G-G	40 - 60'	2'	4'	2 - 12'	24'	No Parking Either Side
NEIGHBORHOOD STREETS						
NEIGHBORHOOD	40 - 50'	2'	4'	Varies	27-32'	Parking One Side or Both

NOTE:

* Street trees to be planted in grass area (3) if space is 6' wide or wider.

Source: General Planning and Resource Consultants, Inc., 1966.

(Ord. 1968-8, Exhibit 1, Aug. 5, 1968)