

CITY OF HOBBS

ORDINANCE NO. \_\_\_\_\_.

**AN ORDINANCE TO AMEND TITLE 16 OF THE HOBBS MUNICIPAL CODE IN ITS ENTIRETY.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the following Chapter of the Hobbs Municipal Code be and is hereby amended in their entirety.

Title 16 - SUBDIVISIONS

Chapter 16.04 - GENERAL PROVISIONS AND ADMINISTRATION

16.04.010 - Definitions.

For the purposes of this title, the following words and phrases shall have the meanings respectively ascribed to them by this section:

- A. Streets and Alleys. The term "street" means a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, place or otherwise.
  - 1. "Major and Minor Arterial streets and highways" are those which are used primarily for large volumes of traffic. For development purposes, arterial streets are generally located along section lines.
  - 2. "Major Collector streets" are those which carry moderately high volumes of traffic and, for development purposes, are generally located along half section lines.
  - 3. "Minor Collector streets" are those which carry moderate volumes of traffic from major collectors or arterials. For development purposes, these streets are generally located halfway between collector or arterial streets.
  - 4. "Minor Residential streets" are those which are used primarily for access to abutting properties. This category carries low traffic volumes and includes residential or industrial streets.
  - 5. "Marginal access streets" are minor streets which are parallel to and adjacent to arterial streets and highways and which provide access to abutting properties and protection from through traffic.
  - 6. "Cul-de-sac" is a local street with only one (1) outlet and having an appropriate vehicle turnaround terminal for the safe and convenient reversal of traffic flows.
  - 7. "Alleys" are minor ways which are used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street

8. Pavement widths shall be as prescribed within the City of Hobbs Major Thoroughfare Plan.
- B. "Subdivide" or "subdivision" for the purpose of approval by a Municipal Planning Authority means:
1. For the area of land within the corporate boundaries of the municipality, or within the extraterritorial planning and platting jurisdiction, the division of land into two (2) or more parts by platting or by metes and bounds description into tracts for the purposes set forth in subsection C of this section. Those subdivisions within the extraterritorial jurisdiction creating tracts of 5 acres or larger, regardless of the number of tracts created shall be reviewed under the Alternate Summary Procedure of this Code.
- C. The division of land pursuant to subsection (B)(1) of this section shall be for the purpose of:
1. Sale;
  2. Laying out a municipality or any part thereof;
  3. Adding to a municipality;
  4. Laying out of lots; or
  5. Resubdivision.

(Ord. 842 § 2, 1998: prior code § 25-1)

#### 16.04.020 - Variances and modifications.

- A. Hardships. Where the Planning Board finds that extraordinary hardships may result from strict compliance with this title, it may vary the regulations contained in this title, so that substantial justice may be done and the public interest secured; provided that such variation will not have the effect of nullifying the intent and purpose of such regulations.
- B. Large Scale Developments. The standards and requirements of this title may be modified by the Planning Board in the case of a plan and program for a new town, complete community or neighborhood unit which, in the judgment of the Planning Board, provide adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated, and which also provide such covenants or other legal provisions as will assure conformity to and achievement of the plan.
- C. Conditions in Granting. In granting variances and modifications, the Planning Board may require such conditions as will, in its judgment, assure substantially the objectives of the standards or requirements so varied or modified.

(Prior code § 25-2)

#### Chapter 16.08 - PLATS AND PLATTING PROCEDURE

#### 16.08.010 - Application fee.

Upon submittal of any plat as set forth in this chapter for consideration, the applicant shall pay to the City a fee in the sum of fifty dollars (\$50.00), for a subdivision eligible for summary process approval, or one hundred dollars (\$100.00) for a subdivision ineligible for summary process approval. No action shall be taken on such application unless such fee is paid.

(Prior code § 25-3)

16.08.020 – Sketch Plan Preliminary Review.

- A. For the purpose of expedience and reducing subdivision design and development costs, a subdivider may submit a Sketch Plan for Preliminary Review in accordance with the requirements provided herein. The Sketch Plan Review is intended to provide general advice to the subdivider about the procedures and data requirements for subdivision review and approval.
- B. No fee shall be required for the Sketch Plan Preliminary Review.
- C. Neither the subdivider nor the municipality shall be bound by any statements or determinations made during the Sketch Plan Preliminary Review.
- D. A sketch plan submitted for preliminary review by the subdivider shall show the proposed layout of streets and lots, with estimated dimensions and other relevant site information. The location of the proposed subdivision must be adequately described on a general map of the area.

16.08.030 - Preliminary plat—Generally

- A. The subdivider shall submit to the Planning Board a preliminary plat, together with NM Licensed Professional Engineer stamped construction plans and other supplementary material as specified in Section 16.08.030.
- B. Four (4) copies of the preliminary plat, stamped construction plans and supplementary material shall be submitted to the Planning Department along with the preliminary application fee. The Planning Department and City Engineer shall review such submittal for compliance hereto.
- C. Following negotiations with the subdivider on changes deemed advisable and the kind and extent of improvements to be made by him or her, the City Engineer shall, within fifteen (15) days, act thereon as submitted or modified. If approved, the City Engineer shall express his approval as conditional approval and state the conditions of such approval, if any, or if disapproved, shall express his disapproval and his or her reasons therefor, to the Planning Board.
- D. The action of the City Engineer shall be noted on two (2) copies of the preliminary plat, referenced and attached to any conditions determined. One (1) copy shall be returned to the subdivider and the other retained by the City Engineer.
- E. Conditional approval of a preliminary plat shall not constitute approval of the final plat (subdivision plat). Rather, it shall be deemed an expression of approval to the layout submitted on the preliminary plat as a guide to the preparation of the final plat.

(Prior code § 25-4)

16.08.040 - Preliminary plat—Form and contents—Supplementary material.

The preliminary plat and accompanying supplementary material shall meet the following requirements:

- A. General Subdivision Information. General subdivision information shall describe or outline the existing conditions of the site and the proposed development, as necessary to supplement the drawings required in this section. This information shall include data on existing covenants, land characteristics and available community facilities and utilities and information describing the subdivision proposal, such as number of residential lots, typical lot width and depth, business area, playgrounds, park areas and other public areas, proposed protective covenants and proposed utilities and street improvements. Municipal franchisee utility service providers shall be notified of the proposed subdivision and such notice submitted to the City on a form acceptable by the City Engineer.
- B. Location Map. A location map shall show the relationship of the proposed subdivision to existing community facilities which serve or influence such subdivision. Such map shall include

development name and location; main traffic arteries; public transportation lines; shopping centers, elementary and high schools, parks and playgrounds and other community features, such as railroad stations, hospitals and churches; title scale; north arrow; and date. Proper certification shall be made upon the plat by a reputable, registered civil engineer or land surveyor, ascertaining that the plan represents a survey made by him and that all necessary monuments are accurately and correctly shown upon the plan. The engineer shall place such monuments as required by the City or by the City Engineer, and they shall be set at all corners and angle points of curve and at such intermediate points as shall be required by the City.

- C. Topographic Data. Topographic data required as a basis for the preliminary plat, pursuant to subsection D of this section, shall include existing conditions as follows, except when otherwise specified by the Planning Board:
1. Boundary lines: bearings and distances;
  2. Easements: location, width and purpose;
  3. Streets on and adjacent to the tract: names and rights-of-way, width and location; type, width and elevation of surfacing; any legally established centerline elevations; walks, curbs, gutters, culverts, etc.
  4. Utilities on and adjacent to the tract: location, size and invert elevation of sanitary, storm and combined sewers; location and size of water mains; location of gas lines, fire hydrants, electric and telephone poles and street lights; if water mains and sewers are not on or adjacent to the tract, indicate the direction and distance to and size of nearest ones, showing invert elevation of sewers;
  5. Ground elevations on the tract, based on a datum plane approved by the City Engineer, along all drainage channels or swales and at selected points not more than one hundred (100) feet apart in all directions; show contours with an interval of not more than one (1) foot if ground slope is regular and such information is sufficient for planning purposes;
  6. Subsurface conditions on the tract, if required by the City Engineer: location results of tests made to ascertain subsurface soil, rock and ground water, unless test pits are dry at a depth of five (5) feet; location and results of soil percolation tests if individual sewage disposal systems are proposed.
  7. Other conditions on the tract: watercourses, marshes, rock outcrop, wooded areas, isolated preservable trees, houses, barns, shacks and other significant features;
  8. Other conditions on adjacent land: approximate direction and gradient of ground slope, including any embankments or retaining wall; character and location of buildings, railroads, power lines, towers and other nearby land uses or adverse influences; owners of adjacent unplatted land; for adjacent platted land, refer to subdivision plat by name, recordation date and number and show approximate percent built up, typical lot size and dwelling type;
  9. Photographs, if required by the Planning Department; camera locations, directions of views and key numbers;
  10. Proposed or existing land use on and adjacent to the tract;
  11. When known, proposed public improvements: highways or other major improvements planned by public authorities for future construction on or near the tract;
  12. Key plan, showing location of the tract;
  13. Title and certificates: present tract designation according to official records in office of appropriate records; title under which proposed subdivision is to be recorded, with names and addresses of owners, notation stating acreage, scale, north arrow, datum, benchmarks, certification of registered civil engineer or surveyor and date of survey.

- D. Scale—Proposals. The preliminary plat (general subdivision plan) shall be at a scale of one hundred (100) feet to one (1) inch or larger. It shall show all existing conditions required in subsection C of this section and shall show all proposals, including the following:
1. Streets: names; right-of-way and roadway widths; approximate grades and gradients; similar data for alleys, if any;
  2. Other rights-of-way or easements: location, widths and purpose;
  3. Location of utilities, if not shown on other exhibits;
  4. Lot lines, lot numbers and block numbers;
  5. Sites to be reserved or dedicated for parks, playgrounds or other public uses;
  6. Sites, if any, for multifamily dwellings, shopping centers, churches, industry or other nonpublic uses, exclusive of single-family dwelling;
  7. Minimum building setback lines;
  8. Site data, including number of residential lots, typical lot size and acres in parks, etc.;
  9. Title, scale, north arrow and date.
- E. Other Preliminary Plans. When required by the City Engineer, the preliminary plat shall be accompanied by profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision; typical cross section of the proposed subdivision; typical cross section of the proposed grading, roadway; and preliminary plan for proposed sanitary and storm sewers, with grades and sizes indicated. All elevations shall be based on a datum plane approved by the City Engineer.
- F. Draft of Protective Covenants. A draft of protective covenants, whereby the subdivider proposes to regulate land use in the subdivision and otherwise protect the proposed development, shall be included if proposed by the developer.
- G. Base flood elevation data shall be generated for subdivision proposals and other proposed development and subdivisions which is greater than fifty (50) lots or five (5) acres, whichever is lesser.

(Prior code § 25-5)

#### 16.08.050 - Final Plat—Generally.

- A. The final plat shall conform substantially to the preliminary plat as approved, and if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which he or she proposes to record and develop at the time; provided, that such portions conform to all requirements of this title.
- B. Application for approval of the final plat shall be submitted in writing to the Planning Department at least ten (10) days prior to the meeting at which it is to be considered. All submittals for final plat approval shall include a Certification of Compliance from the Engineer of Record certifying that all municipal infrastructures are in place and has been installed as per plans and City of Hobbs Standards. Such certification shall be in a form acceptable to the City Engineer.
- C. A set of as-builts in printed and electronic format, as prescribed by the City Engineer, shall be prepared as specified in Section 16.08.050 and shall be submitted to the City Engineer concurrently with the application for final plat approval.
- D. The Planning Board shall approve or disapprove the final plat within thirty-five (35) days after final submission thereof and thereafter forward to the City Commission the report of their approval or disapproval.

- E. The City Commission shall, at their next regular meeting and within thirty (30) days, approve or disapprove the final plat.

(Prior code § 25-6)

16.08.060 - Final plat—Form and contents—Supplementary material.

The final plat and accompanying supplementary material shall meet the following requirements:

- A. Generally. The final plat shall be drawn in ink on tracing cloth on sheets eighteen (18) inches wide by twenty-four (24) inches long or twenty-six (26) inches wide by thirty-four (34) inches long and shall be at a scale of one hundred (100) feet to one (1) inch, or larger where necessary; the plat may be on several sheets, accompanied by an index sheet showing the entire subdivision. For larger subdivisions, the final plat may be submitted for approval progressively in continuous sections, satisfactory to the Planning Department. The final plat shall show the following:
1. Primary control points, approved by the City Engineer, or description and ties to such control points, to which all dimensions, angles, bearings and similar data on the plat shall be referred;
  2. Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way and property lines of residential lots and other sites, with accurate dimensions, bearing or deflection angles and radii, arcs and central angles of all curves;
  3. Name and right-of-way width of each street or other right-of-way;
  4. Location, dimensions and purpose of any easements;
  5. Number to identify each lot or site;
  6. Purpose for which sites, other than residential lots, are dedicated or reserved;
  7. Location and description of monuments;
  8. Names of record owners of adjoining unplatted land;
  9. Reference to recorded subdivision plats of adjoining platted land by record name, date and number;
  10. Certification by surveyor or engineer, certifying to accuracy of surveys and plat;
  11. Certification title, showing that applicant is the land owner.
  12. Statement by owner dedicating streets, rights-of-way and any sites for public use;
  13. Title, scale, north arrow and date;
  14. Certificates for approval by the Planning Board;
  15. Certificates for approval by the City Commission.
- B. Cross Sections and Profiles of Streets. Cross sections and profiles of streets shall be included, showing grades approved by the City Engineer. The profiles shall be drawn by City standard scales and elevations and shall be based on a datum plane approved by the City Engineer.
- C. Certificate Concerning Improvements. A certificate by the City Engineer shall be included, certifying that the subdivider has complied with one (1) of the following alternatives:
1. All improvements have been installed in accordance with the requirements of this title and with the action of the City Engineer giving conditional approval of the preliminary plat. The City is in receipt of Certification by the Engineer of Record that all municipal infrastructures are in place and has been installed as per plans and City of Hobbs Standards.

2. A surety company bond, City of Hobbs Resolution accepting a Development Agreement or other security acceptable to the Planning Board has been filed with the City Clerk, in sufficient amount to assure such completion of all required improvements.
3. Other Data. Such other certificates, affidavits, endorsements or deductions shall be included as may be required by the Planning Department in the enforcement of this title.

(Prior code § 25-7)

#### Chapter 16.12 - ALTERNATE SUMMARY PROCEDURE

##### 16.12.010 - Eligible subdivisions.

- A. Division of land into two (2) or more parcels by platting or metes and bounds description for specific purposes listed in Section 16.04.010(C) requires subdivision approval by the Municipal Planning Authority. To expedite the process for proposed subdivisions containing no more than 3 (three) lots excluding areas for dedication, subdivisions or resubdivision of property may be approved by summary procedure for the following:
  1. Subdivisions of not more than three (3) parcels of land; or
  2. Resubdivisions, where the combination or recombination of portions of previously platted lots does not increase the total number of lots.
- B. The land within the Municipal Boundaries shall abut on a public street or streets of adequate width and is so situated that no additional streets, alleys, easements for utilities or other public property are required; or if required to conform to other public streets, alleys or other public ways and such additional property is shown on the plat as "Herein Dedicated", or if within the extraterritorial jurisdiction those public ways required may be conveyed as a surface and sub-surface easement or a dedication, which fee vests in Lea County.

(Ord. 843 (part), 1998: prior code § 25-15)

##### 16.12.020 - Submittal requirements.

To be considered, four (4) copies of a summary plat meeting the following conditions shall be submitted to the City Manager's designated representative:

The summary plat for both residential and nonresidential developments shall be in conformance with the final plat requirements for standard subdivisions. A certification of approval shall be on the plat for the signature of the City Manager's designated representative, to be attested by the City Clerk.

- A. For residential subdivisions, the summary plat shall be accompanied by support plans and documentation showing compliance with construction improvement requirements for a standard subdivision, as necessary.
- B. For a nonresidential subdivision being processed under this procedure, the plat shall include the following items necessary for the City Manager's designated representative to review and approve the following items of consideration: proposed property boundaries, existing adjacent streets or alleys, and existing intersection and driveway locations on streets or roadways adjacent to and across from the tracts. This information will be reviewed along with existing water and sewer locations to serve the site.

(Ord. 843 (part), 1998: prior code § 25-16)

16.12.030 - Approval procedure.

- A. The City Manager's designated representative is authorized to approve subdivisions meeting the conditions of this section and conforming to the provisions of this chapter and shall, within ten (10) days of final submittal of all requested information, accept the proposed subdivision or send a written rejection detailing the reason for the rejection. Any municipal infrastructures serving the subdivision shall be completed or adequate surety provided prior to receiving final approval.
- B. The subdivider or the City Manager's designated representative may choose to have the subdivision reviewed by the Planning Board under the standard procedures if difficulties or unusual circumstances exist.
- C. Plats approved under this section shall be signed by the City Manager's designated representative and attested by the City Clerk and shall be reported to the Planning Board at its next regularly scheduled meeting and shall be included in the minutes of the meeting indicating such approval as coming under this section.

(Ord. 843 (part), 1998: prior code § 25-17)

16.12.040 - [Required improvements; summary process approval; city building permits, etc.]

- A. For all new subdivisions and re-subdivisions, all improvements will be required to be completed at the summary process approval or at the final plat filing, unless adequate financial security has been approved by the Planning Board and City Commission.
- B. For all City building permits, the permit application must contain plans for the complete construction of all of the required improvements within the abutting right-of-way to the property, including City utilities, paved streets, sidewalks, curbing, and traffic signals if applicable. The City will furnish required street signs. For properties with two (2) or more un-built platted streets abutting the property, the Developer shall build to the length of the longest frontage.
- C. For all City building permits for new residential structures and mobile home placement permits, the lot, tract, parcel or real property containing the location of the new structure shall abut a dedicated public right-of-way with a paved street pursuant to minimum standards as specified by the City Engineer. If the permit location does not abut a paved dedicated street or is both unpaved and not dedicated, the permit applicant must cause the street to be dedicated and paved prior to the building permit being issued, unless adequate financial security has been approved by the Planning Board and City Commission.
- D. If the permit location's nearest property line is two hundred (200) feet or more from the nearest paving, it shall be exempt from the paving requirement, providing a future assessment agreement is executed by the owner of record. In no case shall a permit be granted unless a public dedicated right-of-way exists for access.

(Ord. No. 1012, §§ 1, 2, 5-4-2009; Ord. No. 1027, 12-7-2009)

**Editor's note**— Ord. No. 1012, § 1, adopted May 4, 2009, repealed former § 16.12.040, which pertained to construction of nonresidential lot improvements. Section 2 of said ordinance enacted provisions designated as a new § 16.12.040 to read as herein set out. See also the Code Comparative Table and Disposition List.

Chapter 16.16 - DESIGN STANDARDS AND IMPROVEMENTS

16.16.010 - Streets.

- A. Arrangement and Character Generally. The arrangement, character, extent, width, grade and location of all streets shall conform to the current City of Hobbs Major Thoroughfare Plan Map, master plan or part thereof, and shall be considered in their relation to existing and planned streets, to topographical conditions and to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
- B. Arrangement Where same not Shown in City of Hobbs Major Thoroughfare Plan Map. Where such is not shown in the current City of Hobbs Major Thoroughfare Plan Map or part thereof, the arrangement of streets in a subdivision shall either:
  - 1. Provide for the continuation of appropriate projection of existing streets in surrounding areas; or
  - 2. Conform to a plan for the neighborhood approved or adopted by the Planning Board to meet a particular situation, where topographical or other conditions make continuance or conformance to existing streets impracticable.
- C. Minor Residential Streets. Minor streets shall be so laid out that their use by through traffic will be discouraged.
- D. Special Treatment for Subdivisions Containing Major or Minor Collector Streets. Where a subdivision abuts or contains an existing or proposed arterial street, the Planning Board may require marginal access streets, reverse frontage with screen planting or walls contained in a non-access reservation along the rear property line, deep lots with rear service alleys or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- E. Subdivisions Bordering on or Containing Railroad or Limited Access Highway Rights-of-Way. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Planning Board may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts or for commercial or industrial purposes in appropriate districts. Such distance shall be determined with due regard for the requirements of approach grades and future grade separations.
- F. Reserve Strips. Reserve strips controlling access to streets shall be prohibited, except where their control is definitely placed in the City under conditions approved by the Planning Board.
- G. Street Jogs. Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall be avoided.
- H. Tangents. A tangent at least one hundred (100) feet long shall be introduced between reverse curves on arterial and collector streets.
- I. Curves Connecting Street Lines. When connecting street lines deflect from each other at any one (1) point by more than ten (10) degrees, they shall be connected by a curve, with a radius adequate to insure a sight distance of not less than two hundred (200) feet for minor residential and collector streets and of such greater radius as the Planning Board shall determine for special cases.
- J. Angle of Intersection. Streets shall be laid out as to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than sixty (60) degrees.
- K. Right-of-Way Widths. Street right-of-way widths shall be as shown in the City of Hobbs Major Thoroughfare Plan.
- L. Half Streets. Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of this title. Where the Planning Board finds it will be feasible to require the dedication of the other half when the adjoining property is subdivided wherever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.

- M. Dead-End Streets. Dead-end streets, designed to be so permanently, shall not be longer than five hundred (500) feet and shall be provided at the closed end with a turnaround having an outside roadway diameter of at least eighty (80) feet and a street property line diameter of at least one hundred (100) feet.
- N. Street Grades. No street grade shall be less than 0.1 percent.

(Prior code § 25-8)

#### 16.16.020 - Alleys.

- A. Required—Exceptions. Alleys shall be provided in all areas; except, that the Planning Board may waive this requirement in residential or commercial areas where other definite and assured provision is made for service access, such as off-street loading, unloading and parking consistent with an adequate provision for the uses proposed.
- B. Width. The width of an alley shall not be less than twenty (20) feet.
- C. Alley Intersections. Alley intersections and sharp changes in alignment shall be avoided, but where necessary, the corner shall be cut off sufficiently to permit safe vehicular movement.
- D. Dead-End Alleys shall be avoided where possible but, if unavoidable, shall be provided with adequate turning around facilities at the dead end, as determined by the Planning Board.
- E. If primary vehicular access to the rear of residential lots is desired by a Developer, the primary vehicular access to the lots must be created by a dedicated public rear access alley with a right of way width of no less than twenty four (24) feet and paving width of no less than twenty (20) feet. A private drive is not acceptable to serve as a rear alley to provide primary vehicular access to residential lots unless a homeowner or similar association or organization has been created to permanently own and maintain the private rear access alley. Such an association must be legally created prior to approval of the final plat containing any private alleys in residential subdivisions.

(Prior code § 25-9)

(Ord. No. 1012, § 3, 5-4-2009)

#### 16.16.030 - Easements.

- A. Generally. Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary and shall be at least ten (10) feet wide.
- B. Stormwater Easements or Drainage Rights-of-Way. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the alignment of such watercourse, or such construction as will be adequate for the purposes, and as approved by the Planning Board.

(Prior code § 25-10)

#### 16.16.040 - Blocks.

- A. The lengths, widths and shapes of blocks shall be determined with regard to:
  - 1. Provision of adequate building sites suitable to the special needs of the type of use contemplated;
  - 2. Requirements as to lot sizes and dimensions;

3. Needs for convenient access, circulation, control and safety of street traffic;
  4. Limitations and opportunities of topography.
- B. Block lengths shall not exceed eight hundred eighty (880) feet, measured along the property lines.

(Prior code § 25-11)

16.16.050 - Lots.

- A. Appropriateness for Location and Type of Development and Use. The lot size, width, depth, shape and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- B. Dimensions Generally.
  1. Minimum lot width for each lot containing a detached structure shall be thirty-five (35) feet.
  2. Minimum lot width for each lot containing an attached structure shall be twenty five (25) feet. For attached structures, lot width dimensions less than twenty-five (25) feet may also be approved by the City, pending review and approval of adequate parking, site design and other relevant factors by the Planning Board and City Commission. Minimum side yard setback on corner lots shall be ten (10) feet on the side of the lot contiguous to the side street.
- C. Commercial and Industrial Property. Depth and width of property reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.
- D. Corner Lots for Residential Use. Corner lots for residential use shall have extra width to permit appropriate building setback from and orientation to both streets.
- (E) Access to Existing Public Streets. The subdividing of the land shall be such as to provide, by means of a public street, and each lot shall be provided with a thirty-five (35) feet minimum access to an existing public street. Minimum access width for each lot fronting a cul-de-sac shall be thirty (30) feet minimum measured on the property line to the curb line, and a thirty-five (35) feet minimum width measured at the building setback line. Each "Flag" lot, defined herein as a parcel of land accessible only by an extension of land connecting a public access street to the building site area of the parcel, shall have a minimum continuous access width of thirty-five (35) feet. Access shall mean a contiguous and continuous direct property boundary connecting to the public street.
- F. Double and Reverse Frontage Lots. Double frontage and reverse frontage lots shall be avoided, except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet, across which there shall be no right of access, shall be provided along the line of lots abutting such traffic artery or other disadvantageous use.
- G. Intersections of Side Lot and Street Right-of-Way Lines. Side lot lines at the intersection with street right-of-way lines shall be substantially at right angles or radial to street lines.

(Prior code § 25-12)

(Ord. No. 1041, §§ 1—3, 3-7-2011)

16.16.060 - Street or sidewalk improvements defined.

"Street or sidewalk improvements" include any installation of curbs, pavement, sidewalks, drainage, utilities, signs, lights and any other such improvements which meet the approval of the Planning Board and conform to standards and specifications prescribed by the City Commissions.

(Prior code § 25-13)

16.16.070 - Required improvements.

The following improvements shall be required pursuant to this chapter:

- A. Monuments. Monuments of a type and design as approved by the Planning Department shall be placed at all block corners, angle points, points of curves in streets, street intersections and points as shall be required by the Planning Department. Such monuments may be of iron pipe not less than three-quarters ( $\frac{3}{4}$ ) of an inch in diameter and two (2) feet in length, driven securely into solid earth, with the grades of same being at grade with established paving, flush with natural grade of the earth's surface or on existing paving. A four-inch bolt and washer may be used.
- B. Street Improvements. Street improvements shall include substantial permanent street signs at each intersection, such signs to be of a material and design as prescribed by the City Commission.
- C. Design Details and Construction Standards. Design details and construction standards for utility and street improvements shall conform to standard details and specifications adopted by the City Engineer and approved by the City Commission.

(Prior code § 25-14)

PASSED, ADOPTED AND APPROVED this \_\_\_ day of \_\_\_\_\_, 2017.

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SAM D. COBB, Mayor

ATTEST:

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JAN FLETCHER, City Clerk