

**CITY OF SPRINGFIELD
SARPY COUNTY, NEBRASKA
SUBDIVISION REGULATIONS**

ORDINANCE NO. 976

**ADOPTED BY THE CITY OF SPRINGFIELD, NEBRASKA
MAY 1, 2018**



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ARTICLE 1: TITLE, PURPOSE, AND DEFINITIONS

Section 1.01 Name and Citation of Titles.

These regulations shall be known, referred to and cited as “The Subdivision Regulations” of Springfield, Nebraska.

Section 1.02 Purpose.

The purpose of these regulations is to provide for the orderly development of Springfield and its environs by insuring, through the prescribed rules and standards, functional arrangements of street layouts; open spaces; adequate community facilities and utilities, to coordinate development with the City’s transportation, land use and capital facilities plan, and to generally provide conditions favorable for the health, safety and convenience of the community.

Section 1.03 Definitions.

For the purpose of these regulations, certain words used herein are defined as follows:

Applicant shall be the title holder of record, his agent, or a person holding a notarized letter authorizing the person to represent the legal owner of the property.

Alley: A public or private thoroughfare which affords only secondary access to property adjacent thereon.

Block: A tract or parcel of land bounded by public streets or lands, streams, railroads, unplatted lands or a combination of same.

Bond: Any form of security including a cash deposit, security bond, collateral, property, or instrument of credit in an amount and form satisfactory to the City Council which meets the intent of such security required by this Ordinance.

Board: The City Council of Springfield, Nebraska.

Boundary Adjustment: The transfer of property by deed to a respective owner or owners of contiguous property for the purpose of adjusting a boundary line and not for the purpose of creating an additional lot or parcel. The relocation of a single common property line between two adjacent lots, parcels or other units of land where an additional lot, parcel or unit of land is not created and the existing lot, parcel or unit of land reduced in size by the adjustment must comply with the applicable zoning requirements. A property line adjustment does not vacate a plat nor does it add lot lines. A property line adjustment does not alter the location of utility services and hook ups.

Building Inspector: Building Inspector of the City of Springfield.

Building Setback Line: The term “building setback line” mean the minimum of distance as prescribed by this ordinance between any property line and the closed point of the building line or face of any building or structure related thereto.

City: The City of Springfield, Nebraska. Also, council or governing body.

City Council: The governing body for the City of Springfield, Nebraska.

City Engineer: The City Engineer of the City of Springfield retained by the City Council for the recommendation, advice, and implementation of engineering work as requested by the City.

Clerk: City Clerk of the City of Springfield, Nebraska.

Common Open Space: Undivided land in a subdivision which may be jointly owned by all property owners of the subdivision, for the benefit of the owners of the individual building sites of said development.

Common Sewer System: A sanitary sewage system in public ownership which provides for the collection and treatment of domestic effluent in a central sewage treatment plant which meets the minimum requirements of the Nebraska Department of Environmental Quality for primary and secondary sewage treatment and which does not include individual septic tanks or portable sewage treatment facilities.

Common Water System: A water system which provides for the supply, storage and distribution of potable water on an uninterrupted basis which is in public ownership.

Comprehensive Plan: The master plan for the improvement and development of Springfield, Nebraska, as adopted by the Planning Commission and the City Council in accordance with the laws of the State of Nebraska and the ordinances of Springfield.

Covenant: A written promise or pledge.

Cul-de-sac: A short public way with one end open to traffic and the other end terminated by a vehicular turn-around.

Culvert: A transverse drain that channels water under a bridge, street, driveway or pedestrian way.

Dead End Street: A public way which has only one outlet for vehicular traffic and does not terminate in a vehicular turn-around.

Dedication: The intentional appropriation of land by the owner to some public use.

Developer: See “Subdivider”.

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

Flood Plain: Flood Plain shall mean those lands which are subject to a one percent (1%) or greater chance of flooding in any given year as identified by FEMA.

Floodway: The cross-sectional area or channel of a stream or river with the capacity needed to hydrologically convey the flood flows produced by a 100-year frequency storm.

Frontage: Portion of a parcel of property which is adjacent to a dedicated public street or highway.

Frontage Road: Minor streets parallel to and adjacent to arterial streets and highways, which reduce the number of access points to the arterial street or highway for the purpose of increased traffic safety.

GIS / Survey Control Network: The horizontal reference basis for all engineering and surveying work directed by the City of Springfield for the purposes of creating and maintaining accurate maps, and being defined by a series of permanent survey control monuments whose coordinate values are published and made available to any engineer or surveyor performing work under the direction of the City of Springfield.

Greenway: A parcel or parcels of land, together with the improvements thereon, dedicated as an easement for access and/or recreation; usually a strip of land set aside for a walkway, bicycle trail, bridal path, or other similar access-way.

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

Lot: A parcel, tract or area of land created in conformance with these regulations that may be separately owned, used, developed or built upon.

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

Lot, Corner: A lot adjacent to two (2) or more streets at their intersection.

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

Lot, Double Frontage: A lot having a frontage on two non-intersecting streets.

Lot, Flag: Flag lots, being those lots landlocked from public right-of-way, except for a narrow tract of land of less width than required under assigned zoning.

Lot Frontage: That portion of a lot adjacent to a street. For purposes of determining yard requirements of corner lots and through lots, all sides of a lot adjacent to a street shall be considered frontage.

Lot, Interior: A lot other than a corner lot which has frontage on one street only.

Lot Line: The boundary line of a lot.

Lot Minimum Area: The minimum square footage of land area occupied, or to be occupied by a single principal building and accessory buildings as applicable to designated zoning districts.

Lot, Nonconforming shall mean a lot which was lawfully created under prior zoning when lesser area or dimension requirements were enforced and does not currently conform to the existing zoning district space limits.

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

Lot of Record: A lot which is both part of a subdivision recorded in the office of the Register of Deeds for Sarpy County, and having been owned separately and individually from adjoining lots or tracts of land prior to January 20, 1976.

Lot, Reverse Frontage: A lot which extends continuously between two parallel or approximately parallel streets bounding a block and is adjacent to one street frontage by an easement for screen planting. A block containing reverse frontage lots is composed of one (1) tier of lots rather than the standard two (2) tiers.

Lot Split: A subdivision involving the division of one or more lots with the end result not being greater than two lots.

Lot, Through: A lot other than a corner lot fronting on more than one (1) street.

Lot, Width of shall mean the minimum street frontage measured along the front street property line except when a lot fronts on the inside or concave side of a horizontal curvilinear alignment of a street or on a corner lot; in which case, the minimum lot width shall be measured along the front building line of the principal use structure extended to both lot property lines.

Master Plan: See Comprehensive Plan.

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

Outlot: A lot remnant or parcel of land left over after platting, which is intended as open space or other use, for which no building permit shall be issued for any private structure, except for signs.

Person: An individual, firm, partnership, corporation, company, association, syndicate, or any legal entity and including any trustee, receiver, assignee, or other similar representatives thereof.

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

Planning Commission: The Planning Commission of Springfield, Nebraska.

Plat: A map which delineates the subdivision of a quantity of land. A plat commonly shows lots, blocks, streets and other features relevant to the development and improvement of the property.

Plat, Administrative: Lots splits, lot combinations, and boundary adjustment which result in lots divided or combined into not more than two tracts without having to re-plat said lot, provided that the resulting lots shall not again be divided without re-platting.

Plat, Final: The final plan of the plat, subdivision or dedication of land prepared for filing or recording in conformance with these regulations.

Plat, Preliminary: The preliminary plan of the plat, subdivision or dedication prepared in accordance with the requirements of these regulations.

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

Plot: A parcel of ground.

Public Way: An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk, or other ways in which the general public or public entity have a right, or which are dedicated, whether improved or not.

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

Right-of -Way: A strip of land either public or private, on which an irrevocable right of passage has been dedicated, recorded, or otherwise legally established for the use as a public way of vehicles or pedestrians or both. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities, and may include special features such as grade separation, landscaped areas, viaducts and bridges.

Setback Line: A line, as shown on a recorded plat or otherwise established by the Springfield City Council, beyond which no part of an exterior wall of a building or structure may project.

Setback Line, Front Yard: A line which defines the depth of the required front yard. Said setback line shall be parallel with the right-of-way line or highway setback line when one has been established.

Setback Line, Rear Yard or Side Yard: A line which defines the width or depth of the required rear or side yard. Said setback line shall be parallel with the property line, removed therefrom by the perpendicular distance prescribed for the yard in the district.

Sewers, On-Site: A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

Sidewalk or Walkway: That portion of a dedicated right-of-way or easement improved and intended for pedestrian use only.

Street: The term includes public streets, highways, avenues, boulevards, parkways, roads, lanes, alleys, viaducts, subways, tunnels, bridges, public easements and right-of-way. Where explicitly authorized by the City Council, private streets may be authorized as part of planned developments.

Street, Arterial: A street designed with the primary function of efficient movement of through traffic between and around areas of the City with controlled access to an adjacent property, including necessary control of entrances, exits and curb use. See also “Street, Major”.

Street Centerline: The centerline of a street right-of-way as established by official surveys.

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

Street, Local: A street designed for local pedestrian and vehicular traffic that provides direct access to adjacent residential, commercial, or industrial properties.

Street, Marginal Access: A local or collector street, parallel and adjacent to an arterial or collector street, providing access to adjacent properties and protection from arterial or collector streets. (Also called frontage streets or service roads.)

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

Street, Minor (Local): See “Street, Local”.

Street, Private: An open, unoccupied space, other than a street or alley dedicated to the public, but permanently established as the principal means of vehicular access to adjacent properties. The term “private street” includes the term “place”.

Street, Side: Street bounding a corner lot and which extends in the same general direction as the line determining the depth of the lot.

Subdivider: Any person, group, corporation, partnership, or other entity, or any agency thereof, dividing or proposing to divide land so as to constitute a subdivision.

Subdivision: The division of a lot, tract, or parcel of land into two (2) or more lots, sites, or other divisions of land for the purpose, whether immediate or future, of transfer of ownership or building development, provided that the smallest lot created by the division is less than twenty (20) acres in size.

Subdivision Agreement: An agreement between the City of Springfield and a developer outlining who is responsible for certain improvements. Such agreement may be developed so the developer agrees to construct any required public street, drainage, and other improvements, for a subdivision and to provide security for completion of the subdivision improvements and in situations involving public financing, the relative cost be borne by the developer and by the public entity.

Surveyor: Any person registered in Nebraska to practice surveying.

Vicinity Map: A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the City of Springfield, in order to better locate and orient the area in question.

Walkway: See “Sidewalk”.

Zoning Administrator: The person or persons authorized and empowered by the city to administer and enforce the requirements of these regulations.

Zoning District: The term “zoning district” means an area delineated on a zoning map for which uniform use regulations are specified.

Zoning Ordinance: The Zoning Ordinance of the City of Springfield as amended from time to time.

ARTICLE 2: GENERAL PROVISIONS

Section 2.01 General Provisions; Purpose.

The Subdivision Regulations, as herein set forth, are intended to provide for harmonious development of the City and its environs; for the integration of new subdivision streets with other existing or planned streets or with other features of the Comprehensive Plan of the City; for adequate open spaces for traffic, recreation, light and air; for the distribution of population and traffic in a manner which will tend to create conditions favorable to health, safety, convenience, or prosperity to insure conformance of subdivision plans with the capital improvement program of the City and its planning area; and, to secure equitable handling of all subdivision plats by providing uniform procedures and standards for observance by subdividers, Planning Commission and City Council.

Section 2.02 General Provisions; Jurisdiction.

The provisions of these regulations shall apply to all land located within the legal boundaries of the City, as the same may be amended by subsequent annexation, and shall also include all land lying within one (1) mile of the corporate limits of the City, and not located in any other municipality.

Section 2.03 General Provisions; Powers.

No plat of a subdivision of land lying within the jurisdiction of the City shall be filed or recorded until it shall have been submitted to and a report and recommendation thereon made, by the Planning Commission to the City Council and the City Council has approved the final plat.

It shall be unlawful for the owner, agent, or person having control of any land within the corporate limits of the city, or within the area shown on the Official Zoning Map to subdivide land except in accordance with Neb. Rev. Stat. §§ 19-916 et. seq.(Reissue 1991) and the provisions of the title; provided, however, that any subdivision of land caused by the acquisition of land by the federal government, the state of Nebraska, any county, city, or village incorporated or unincorporated, within the jurisdiction of the city, shall be deemed to have received approval as required by Neb. Rev. Stat. § 19-9 16 (Reissue 1991).

Section 2.04 Applicability.

Any plat, hereafter made, for each subdivision or each part thereof lying within the jurisdiction of this ordinance, shall be prepared, presented for approval, and recorded as herein prescribed. The regulations contained herein shall apply to the subdivision of a lot, tract, parcel of land into two (2) or more lots, tracts, or other division of land for the purpose of sale or development, whether immediate or future, including the subdivision or replatting of land or lots. Further, the regulations set forth by this Ordinance shall be minimum regulations which shall apply uniformly throughout the jurisdiction of this Ordinance except as hereinafter provided. These regulations shall not apply to a division of land for agricultural purposes when the smallest parcel created is more than twenty (20) acres in area and does not involve a new street.

Section 2.05 General Provisions; Interpretation.

In interpreting and applying these regulations, they shall be held to be minimum requirements for the promotion of the public health, convenience, comfort, morals, prosperity and general welfare.

Section 2.06 General Provisions; Conflict.

No final plat of land within the force and effect of the existing Zoning Chapter shall be approved unless it conforms to the regulations of this Chapter; whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in the Zoning Chapter, Building Regulations Chapter, or other official regulations or ordinances, the most restrictive shall apply.

Section 2.07 General Provisions; Building Permits.

Unless a tract shall have been platted in accordance with the provisions of this Chapter, no building permit shall be issued, provided that one building permit for a permitted use may be issued if the tract is otherwise vacant.

Section 2.08 General Provisions; Amendments.

Any provisions of these regulations may from time to time be amended, supplemented, changed, modified, or repealed by the Governing Body; provided, however, that such amendments shall not become effective until after a study and public hearing by the Planning Commission; after a public hearing in relation thereto has been held, public notice of which shall have been published in a newspaper of general circulation at least one (1) time, ten (10) days prior to such hearing.

Section 2.09 General Provisions; Modifications.

Where in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of this regulation would result in extraordinary hardship to the subdivider because of unusual topography, or other such non-self-inflicted conditions, or that these conditions would result in inhibiting the achievement of the objectives of these regulations, the City Council, after report from the Planning Commission, may vary, modify, or waive the requirements so that substantial justice may be done and the public interest secured; provided, however, that: such variance, modifications, or waiver will not adversely affect the development, the character of which shall be in conformance with recommended platting and development practices in the general area of the proposed subdivision; will not have the effect of nullifying the intent and purpose of the regulations; and, will not interfere with carrying out the Comprehensive Plan of the Planning Area of the City. The standards and requirements of these regulations may be modified by the Governing Body after report by the Planning Commission in the case of a planned development or a redevelopment project involving the resubdividing and rebuilding of blighted or slum areas; provided, however, that the placement of structures within the area is shown on the development plan and becomes a part of the recorded plat.

Section 2.10 Storm Run-off Control.

Where, in the case of a proposed development, which requires the grading of the site, redistribution of storm water run-off, increase of storm water run-off above the prescribed amount as allowed in section 4.19, or other conditions noted by City Council, Planning Commission and/or City Engineer, said development shall contain all necessary control measures for siltation and run-off control as deemed necessary by the City and/or City Engineer.

Section 2.11 Review Fees.

A fee schedule for administrative costs associated with the review of preliminary plats, final plats, replats, lot splits, plans and specifications of proposed improvements and construction review has been adopted by the City and such fees shall be paid by the subdivider.

ARTICLE 3: PROCEDURES

Section 3.01 Procedure for Filing Pre-application Plans and Data.

Pre-application Plans and Data: Prior to the filing of an application for approval of a preliminary plat, the subdivider shall submit to the city staff plans and data in sketch form showing ideas for the proposed subdivision of land. The sketch plan shall include:

- A. The proposed tentative layout of streets, lots and other features in relations to existing streets, utilities, topography and other conditions.
- B. A general location map showing the proposed subdivision and its relationship to existing adjacent subdivisions and community facilities in the area, such as streets, alleys, schools, parks, commercial areas and other data supplementing the plans which outline or describe all of the proposed development as it relates to existing conditions.

These pre-application plans and data shall not require a formal application fee. After discussion with the subdivider and review of the data, city staff Commission will inform the subdivider whether such plans and data submitted meet the objectives of these regulations and shall describe any inconsistencies with the requirements of this Ordinance. With the concurrence of the developer, a Public Hearing date will be set for the consideration of the preliminary plat.

Section 3.02 Procedure for Approval of Preliminary Plat.

- A. Before any subdivider or agent contracts for the sale or offers to sell any subdivision of land or any part thereof, which is wholly or partly within the City of Springfield or which is within a one mile limit of the City of Springfield or which is proposed to be annexed, the subdivider or his agent shall file a preliminary plat of said subdivision with the Springfield Planning Commission. The preliminary plat shall be prepared in accordance with the regulations set forth herein, and shall be submitted to the Planning Commission prior to the completion of final surveys of streets and lots and before the start of grading or construction work upon the proposed streets and lots and before any map of said subdivision is made in a form suitable for recording. The Planning Commission shall determine whether the plat is in proper form and shall not receive and consider such plat as filed until it is submitted in accordance with the requirements hereof. The street layout shall be in conformity with a plan for the most advantageous development of the entire neighboring area and in conformity with the Comprehensive Plan.
- B. All plats, preliminary and final, shall be prepared in conformance with the provisions of these regulations and in conformance with the Comprehensive Plan and Zoning Ordinance. The subdivider shall be responsible for such conformance.
- C. The Preliminary Plat and required supplementary material, as specified in Section 3.03 of these regulations, shall be submitted electronically to the City Clerk, in accordance with the city's review schedule. The Clerk shall distribute copies of the Preliminary Plat with a request for comments within ten (10) days to each of the following: City Engineer, City Planner, School Board, the County, if located outside the corporate limits, and wherever else deemed necessary by city staff.
- D. The Planning Commission will consider the Preliminary Plat at a public hearing, of which notice is given in a newspaper of general circulation in Springfield, Nebraska, and will:

1. Review the preliminary plat and other material submitted for conformity thereof to these regulations,
2. Review any recommendations of the City Engineer, City Planner, School Board, County Surveyor, County Planning Department and other agencies, and
3. Recommend to the subdivider on changes deemed advisable and the kind and extent of improvements to be made by him/her.

The Planning Commission shall act on the plat as submitted or modified, and if approved, the Planning Commission shall express its approval as conditional approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons in writing.

- E. Conditional approval of a preliminary plat shall not constitute an acceptance of the plat, but shall be deemed an expression of approval of the layout submitted on the preliminary plat.
- F. If the Planning Commission recommends disapproval or approval, then the clerk will order Notice of Hearing before the City Council to be published. The notice must be published at least ten (10) days prior to the public hearing in a paper of general circulation within the City of Springfield. The Council may (a) concur with the Planning Commission's recommendation; (b) reverse the Planning Commission's recommendation; (c) refer the Preliminary Plat back to the Planning Commission for reconsideration with specific instructions to the Planning Commission, or (d) approve with some modification from the Planning Commission's recommendation.
- G. Approval of a Preliminary Plat shall not constitute approval of the final plat. Rather, the preliminary plat shall be deemed an expression of approval of the general design concept and serves as an acceptable guide for the preparation of the final plat. Approval of the preliminary plat shall become void after twelve (12) months from the date of such approval, if no Final Plat has been filed or a Final Plat of previously proposed phases has not been filed or unless extension of approval has been granted by Planning Commission, such extension shall not exceed 12 months.

Section 3.03 Preliminary Plat and Supplemental Data.

- A. *Requirement, General:* A preliminary plat shall be based on a boundary survey of the property including a certified legal description of the property and a preliminary drainage report. A preliminary plat shall, at a minimum, meet the design standards set forth in these regulations. Sheet sizes for plats shall be adequate to provide for a scale of 1" equals 100' making it possible to clearly read all necessary information shown thereon.
- B. *Requirements, Specific:* Preliminary Plats shall include the following information:
 1. Identification and description
 - a. A location map showing the general location of the proposed subdivision in relation to surrounding developments with a north arrow, scale and legend.
 - b. Both existing and proposed grades shall be shown.
 - c. Phasing lines shall be delineated on the plat and a phasing schedule, if developed in phases.
 - d. The proposed name of the subdivision which must not be as similar to that of an existing subdivision as to cause confusion.
 - e. The proposed names and addresses of the owner and subdivider; the engineer,

surveyor, or landscape architect responsible (all of which are licensed to practice in Nebraska) for the subdivision layout; and the names of all landowners adjacent to the proposed subdivision.

- f. The legal description of the area being platted, and boundary line (accurate in scale) and dimensions, and the location of monuments found or set, section lines, existing and the approximate acreage of the proposed development.
 - g. Width and location of platted streets and alleys within 200 feet of the property; physical features of the property, including location of water courses, ravines, bridges, culverts, present structures and other features affecting the subdivision; contours with intervals of five feet or less; the location of all existing utilities with their sizes indicated, as well as flow lines; elevations of existing sanitary and storm sewer, the outline of wooded areas (the location of important individual trees may be required).
 - h. The proposed lot layout, lot and block numbers and approximate lot dimensions and square footage and grounds proposed to be dedicated for public use, such as schools, parks, pathways, playgrounds and streets.
 - i. The location and width of proposed streets, all easements including buffer easements, building setback lines, Rights of Way, corner radii, pavement width, thickness and type, sidewalks, alleys, location of all proposed improvements including: sanitary sewers, water mains, storm water drainage and other features and improvements required by this ordinance.
 - j. Easements for public utility and rights-of-way purposes. The book and page number of existing easements shall be labeled on the plan and any private easements should be labeled as such.
 - k. All established floodway, floodway-fringe, and flood plain overlay lines.
 - l. The existing zoning classification and proposed uses (zoning) and of land and required setbacks within the proposed subdivision shall also be designated.
 - m. Location and setbacks of existing buildings.
 - n. Itemized cost estimate for all public improvements and detailed breakdown of portion of estimated costs to be borne by subdivider and those to be borne by the City, S.I.D. or other proposed issuer of public debt.
 - o. Requests for waivers of design standards.
 - p. Traffic impact analysis study may be required by the City Engineer.
 - q. Copy of the following to the City for review at the time of preliminary plat submittal:
 - i. A sanitary sewer plan.
 - ii. A preliminary drainage study and report within the subdivision.
 - iii. A street profile plan with a statement of proposed street improvements.
 - iv. A water distribution system plan.
 - v. An erosion and sediment control plan.
 - vi. A grading plan within the subdivision.
 - vii. A traffic study (if required).
2. The subdivider or his representative shall be in attendance at City Planning Commission and City Council meetings when Preliminary Plat is discussed.

3. City will draft a copy of the subdivision agreement, based upon information provided by the subdivider or his representative.

Section 3.04 Procedure for Approval of Final Plat.

- A. The Final Plat shall conform to the Preliminary Plat as approved and may be comprised of only that portion of the approved Preliminary Plat which the subdivider proposed to record and develop at the time.
- B. The Final Plat shall be submitted, in accordance with the city's review schedule, to the Planning Commission for review.
- C. The final plat shall be submitted to the city in electronic format in a software format specified by the city.
- D. Upon approval of the Final Plat, a certification of approval by the City Council shall be endorsed thereon by the City Clerk, and the original shall be filed with the Sarpy County Register of Deeds within ninety (90) days of said approval. Plats not filed within ninety (90) days can be extended upon approval by the City Council.

City Plat Filing Requirements (copies listed below will be retained by the city after filing with the Register of Deeds):

1. 1 Mylar Copy
2. 2 Paper Copies
3. 1 Reproducible 11"x17" Paper Copy
4. 2 Paper Copies and 1 11"x17" Reproducible Paper Copy of the preliminary plat

Subdivider will need to verify plat filing requirements with the Sarpy County Register of Deeds, including number of plats to be filed and size limitations. If additional signed copies are required, that is the responsibility of the subdivider.

Signatures: It is the subdivider's responsibility to obtain signatures from the surveyor, property owners, notaries, Sarpy County Treasurer, and Sarpy County Surveyor/Public Works prior to submitting the plats to the city. City signatures will be obtained after all other signatures have been made. After city signatures are obtained, the subdivider is responsible for filing the plat with the Sarpy County Register of Deeds and returning appropriate copies to the city upon filing.

The city will also require two (2) signed copies of the Subdivision Agreement, as well as a check from the subdivider for all fees. This payment is due prior to the city executing the final plat and subdivision agreement.

- E. The final approval by the City Council shall be by Resolution after receiving the recommendation of the Planning Commission together with a letter stating that the subdivider has complied with the requirements of this Ordinance.

Section 3.05 Final Plat and Required Supplemental Data.

- A. After approval of the preliminary plat by the Planning Commission, the subdivider shall prepare and submit to the Planning Commission a final plat prepared by a registered engineer and registered land surveyor for recording purposes and shall submit to the City Engineer:

1. A sanitary sewer plan.
 2. A surface storm drainage plan within the subdivision (this requirement may vary on a case by case basis, subject to City Council review and approval).
 3. A street profile plan with a statement of proposed street improvements.
- B. Final Plat, shall be submitted electronically and in accordance with the city's review schedule.
- C. Final Plat, in conformance with the approved preliminary plat, shall include:
1. Name of subdivision designated, by name or as otherwise prescribed, in bold letters inside the margin at the top of each sheet included in the plat.
 2. Date, north arrow and graphic scale.
 3. Lot designation and dimensions, street names, location, and rights-of-way width for all streets within or adjacent to the plat shall be shown.
 4. An accurate boundary survey of the property, with bearings and distances, referenced to section lines and/or adjacent subdivisions. The boundary survey shall meet or exceed the "Minimum Standards for Surveys", as established by the Professional Surveyors Association of Nebraska.
 5. Fractional lines and corners of the government township and section surveys shall be approximately labeled and dimensioned as applicable to the plat.
 6. Boundary dimensions from angle point to angle point shall be used for all sides of the closed traverse.
 7. Bearings of all boundary lines or internal angles of all angle points on the boundary shall be shown.
 8. The minimum unadjusted acceptable error of closure for all subdivision boundaries shall be 1:10,000 and shall be 1:5,000 for any individual lot.
 9. Adjacent subdivisions, streets, alleys and easements, with their dimensions and names.
 10. Names and widths of the streets, and block and lot numbers (numbered consecutively).
 11. Location of lots, streets, public highways, alleys and other property features, with accurate bearings and distances. At a minimum all curves shall be identified with the following data; radius, arc distance, chord distance and chord bearing. It is intended that enough information be shown, so the subdivision can be reestablished on the ground.
 12. All distances shall be shown in feet to the nearest one-hundredth of a foot.
 13. A notarized dedication signed and acknowledged by all parties having any titled interest in, or lien upon the land to be subdivided consenting to the final plat including the

dedication of parts of the land for streets, easements, and other purposes as per Section B.01.

14. A block for the certification signed by the County Treasurer stating that there are no regular or special taxes or special assessments due or delinquent against the platted land as per Section B.11
15. A block for the approval of the Planning Commission as per Section B.04
16. A block for the approval of the City Council to be signed by the Mayor and attested to by the City Clerk as per Section B.06
17. A block for the approval of the City Engineer per Section B.08
18. A legal description including total acreage for the subdivision and individual lot areas.
19. A block for Certificate of County Register of Deeds as per Section B.09 and per Sarpy County Assessor's requirements.
20. A block of review from the Sarpy County Surveyor as per Section B.10
21. A block for Owner's Certification as per Section B.13
22. A block for the approval of the Lien Holder as per Section B.14
23. A block for Surveyors Certification as per Section B.02.
24. Three copies of any private restrictions or covenants affecting the subdivision or any part thereof, if applicable.
25. Plat Boundary computations shall be based on Nebraska State Plane Coordinates as set forth in Neb. Rev State §86-1601 to 86-1606 (RRS 1998), except that North American Datum ("NAD") 1983 should be version 1995 under Neb. Rev. Stat. §86-1602(2), and the use of United States Feet and decimals of a foot shall be required in Ashland (Saunders or Cass County) pursuant to Neb. Rev. Stat. §86-1603. State Plan Coordinates shall be shown for all boundary corners and reference points used in the boundary description of the final plat.
26. Statement of estimated costs and financial assumptions for any possible sanitary and improvement districts (SID) connection fees.
27. Financial data showing cost of all public improvements. Costs to be itemized and all soft costs to be itemized and funding sources identified as to general obligation, special assessment, and private.
28. Development of an acceptable subdivision agreement prior to City Council action guaranteeing the installation of improvements, financial responsibilities, and other provisions determined needed in the development.
29. A bond or escrow or security agreement approved by the city attorney in an amount sufficient to guarantee the installation of the required improvements.

- 30. Waivers being requested.
 - 30. Four copies of the following to the City for distribution to the city engineer and utility superintendent for review at the time of final plat submittal:
 - a. Final construction plans and specifications of improvements.
 - b. Final drainage study and report.
 - c. Storm Water Pollution Prevention Plan (SWPPP).
 - d. Geotechnical report.
 - e. A traffic study (if required).
 - 32. Floodplain findings as per zoning.
 - 33. Title search of real estate as shown on the final plat certified within 10 days of filing final plat application.
- E. Final Plat shall then be submitted to the City Council at their regular meeting for approval and adoption prior to the start of construction, at a public hearing advertised and posted with notice at least ten (10) days prior to the hearing.

Section 3.06 Plats Outside Corporate Limits.

Procedure for approval of Preliminary and Final Plats of land within extraterritorial zoning jurisdiction but outside the corporate limits of the city shall be the same as set forth in this Article.

Section 3.07 Vacation of Plat of Record.

- A. Conditions: A subdivider may make application to the Planning Commission to vacate any plat of record under the following conditions:
 - 1. The Plat to be vacated is a legal plat of record.
 - 2. Vacation of the subdivision will not interfere with development of, nor deny access via public thoroughfare to adjoining properties or utility services or other improvements.
 - 3. Vacation of the subdivision will not be contrary to the Comprehensive Plan.
- B. Procedures: The owner or owners shall present a proposal to the Planning Commission, containing the legal description of the subdivision and calling for vacation thereof. The Planning Commission shall after public hearing and consideration send recommendations to the City Council. The City Council, after public hearing shall approve or deny the proposal. If the proposal is approved, it shall then be recorded in the office of the Sarpy County Register of Deeds. All fees for the recording of such vacation shall be paid by the subdivider.

Section 3.08 Concurrent Plats/Small Tract Subdivision.

Whenever a subdivision or resubdivision of a parcel consists of four (4) or fewer lots, the Planning Commission may waive the separate submission requirements for the Preliminary and Final Plats to expedite the subdivision review process if, in the judgment of the Planning Commission, separate

submission will not serve the public interest and will not conflict with the intent of these regulations. Concurrent Plats shall:

- A. Be discussed with the Planning Commission at a scheduled Pre-application Conference, as set out in Section 3.01 of this article.
- B. Be submitted to the City Clerk in accordance with the city's review schedule.
- C. Be accompanied by the application fees and completed application forms as required.
- D. Follow the procedure set forth herein and contain the required information for Preliminary and Final Plats.
- E. Be accompanied by a drainage plan showing how run-off generated by the proposed development impacts drainage on downstream drainage systems.

Exceptions: Drainage reports shall not be required for the following:

- 1. Subdivision of existing tax lots that are primarily developed.
 - 2. Subdivision of a farmstead that creates not more than two (2) lots and allows for the split of the main residence from the remaining farmstead.
 - 3. Acreages where lots are not less than one (1) acre in size.
- F. Changes required by the Planning Commission shall be made prior to submission to the governing body. Final plans shall be submitted to the City Clerk in accordance with the city's review schedule.
 - G. A final plat, in conformance with Section 3.05, shall be submitted to the city council for review and action prior to start of construction. Such hearing shall be posted with notice at least ten (10) days prior to the hearing.

Section 3.09 Administrative Subdivision Plats: Lot Line Adjustments, Lot Consolidations, Lot Splits.

- A. The intent of this section is to provide for lots splits, lot combinations, and boundary adjustment which result in lots divided or combined into not more than two (2) lots without having to re-plate said lot, provided that the resulting lots shall not again be divided without re-platting. City staff shall review the administrative plat application and make a final determination.
- B. Requests for an administrative plat approval shall be made by the owner or a designated representative of the land to the city. The administrative plat shall include the following:
 - 1. A survey of the lot(s),
 - 2. Location and setbacks of all existing structures(s),
 - 3. Location and dimensions of the proposed administrative plat,
 - 4. A block for Acknowledgment by Notary as per Section 10.01,
 - 5. A block for Surveyors Certification as per Section 10.02,
 - 6. A block for Certificate of County Register of Deeds as per Section 10.09,
 - 7. A block of review from the Sarpy County Surveyor as per Section 10.10,

8. A block for approval or certification signed by the County Treasurer stating that there are no regular or special taxes due or delinquent against the platted land as per 10.11,
 9. A block for the approval of the City as per Section 10.12
- C. Disapproval of administrative plat shall be based on the following guidelines:
1. A new street or alley is needed or proposed,
 2. Vacations of streets, alleys, setback lines, access control or easements are required or proposed,
 3. Such action will result in significant increases in service requirements, e.g., utilities, schools, traffic control, streets, etc.: or will interfere with maintaining existing service levels.
 4. There is less street right-of-way than required by this Ordinance or the Comprehensive Development Plan unless such dedication can be made by separate instrument,
 5. All easement requirements have not been satisfied,
 6. Such action taken during an administrative plat will result in a tract without direct access to a street,
 7. A substandard-sized lot or parcel will be created,
 8. The lot has been previously split.
- D. No Administrative Plats shall be approved unless all required public improvements have been installed, no new dedication of public right-of-way or easements is involved, and such subdivision complies with the ordinance requirements concerning minimum areas and dimensions of such lots.
- E. Prior to the approval of the administrative plat, the subdivider shall provide a statement from the County Treasurer's office showing there are no tax liens against said land within the proposed subdivision or any part thereof. The subdivider shall also provide a statement from the City Treasurer's office showing that all special assessment installment payments are current as applied to said proposed subdivision or any part thereof. All taxes shall be paid in full on all real property dedicated to a public use.
- F. The filing fee for the administrative plat shall be in accordance to the City's Master Fee Schedule.
- G. Signatures: It is the subdivider's responsibility to obtain signatures from the surveyor, property owners, notaries, Sarpy County Treasurer, and Sarpy County Surveyor/Public Works prior to submitting the plats to the city. City signatures will be obtained after all other signatures have been made. After city signatures are obtained, the subdivider is responsible for filing the plat with the Sarpy County Register of Deeds and returning appropriate copies to the city upon filing.

Section 3.10 Replats

Whenever a re-subdivision of a parcel consists of four (4) or fewer lots, the City may waive the separate submission requirements for the Preliminary and Final Plats to expedite the subdivision review process if, in the judgment of the city staff, separate submission will not serve the public interest and will not conflict with the intent of this Ordinance. Concurrent Plats shall be:

- A. Replats shall be discussed with the City at a scheduled pre-application meeting, as set out in Section 3.01;
- B. Be submitted to the City in accordance with the review schedule;

- C. Be accompanied by all application fees and completed application forms as required;
- D. Follow the procedure set forth for herein and contain the required information Preliminary and Final Plats, including public hearings. Such hearing shall be posted with notice at least ten (10) days prior to the hearing;
- E. Include a drainage study showing how run-off generated by the proposed development impacts drainage on downstream drainage systems.
- F. Changes required by the Planning Commission shall be made prior to submission to City Council. Final plats shall be submitted to the City in accordance with the review schedule for the next regular meeting of the City Council.
- G. A final plat, in conformance with Sections 3.04.03 and 3.05, shall be submitted to the City.
- H. All requirements of Section 3.05 shall be met and a revised preliminary plat shall be required if any of the guidelines of section 3.09.03, (1) through (8) are determined to be present.

ARTICLE 4: DESIGN STANDARDS

Section 4.01 Minimum Design Standards.

No subdivision shall be approved unless it is in conformance with the requirements of this Ordinance and the Comprehensive Development Plan.

In subdividing property, consideration shall be given to suitable sites for schools, parks, playgrounds, and other common areas for public use so as to best conform with any recommendations of the Comprehensive Plan. Any provisions for schools, parks, and playgrounds should be indicated on the Preliminary Plat in order that it may be determined when and in what manner such areas will be provided or acquired by an appropriate agency.

Land which the Planning Commission has found to be unsuitable for subdividing, due to flooding, poor drainage, steep slopes, rock formation, or other features likely to be harmful to the safety, welfare or health of the future residents, shall not be subdivided unless adequate methods for subdivision are formulated by the developer and acceptable to the Planning Commission that would eliminate or substantially reduce such hazards.

The Planning Commission may require all contiguous land under common ownership to be submitted with the Preliminary Plan in order to evaluate overall development patterns and conformity with the Comprehensive Plan and issue proper extension of future roads and services.

If a proposed subdivision contains lots which are sufficiently larger parcels than the minimum required lot size of the zoning district, such parcels shall be arranged to permit and the Preliminary Plat shall show a logical future street and utility system and logical resubdivision.

Section 4.02 Streets, Culverts, Bridges, Subgrade, Concrete, Curb and Gutter.

The arrangement, character, extent, width, grade and location of all streets shall conform to the Comprehensive Plan and be considered in their relation to existing and planned streets, topographical conditions, public convenience and safety, and in their appropriate relation to the proposed uses of land to be serviced by such streets.

The street layout of the proposed subdivision shall provide for the continuation or appropriate projection of streets and alleys already existing in areas adjacent to the area being subdivided. Where, at the determination of the Planning Commission, with recommendation from the City Engineer, it is desirable to provide street access to adjoining properties, proposed streets shall be extended by dedication to the boundaries of the subdivision. Where the Planning Commission deems it necessary, such dead-end streets shall be provided with a temporary turnaround having a radius at outside of the pavement of at least 40 feet or other approved design. The system shall provide adequate traffic flow through a subdivision and provide at least two routes from each lot within the subdivision to the rest of the City, except as explicitly permitted by the approving authority. Additionally, the system should be designed to discourage through traffic from using local streets. (Ord. 533)

New or reconstructed streets shall conform to Nebraska Board of Public Roads Classifications and Standards, Minimum Design Standards. These shall be constructed of the materials as herein specified, on an approved subgrade, in accordance with these specifications and in conformity with the lines, grades, typical cross-section and details shown on the approved Plans. The Nebraska State Standard Specifications shall be the Nebraska Department of Transportation Standard Specifications for Highway Construction, latest edition, English Units Edition.

Where natural drainage channels intersect any street right-of-way, it shall be the responsibility of the developer to have satisfactory bridges, drainage structures and/or culverts constructed. Where drainage pipe or culverts are required, minimum requirements shall be observed as follows:

- A. All drainage pipe or culverts shall extend across the entire right-of-way width of the existing or proposed street. The cover over the culvert and its capacity shall be determined by the developer's engineer. The minimum diameter of a drainage pipe shall be eighteen (18) inches. Depending on existing drainage conditions, head walls, flared end sections and erosion control may be required.
- B. Driveway culverts, if applicable, shall have a minimum diameter of eighteen (18) inches. The driveway culverts shall be laid so as to maintain the flow lines of the ditch. Head walls, flared end sections and erosion control may be required.
- C. Excavation, Embankment, and Subgrade.

Work shall be in accordance with Section 205 and 206 of the Nebraska State Standard Specifications, latest edition. Fill material shall be Class III, uniform and free of trash, lumber and other debris. Material shall be properly moistened to optimum requirements and thoroughly compacted to a minimum of 95% maximum dry density as determined by ASTM D-698, with moisture content of 0% to 3% above optimum or as specified in the Geotechnical Report.

All Trench fill below areas to be covered with street pavement, drives or sidewalks shall meet the minimum compaction requirements as specified in the Geotechnical Report.

Pavement subgrade shall be a minimum of 12 inches deep or as specified in the Geotechnical Report. Material for pavement subgrade shall be properly moistened to optimum requirements and thoroughly compacted to a minimum of 98% maximum dry density as determined by ASTM D-698, with a moisture content of 0% to 3% above optimum or as specified in the Geotechnical Report.

Compaction tests shall be taken by an approved testing laboratory. Results of all compaction tests shall be furnished to the City Administrator and City Engineer.

- D. Concrete.

Concrete shall conform to Division 600 of the Nebraska State Standard Specifications, latest edition. Concrete shall be Class "47B-3,500". Minimum compressive strength shall be 3,500 psi in 28 days. Materials shall conform to Nebraska State Standard Specifications for Highway Construction, Division 1000, Material Details. Curing shall be with a double application of continuous coating of white pigmented curing compound conforming to the requirements of Section 1012 of the Nebraska State Standard Specifications.

To verify compressive strength of the concrete, all concrete test cylinders shall be made according to ASTM C-31 and C-39. One set of concrete cylinders shall be required for each day's concrete placement or for each 200 cubic yards of concrete placed if more than 100 cubic yards are placed in one day.

The concrete shall be tested by an approved testing laboratory and results of the testing furnished

to the City Administrator and City Engineer. Testing for strength requirements shall be at seven (7) days and twenty-eight (28) days from the date of casting the cylinders (minimum).

E. Pavement Construction or Reconstruction.

All new or reconstructed full depth paving shall be constructed with Portland cement concrete. Surface maintenance of existing paved streets may utilize hot mix asphalt, armor coat, seal coat or other methods approved by the City.

Concrete paving shall be constructed in accordance with the Nebraska State Standard Specifications. The minimum pavement thickness shall be seven (7) inches. Arterial and Collector roadway pavement thickness shall be determined by pavement design calculations and approved by the City.

All street improvements shall conform to the Nebraska Board of Public Roads Classifications and Standards, Minimum Design Standards, and the Minimum Street Standards in the City's Subdivision Regulations.

Alternate materials for street paving may be approved by the City Council on a case by case basis. Curb and gutter shall be required on all streets built within the City Limits and city extra territorial zoning jurisdiction unless the City Council approves construction without curb and gutter.

F. Full Depth Patching.

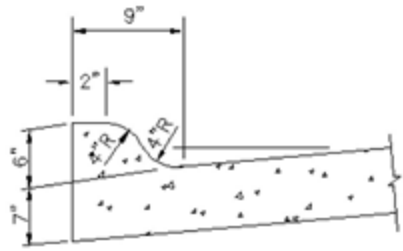
Full depth paving replacement for utility cuts and other repairs shall be made as per the details in the City of Springfield, "Infrastructure Standards and Specifications". Concrete and asphalt shall be replaced with Portland cement concrete at the minimum depths as follows:

- Collector streets, alleys, commercial driveways (8" depth)
- Residential Streets (7" depth)
- Residential Driveways (6" depth)
- Sidewalks (4" depth)

Brick paving shall be replaced with a Portland cement concrete base and reinstalling the brick pavers as specified by the city engineer. Trench material shall be compacted to the standards stated in Section 4.02.C "Excavation, Embankment and Subgrade". Concrete shall be as specified in Section 4.02.D "Concrete". All removals will be made to existing joints. If the depth of the existing paving exceeds the depth of the proposed replacement, the greater depth shall be replaced.

G. Curb and Gutter.

All new curb and gutter installations shall conform to the Type "A" profile, as depicted below. The 7-inch thickness of the concrete is a minimum.



CURB DETAIL "A"

Section 4.03 Companion Easements.

In order to promote on-site management of surface drainage or other public dedications, a developer may propose the use of companion easement in lieu of a portion of the required right-of-way for local or collector streets. Such easements shall be for utilities or other public purposes and shall be allowed in proportion to dedicated area. Such easement may be authorized by the City Council where:

- A. The proposed subdivision contains sufficient area and design that approval of the option will not create a potential problem in the construction of streets,
- B. Where areas for storm drainage control or public purpose are dedicated by easement or where a homeowners association is created and approved to provide perpetual maintenance of such common areas or where the city accepts dedication to the public,
- C. The required rights-of-way are of sufficient width to accommodate future traffic needs consistent with recommendations of the Comprehensive Plan and the standards set forth herein.

Section 4.04 Dedication of Rights-of-way for New Streets.

The dedications of rights-of-way for new streets measured from lot line to lot line shall be shown on the plat and shall meet the right-of-way requirements as stated in Schedule A of this Ordinance. Access to lots located on arterials and other arterials shall be approved by the City.

Frontage roads or marginal access streets shall be required by the Planning Commission for subdivision fronting on arterial streets where possible. If lots back up to the arterial street and such lots have access other than the arterial street frontage a marginal access street may not be required.

Section 4.05 Dedication of Rights-of-way for Existing Streets.

Subdivisions platted along existing streets shall dedicate additional right-of-way or easements if necessary to meet the minimum street width requirements set forth in this Ordinance. The entire minimum right-of-way width shall be dedicated where the subdivision is on both sides of an existing street. When the subdivision is located on only one side of an existing street, one half (1/2) of the required right-of-way width, measured from the centerline of the existing roadway, shall be dedicated along with any proposed

easements. Dedication of one-half (1/2) of the right-of-way for a proposed street along the boundaries of land proposed for subdivision shall be prohibited except where essential to the reasonable development of the subdivision and where it is found to be practical and reasonable to require the dedication of the other half of the right-of-way when adjoining property is subdivided.

Section 4.06 Intersections.

Streets shall intersect as nearly as possible at an angle of ninety (90) degrees, and no intersection shall be at an angle of less than sixty (60) degrees. Street curb intersections shall be rounded by radii of at least twenty (20) feet. When the smallest angle of street intersection is less than seventy-five (75) degrees, the Planning Commission may require curb radii of greater length. Whenever necessary to permit the construction of a curb having a desirable radius without reducing the sidewalk at such street corner to less than nominal width, the property line at such street corner shall be rounded or otherwise set back sufficiently to permit such construction. No lot or other parcel of land which is adjacent and has access to either a collector or minor street shall have a service drive, curb cut, or other means of access to an arterial street within seventy-five (75) feet of right-of-way or such arterial street.

Section 4.07 Curves in Streets; Horizontal and Vertical.

A tangent at least one hundred (100) feet long shall be introduced between reversed curves on arterial and collector streets.

Where there is a deflection angle of more than ten (10) degrees in the horizontal alignment of a street, a curve with a radius adequate to ensure safe sight distance shall be made. Minimum requirements shall conform to the standards in Schedule A of this ordinance.

Section 4.08 Street Grades and Elevations.

All streets, roads and alleys shall be graded to their full widths by the subdivider, so that street pavements and sidewalks can be constructed on the same level plane. Deviation from this standard due to special topographical conditions will be allowed only with the approval of the City Council. All streets shall be designed so as to provide for the discharge of surface water from the pavement and from the right-of-way by grading and drainage. For adequate drainage, the minimum street grade shall not be less than four tenths (0.40' / 100') of one percent. Minimum grades for gutters and ditches shall be four tenths (0.4' / 100') and five tenths (0.5' / 100') of one percent respectively. Storm sewer construction shall be required where necessary to meet these minimum grade requirements. Street grades shall conform to the minimum requirements provided in Schedule A of this Ordinance.

Before grading is started, the entire right-of-way area shall be first cleared of all tree stumps, roots, brush, and other objectionable materials and of all trees not intended for preservation. The subgrade shall be properly shaped, rolled and uniformly compacted to conform with the accepted cross-section and grades. In cuts and fills, all tree stumps, boulders, organic material, soft clay, spongy material and other objectionable materials shall be removed to a depth of at least two (2) feet below the graded surface. This objectionable matter, as well as similar matter from cuts, shall be removed from the right-of-way area and disposed of in such a manner that it will not become incorporated in fills or hinder proper operation of the drainage system.

Section 4.09 Frontage Roads/Marginal Access Streets, Alleys, and Driveways.

Where a subdivision fronts on or contains an existing or proposed arterial street, the Planning Commission shall require marginal access streets in all situations indicated below or, reverse frontage lots

with screen planting located in the non-access arterial street frontage along the rear of the lots, or such other treatment as may be necessary for adequate protection of properties from the arterial street and to protect and preserve the safety and traffic handling capabilities of the arterial street.

Marginal access streets may be required by the Planning Commission for subdivisions fronting on arterial streets. If lots back up to the arterial street and such lots have access other than the arterial street frontage a marginal access street may not be required.

- A. Driveways shall have a maximum grade of ten percent (10%). Driveways and curb cuts shall be located not less than three (3) feet from the side lot lines. Curb cuts for straight curbs and the flare for rolled curbs shall be three (3) feet wider than the driveway pavement on each side.

Section 4.10 Access.

There shall be a minimum of two vehicular access points per platted subdivision. The City Engineer shall determine the most suitable location for said access points during the review period.

Section 4.11 Street Jogs.

Street jogs with centerline offsets of less than one hundred fifty (150) feet at intersections shall be prohibited.

Section 4.12 Cul-de-sac Streets.

Minor terminal temporary dead-end streets or cul-de-sacs shall not be longer than six hundred (600) feet and shall provide a turnaround having a radius at the outside of the pavement of at least fifty (50) feet and a radius at the right-of-way of at least sixty-five (65) feet, conforming to the requirements of Schedule A. Alternative designs for temporary turn-arounds may be approved by the City. The length of the cul-de-sac shall be measured from the center of the turn-around to the center of the intersecting street.

Section 4.13 Street Names.

Proposed streets which are in alignment with other existing streets shall bear the name of such streets. The name of a proposed street which is not in alignment with an existing street shall not be similar to the name of any existing street. Whenever a street alignment changes direction more than 45 degrees without a return to the original alignment within a distance of five hundred (500) feet, then the name of the street shall be changed at the point of the curvature. To avoid duplication and confusion, the proposed names of all streets shall be approved by the City Council prior to such names being assigned or used.

Section 4.14 Private Streets and Reserve Strips.

New private streets may be created as part of a Planned Development District provided such streets are specifically authorized by the Planning Commission and City Council as an exception to the terms of the Ordinance. There shall be no reserve strips in a subdivision except where their control is definitely vested in the municipality under conditions of approval by the Planning Commission as authorized in these regulations.

- A. In rural subdivisions roads shall be developed and dedicated per City standards.

Section 4.15 Blocks.

The lengths, widths and shapes of blocks shall be determined with due regard to the provisions of adequate access and circulation, building sites suitable to the needs of the use contemplated, zoning requirements regarding minimum lot sizes, widths and frontages and the limitations or opportunities presented by the topography. Block lengths, except in unusual circumstances, shall not exceed eight hundred (800) feet. Pedestrian easements ten (10) feet wide shall be provided through or near the center of blocks more than six hundred (600) feet long in order to provide for pedestrian circulation.

Section 4.16 Lots.

The lot sizes, width, depth, shape and orientation shall be appropriate for the location of the subdivision and for the type of development and use contemplated. All lots shall be developed to channel surface drainage to lot lines and not across adjacent properties. Corner lots for residential uses shall have additional width to permit appropriate building setback distances and orientation to both streets. The subdividing of land shall be such as to provide each lot with satisfactory vehicular access by means of public street or approved private street. Side lot lines shall be substantially at right angles or radial to curved street lines.

Section 4.17 Through (Double Frontage) Lots.

Double frontage lots, shall be avoided except where essential to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography. Where such lots are used in relation to an arterial street, a landscape screen of at least ten (10) feet in width shall be provided along the line of lots adjacent to such arterial street and the subdivider shall install trees, shrubbery or fences or a combination thereof to screen the residential development from the arterial street and dampen the noise generated by traffic on the arterial street. The boundary along one of the dedicated streets shall be designated as the rear lot line. Such screen shall be installed prior to the issuance of a certificate of occupancy.

Section 4.18 Easements.

Easements for public utilities, where necessary, shall be provided and shall be a total of at least 30 feet wide or wider when required by the City.

Where a subdivision is traversed by a major watercourse, drainageway, channel, or stream, there shall be provided to the City a permanent storm water easement or drainage right-of-way such width as will be adequate for both water flow and maintenance operations as determined by the City. No other surface improvements or fill, except trails, bank stabilization, and stabilization structures, shall be placed in any such easement right-of-way.

Where a subdivision is traversed by a river or one of its tributaries, there shall be provided to the City, Natural Resources District and utility providers a permanent easement adequate for construction, operation, and maintenance of channel and flood control improvements and public recreation trails. No other surface improvements or fill, except bank stabilization structures, shall be placed in any such easement right-of-way.

Perpetual easements shall be granted to the City of Springfield and any telecommunications entity or other corporation transmitting communication signals authorized to use the city streets, to erect, operate, maintain, repair and renew poles, wires, cables, conduits, and other related facilities, and to extend

thereon wires or cables for the carrying and transmission of electric current for light, heat, and power and for the transmission of signals and sounds of all kinds and the reception on, over, through, under and across a five (5)-foot wide strip of land adjoining all front and side boundary lot lines, and eight-foot wide strip of land adjacent to the rear boundary lines of all interior lots, and a sixteen (16)-foot wide strip of land adjacent to the rear boundary lines of all exterior lots. The term “exterior lots” is herein defined as those lots forming the outer perimeter of the above-described addition. Said sixteen (16)-foot wide easement will be reduced to an eight (8)-foot wide strip when the adjacent land is surveyed, platted and recorded. No permanent buildings or retaining walls shall be placed in the said easement ways, but the same may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the afore-said uses or rights herein granted.

Perpetual easements shall be granted to all other utility providers, and their successors and assigns, to erect, install, operate, maintain, repair and renew pipelines, hydrants and other related facilities, and to extend thereon pipes for the transmission of gas, electricity, sanitary sewer, and water on, through under and across a five-foot-wide strip of land adjacent to all cul-de-sac streets. No permanent buildings or retaining walls shall be placed in the said easement ways, but the same may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the afore-said uses or rights herein granted.

Section 4.19 Storm Sewer and Drainage System.

A drainage system, including pipes, inlets, drainage structures, bridges, ditches, detention cells and other structures shall be designed and constructed by the subdivider to provide for proper drainage of surface water of the subdivision and the drainage area of which it is a part of. The storm sewer system shall be constructed and installed to provide for adequate drainage.

Storm drainage, including drain tile around basements and discharge from basement sump pumps shall not be permitted to discharge into any sanitary sewer facility, but shall be connect to an adequate drainage outlet.

The subdivider shall submit, a drainage report prepared by a registered professional engineer licensed in the State of Nebraska describing the existing and proposed drainage conditions. A Preliminary Drainage Report shall be included with the Preliminary plat. The Final Drainage Report shall be submitted with the Final Plat and shall include an evaluation of the ability of the proposed improvements pertaining to drainage in the subdivision to handle the run-off. The report shall also consider the impacts of the upstream and downstream drainage systems.

The Preliminary Drainage Report shall include:

- A. Preliminary estimates of the quantity of storm water entering the subdivision naturally and upon full development of lots within the subdivision for a 2-year, 10-year and 100-year frequency storm events.
- B. Existing conditions of the watershed that may affect the proposed subdivision, such as soil type, drainage channels, obstructions, flood plain, floodway, wetlands, etc.
- C. A preliminary grading plan illustrating the proposed drainage improvements and storm water management.

The Final Drainage Report shall include:

- A. Calculations of the quantity of storm water entering the subdivision naturally and estimates of such storm water upon full development within the subdivision based on the proposed zoning.
- B. Quantities of flow at each pick-up point.
- C. Estimates and type of erosion control measures necessary to control erosion during construction.
- D. A description of an adequate drainage system within the subdivision and its design capacities based on a 2-year, 10-year and 100-year frequency storm events.

In determining the size or type of storm sewer system, the design shall be sufficient to handle the design storm based on the Nebraska Department of Transportation “Drainage Design and Erosion Control Manual, latest addition” and the Rational Method as described in said document. No storm sewer pipe shall be less than 18” in diameter. All storm sewers shall be designed to allow for a minimum of 12” between the bottom of the pavement slab to the top of said storm sewer pipe.

Based on the findings of the Drainage Reports, improvements shall be made to limit the peak rate of storm water discharge from the subdivision. Post development runoff (cubic feet per second) shall reflect a “no net” increase in runoff based on 2-year, 10-year and 100-year frequency storm events. Pre-development shall be the condition prior to improvements being completed, including cultivated row crops. Storm routing shall be performed as described in Technical Release 55 “Urban Hydrology for Small Watersheds” prepared by the US Department of Agriculture and the Natural Resources Conservation Service. The city shall require retention or detention basins (storage facilities) or other flow attenuation or reduction method in order to control the post-development run-off. All temporary stored runoff shall be drained within 48 hours.

The outlet works of any storage facility shall include a principal outlet as well as an emergency overflow. Flow through the emergency overflow must be demonstrated to discharge in a safe manner. Outlet works must operate without requiring attendance or operation. During the design and construction of any storage facility public safety shall be the highest concern. Consideration shall be made for fencing, flattening approach slopes or other safety measures.

Section 4.20 Sanitary Sewer System.

Design standards for sanitary sewers shall conform to standards of the Nebraska Department of Environmental Quality and the Recommended Standards for Water Works, latest edition (aka 10 States Standards) by Great Lakes – Upper Mississippi River Board of State Public Health and Environmental Managers.

Section 4.21 Water.

All water improvements will meet the requirements of the Nebraska Department of Health and Human Services and the Recommended Standards for Water Works, latest edition (aka 10 States Standards) by Great Lakes – Upper Mississippi River Board of State Public Health and Environmental Managers.

Section 4.22 Sidewalks.

Sidewalks shall be installed by the subdivider. All sidewalks within subdivisions shall have a minimum pavement width of four (4) feet and minimum pavement thickness of six (6) inches if they are considered

part of the City's trail system and four (4) inches everywhere else, all of which shall be located within the right of way and one foot from the property line unless otherwise directed by the city engineer. Installation of sidewalks shall be completed within two (2) years of approval of the final plat or at 50% build-out, whichever is first. All sidewalks shall be poured-in-place Portland cement. Concrete shall be Class "47B-3,500". Construction joints shall be placed at intervals approximately equal to the sidewalk width. Where required by the City and/or City Engineer, material shall be properly moistened to approximately optimum requirements and thoroughly compacted to a minimum of 95% maximum dry density as determined by ASTM D-698, with moisture content of 0% to 3% above optimum or as specified in the Geotechnical Report. All sidewalks shall meet all ADA Requirements. The street improvement plans shall show the location of the proposed sidewalks.

Except where unusual conditions exist and an exception is specifically granted by the City Council the following shall apply:

- A. Parallel to any streets adjacent and/or running along the outer perimeter of the subdivision.
- B. All sidewalks shall extend to the street pavement at all intersections at mid-block crossing where appropriate and shall be equipped with handicap access ramps.
- C. In neighborhoods planned as cluster developments, sidewalk locations may be adjusted to accommodate the most efficient pedestrian circulation through and to and from the development.
- D. The City Council may modify the requirements of this section, but only in instances where park, drainage, extreme topographical condition or other unusual conditions make sidewalk installation non-essential or unnecessary on both sides of the street.

Section 4.23 Accessibility Standards (ADA)

All Improvements within Public Right-of-Way shall conform to the following ADA Guidelines:

- A. ADA Design Standards, latest edition
- B. PROWAG (Proposed Right of Way Accessibility Guidelines), latest edition

Section 4.24 Standards and Specifications.

In addition to the prescribed requirements of these Regulations, the City has adopted further standards and specifications referred to as "Infrastructure Standards and Specifications". Whenever there is a conflict between any of the materials and testing standards and specifications and those provided herein, the highest standard and specifications shall govern.

Section 4.25 Flood Hazards.

Land subject to flooding and land deemed to be topographically unsuitable for residential or other development shall not be platted for such purposes. Such land may be set aside on the plat for such uses compatible with the hazards associated with flooding or erosion. All development shall be flood proof in accordance with the flood hazard zoning provisions of the Zoning Ordinance.

Section 4.26 Creek Setback.

No person shall be granted a permit for the construction of any structure, exclusive of bank stabilization

structures, adjacent to any creek or stream unless such structure is located so that no portion thereof is any closer to the stream than will allow a maximum three-to-one (3:1) slope plus 50 feet, along all watercourses, between the water's edge of the stream and the closest point on the structure at grade. As used herein, the edge of the water of the stream shall be the point constituting the edge of the water during normal flow conditions.

Grading, stockpiling, and other construction activities are not allowed within the setback area and the setback area must be protected with adequate erosion controls or other Best Management Practices (BMPs). The outer 30 feet adjacent to the creek setback limits may be credited toward meeting the landscaping buffer and pervious coverage requirements.

A property may be exempt from the provisions of before mentioned upon a showing by a licensed professional engineer or licensed landscape architect that adequate bank stabilization structures or slope protection will be installed in the construction of said structure, having an estimated useful life equal to that of the structure, which will provide adequate erosion control conditions coupled with adequate lateral support so that no portion of said structure adjacent to the stream will be endangered by erosion or lack of lateral support. In the event that the structure is adjacent to any stream which has been channelized or otherwise improved by any agency of government, then such certification providing an exception to the creek setback requirements may take the form of a certification to the adequacy and protection of the improvements installed by such governmental agency. If such exemption is granted, applicable rights-of-way must be provided and a minimum twenty (20) foot corridor adjacent thereto.

Prior to work on or near any watercourses all the necessary permits must be obtained from the Army Corp of Engineers or any other governmental agencies.

Section 4.27 Floodway Fringe Fill Restriction

Filling of the floodway fringe associated with new development within the Buffalo Creek, Springfield Cree, and Zwiebel Creek Watersheds shall be limited to 25% of the floodway fringe in the floodplain development application project area, unless approved mitigation measures are implemented. The remaining 75% of floodway fringe within the project area shall be designated as a floodway overlay zone. For significant redevelopment, these provisions may be modified or waived in whole or in part.

Section 4.28 Erosion Control.

The subdivider shall be required to provide for the control of erosion of areas of the subdivision which are disturbed by grading operations by constructing temporary terraces on slopes, temporary silting basins, sod swales and spillways, silt fences and whatever may be necessary to prevent erosion and damage to adjacent properties from surface drainage as approved by the city and city engineer. The city may require an erosion control plan at the developer's expense to be submitted for approval with the preliminary plat.

Section 4.29 Emergency Warning Sirens.

Emergency warning sirens shall be installed by the developer, if deemed necessary by the city and civil defense authorities, and shall meet specifications set by civil defense authorities.

Section 4.30 Conformance with Other Regulations.

No final plat of land within the City or its jurisdictional area shall be approved unless it conforms with existing zoning regulations unless waived by the Planning Commission and City Council in accordance with these regulations. Whenever there is a variance between the minimum standards set forth in these regulations and those contained in other regulations the most restrictive standard shall govern.

ARTICLE 5: REQUIRED IMPROVEMENTS

Section 5.01 Required Improvements: General.

The subdivider shall design and construct improvements using standards not less than the standards outlined in this Ordinance. All such plans shall be approved by the Planning Commission and City Council upon recommendation of the City Engineer. The construction cost of all infrastructure improvements shall be paid for by the subdivider. All contract documents between the subdivider and contractor shall be reviewed and approved by the City.

The work shall be done under the supervision and inspection of the City and shall be completed within the time limitations established herein. The minimum requirements for materials shall be in accordance with specifications approved by the City. Standards applicable to health and sanitation as required by the Nebraska Department of Environmental Quality and the Nebraska Department of Health shall be the minimum standards required thereof.

The cost of all plans and specifications for improvements, reports, permits, review fees, and construction review shall be paid for by the subdivider.

Section 5.02 Required Improvements: Monuments and Markers.

Monuments and markers placement shall be as follows:

Concrete monuments shall be located at all quarter section points or other reference points tied to the federal land survey on the boundaries of or within the area being platted.

Section 5.03 Required Improvements: Monument Construction.

Monumentation shall meet or exceed the “Minimum Standards for Surveys” as adopted by the Professional Surveyors Association of Nebraska in February 1989. These standards are as follows:

The surveyor shall establish or confirm the prior establishment of permanent monuments at each corner on the boundary lines of the parcel being surveyed. Monuments shall be solid and substantially free from movement. In such cases where the placement of a permanent monument at the true corner is impractical because of instability or is likely to be destroyed, the surveyor shall set a corner accessory monument and show its relationship by dimension to the true corner.

The monuments set shall be constructed of material capable of being detected by commonly used magnetic locators. These monuments shall consist of an iron pipe or steel rod with a minimal diameter of five-eighths inch (5/8”) and minimal length of twenty-four (24) inches. When extenuating circumstances dictate, the surveyor may use such monuments (i.e. nail and washer) that have a probability of permanence. Where a corner or a line falls on or within a wall, column line or other physical feature and the placement of a monument is not feasible, the wall, column line or physical feature shall become the monument by reference thereto.

In addition, monuments shall be set at all block corners, lot corners, deflection points and points of curvature, except in cases where it is deemed clearly unreasonable or infeasible by the City Council.

Section 5.04 Required Improvements: Survey Requirements

A land survey is required to support data furnished on the final plat, and this survey shall conform to all requirements set forth in Section 3.05.

Horizontal Control - The Final Plat, and all electronic Computer Aided Drafting and Design (CADD) deliverables for infrastructure (Paving, Drainage, Water, and Sanitary Sewer) improvements shall be tied into the City of Springfield GIS / Survey Control Network. The survey control monuments which define the City of Springfield GIS / Survey Control Network are published in the City of Springfield “Infrastructure Standards and Specifications”

Vertical Control – The Final Plat, and all electronic Computer Aided Drafting and Design (CADD) deliverables for infrastructure (Paving, Drainage, Water, and Sanitary Sewer) improvements shall reference the North American Vertical Datum of 1988 (NAVD 88), unless otherwise specified by the City of Springfield.

Section 5.05 Required Improvements: Street Grading and Construction.

All streets shall be graded to the full width of right of way and to within six inches of the street grade established in the approved final plat construction plans and specifications. Final construction plans shall be in conformance with specifications set forth by the City.

Higher design standards may be required by the City to provide for unusual soil conditions or extraordinary traffic volumes or other abnormal characteristics.

The streets in the proposed subdivision shall be paved, including curbs and gutters, and street surfacing shall be of concrete or any other suitable surface as recommended by the city engineer and approved by the city council. Materials for street improvements shall meet the requirements of the city’s Materials and Testing Standards and Specifications.

Curb and gutter shall be required for all streets within the boundaries of the subdivision and constructed in conformance with the minimum standards of the city as required by the city engineer unless accepted by the City in accordance with the terms of this Ordinance. In areas of notable flash flooding or heavy rain run-off, curbs shall be required on all streets designed for areas where the existing or anticipated residential density of the areas surrounding the proposed subdivision equals or exceeds three (3) dwelling units per net acre. In commercial developments, or where other similar intensive urban uses exist or are anticipated, curbs shall be required. Where curbs exist on adjacent properties, their extension shall be required throughout the proposed subdivision.

The applicant shall comply with all NPDES requirements as administered by the State of Nebraska and the Lower Platte North Natural Resource District.

Section 5.06 Required Improvements: Street Signs, Lighting, Electrical, Natural Gas, Telephone, Cable TV, and Mail Boxes.

At least one (1) street sign shall be installed at each street intersection within or on the perimeter of the subdivision and shall be located in the northeast corner thereof, whenever possible, and within the area between the street and sidewalk at a point approximately six (6) inches from said sidewalk or its intended location.

The developer shall pay for the materials and installation of street lights at each entrance (street or sidewalk) into a subdivision and at each street intersection within the subdivision and at such intermediate points as necessary, as specified by City of Springfield. Whenever the distance between two (2) adjacent street or walkway lights would exceed three hundred (300) feet, then additional street lights shall be installed in such manner that proper light intensity shall be provided and maintained. New subdivision street and walkway lighting shall be installed with all associated wiring underground, as required by the city.

New subdivision lighting and electrical power, gas, and telephone shall be underground wiring and easements for such wiring shall be indicated on the plat. All underground wiring shall meet proper specifications for installation. Gas service may be required where reasonably accessible. Whenever such facilities are reasonably accessible and available, they may be required to be installed within the area prior to the approval of the final plat. Telephone, cable tv, electric, street lighting, and communications conductors may be installed underground at the option of the city. Utility boxes shall be installed at the rear of the lots unless otherwise required by the City. Any necessary overhead secondary utility lines shall be located at the rear of all lots. Whenever a sanitary sewer line and electric and/or telephone line is each placed underground in the same utility easement, the following provisions shall be applicable:

- A. The total easement width shall not be less than thirty (30) feet, and
- B. The sanitary sewer line shall be installed within three (3) feet of the easement, and the electric and/or telephone line shall be installed within three (3) feet of the opposite side of the easement.

Mailboxes owned and serviced by the post office shall be clustered whenever possible and coordinated through the Post Master and the City Engineer to be consistent with future parking restrictions.

Section 5.07 Required Improvements: Sidewalks.

Sidewalks shall be provided in conformance with the requirements of Article 4, Section 4.22. For the safety of pedestrians in residential and commercial subdivisions, the subdivider shall construct Portland cement concrete sidewalks at one (1) foot from the property line within the right-of-way, on both sides of the street to meet the following specifications:

- A. Single Family or Duplex Dwelling Units
Four (4) feet wide.
- B. Multi-family or Group Housing Developments
Five (5) feet wide.
- C. Commercial Developments
Eight (8) feet wide.
- D. City Trails:
Where sidewalks are designated as part of a trail system, such sidewalks shall conform to the standards of such trail design as determined by the City.

Section 5.08 Required Improvements: Landscape Screens.

Landscape screens, as required by the city, shall be installed at the subdivider's expense as a buffer for the protection of residential properties along major streets, railroad rights-of-way, and land uses which are

substantially different from that proposed in the subdivision. Such screen shall be installed prior to the issuance of a certificate of occupancy.

Section 5.09 Required Improvements: Storm Sewer and Drainage.

A drainage system shall be designed and constructed by the subdivider to provide for the proper drainage of surface water of the subdivision and the drainage area of which it is a part. Culverts shall be constructed and installed whenever necessary as determined by the Planning Commission to provide adequate drainage in accordance with recommendations of the City Engineer. In addition, the developer shall submit, unless specifically waived by the Planning Commission, a Drainage Report prepared by a registered professional engineer or surveyor as to the existing and proposed drainage conditions. A Preliminary Report shall be included on the Preliminary Plat. The Final Report shall be attached to the Final Plat and shall include an evaluation of the ability of the proposed water courses, drainage tiles, storm sewers, culverts and other improvements pertaining to drainage or flood control within the subdivision to handle the run-off which would be generated by the development of the land within and above the subdivision and the impacts of such drainage on downstream drainage systems.

A. The Preliminary Plat Report shall include:

1. Preliminary estimates of the quantity of storm water entering the subdivision naturally and upon full development of lots within the subdivision.
2. Existing conditions of the watershed that may affect the proposed subdivision, such as soil type, drainage channels, obstructions and the like.
3. A Preliminary Grading Plan illustrating proposed drainage management.

B. The Final Plat Drainage Report shall contain:

1. Calculations of the quantity of storm water entering the subdivision naturally and estimates of such storm water upon full development within the subdivision based on the proposed zoning.
2. Quantities of flow at each pick-up point.
3. Estimates and type of temporary erosion control measures necessary to control erosion during construction.
4. A description of an adequate drainage system within the subdivision and its design capacities based on a ~~ten (10)~~ twenty-five (25) year storm.

C. Drainage Requirements. A drainage system, including pipes, inlets, drainage structures, bridges, ditches, detention cells and other structures shall be designed and constructed by the subdivider to provide for the proper drainage of surface water of the subdivision and the drainage area of which it is a part of. The city shall require retention or detention basins in order to control the post development runoff for the subdivision. The improvements shall be made to limit the peak rate of storm water discharge from the subdivision. Post development runoff shall reflect a “no net” increase in runoff rate based on a 2-year, 10-year and 100-year frequency storm events. The system shall be sufficient to handle the computed runoff as outlined in the Final Drainage Report. The Nebraska Department of Transportation “Drainage Design and Erosion Control Manual, latest edition and Technical Release 55 “Urban Hydrology for Small Watersheds, latest edition”

prepared by the US Department of Agriculture and the Natural Resources Conservation Service shall serve as a guideline in design and construction. Materials for storm sewer improvements shall meet the requirements of the city's "Materials and Testing Standards and Specifications".

1. Subdivisions and other proposed new development shall be required to assure that 1) all such development are consistent with the need to minimize flood damage, 2) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated and constructed to minimize or eliminate flood damage, 3) adequate drainage is provided so as to reduce exposure to flood hazards so as to assure that all building sites are reasonably safe from flood hazards.
2. Lots shall be laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot into areas not designed to handle flood waters. Lot drainage plans shall conform to the drainage report required for submittal and shall be submitted to the city prior to development of the lot.

- D. Storm Drain Responsibility. The subdivider shall be responsible for the entire cost and expense for the construction of all storm drain systems; provided, however, that the city, through the City Council, may agree to contribute to and pay up to one-half (1/2) the difference in cost as determined at the time of approval between the storm drain system requiring a storm drain thirty-six (36) inches in diameter and one requiring a storm drain over thirty-six (36) inches in diameter for plats located within the city limits, or to be annexed with Final Plat approval. City contribution shall be limited to the available funds appropriated for such purposes in the current fiscal year's budget, provided if requests for such subsidies exceed available funds appropriated for such purposes, the City Council may establish by Resolution, a system of priorities upon which to base City contributions. The dollar amount of city participation for a particular subdivision shall be determined by the City Council as of the date of acceptance of the Final Plat of such subdivision and shall be set forth in the Ordinance approving and accepting such Final Plat. The City's agreement to make such a contribution shall lapse if the storm drains are not constructed by the subdivider within two (2) years after the date of acceptance of the final subdivision. The subdivider shall be responsible for the installation and maintenance of open ditches for surface drainage where permitted.

Section 5.10 Required Improvements: Sanitary Sewer.

A sanitary sewer system shall be designed and constructed by the subdivider for all lots in the proposed subdivision. The following requirements shall apply:

- A. Type of Improvements. Within the corporate limits, a sanitary sewer collection system including all pipes and manholes shall be provided and said collection system shall be connected to the public sewage system in accordance with plans acceptable to the Planning Commission and City Council.

Within the jurisdictional areas of the City but outside the corporate limits, if a proposed subdivision is so located with regard to an adequate public sewer, either existing or to be existing within one (1) year from the date of application for final plat approval, or that said sewer is located within 1,320 feet of the proposed subdivision or can be reached if the cost of installing lateral and connecting sewers from all lots shown upon said plat, exclusive of connections from individual structures; is equal to or less than one hundred fifty (150) percent of the cost of

installing a private sewage collection and disposal system for all lots, then adequate lateral and connecting sewers to said public sewer system shall be constructed.

If the subdivision is not located relative to a public sewer system a private collection and treatment system acceptable to the City Council and appropriate to the Nebraska Departments of Health and Human Services and Environmental Quality may be used. However, the City may require the developer to provide a plan for future extension of utilities including permanent easements. If on-site disposal is proposed, the subdivider shall document acceptable percolation rates on each lot and such lots shall be adequately sized to allow for the installation and safe operation of such systems in conjunction with any proposed water supply or well location.

- B. Standards. When applicable, improvement plans for a permanent sewage system shall be provided showing pipe sizes, gradients, type of pipe, invert and finished grade elevations, location and type of manholes, treatment facilities if applicable, and the location, type and size of all lift or pumping stations.

Design Standards of said system shall be subject to the approval of the City in accordance with the following standards:

1. At least eight (8) inch sewer lines will be installed.
2. At least four (4) inch service connections from the sewer line to the property line of each lot will be installed with the location marked.
3. Manholes will be provided at all interceptor and lateral junctions, at the end of each line, and at all changes in direction, grade and size.

Design standard of said system shall be in general compliance with the requirements of the State Department of Environmental Quality.

Where a sanitary sewer is accessible by gravity flow within 1,320 feet of the final plat, the developer shall connect thereto and provide adequate sewer lines and stubs to benefit each lot. Where a sanitary sewer is not accessible by gravity flow within 1,320 feet of the final plat, the developer shall make provisions for the disposal of sewage required by law. Where a sanitary sewer is not accessible by gravity flow within 1,320 feet of the final plat, but where plans for installation of sanitary sewers within such proximity to the plat have been prepared and construction will commence within 12 months from the date of the approval of the plat, the developer shall be required to install sewers in conformity with such plans. Design of sanitary sewer lines shall conform to standards and guidelines approved by the utility superintendent, city engineer and city council as well as section 4.21. A sanitary sewer main shall be installed in the proposed street right-of-way to serve the lots in the development. All lots shall be served by an individual service line. Materials for sanitary sewer improvements shall meet the requirements of the City's "Materials and Testing Standards and Specifications".

- A. Where deemed required, public sanitary sewers shall be installed to adequately serve all lots, including lateral connections to the public system. Combination of sanitary sewers and storm sewers shall be prohibited.
- B. Where a public sanitary sewer system is not reasonably accessible, the subdivider may provide:
1. A central treatment plant, provided that such central treatment plant is installed in accordance with the city and Nebraska Department of Environmental Quality and

Department of Health requirements, or

2. Lots may be served by individual disposal systems, if the provisions of the following section are met.
3. Sewer mains and/or stormwater drainage improvements shall be located under paved sections of streets so that connections may be made at a later date.
4. Property owners shall connect to public sanitary sewer system at such time as connection becomes accessible.

C. Where the installation of individual disposal systems is considered, the following shall apply:

1. The suitability of the soil for individual systems, the absorptive ability of the soil, surface drainage, ground water level, applicable wellhead protection regulations, and topography shall be the criteria for determining whether or not the installation of individual systems is permissible. Criteria shall be in accordance with the requirements of the city and the Nebraska Department of Environmental Quality and Department of Health.
2. Each lot so served shall be of a size and shape to accommodate the necessary length of tile field at a safe distance from and at a lower elevation than the proposed buildings. Such lot size and shape shall conform to the requirements of the zoning district in which they are located, provided that in no case shall said minimum lot be less than one (1) acre in area where there is a public water supply available at the lot, and two and a half (2 ½) acres where there is not a public water supply available.
3. At least one (1) percolation test shall be made for each lot area being platted, and each test shall be located in close proximity to the proposed individual sewage disposal unit, be numbered and its location shown on the preliminary plat. All percolation tests shall be performed in accordance with the requirements of the Springfield City Council.

Section 5.11 Required Improvements: Water System.

A water distribution system shall be designed and constructed by the subdivider to provide adequate water service to all lots in the proposed subdivision, which shall be connected to a water supply source approved by the City. Where adequate water lines are accessible within 1,320 feet of the final plat, connections to the water line shall be made. Water lines shall be looped according to specifications set by the city council. If tract is located in excess of 1,320 feet from existing water lines, utility lines may be installed but not connected to city systems, at city's discretion.

Design of municipal water mains shall conform to standards and guidelines approved by the City. A water main shall be installed in the proposed right-of-way to serve the lots in the development. All lots shall be served by an individual service line. Materials for water improvements shall meet the requirements of the City's "Materials and Testing Standards and Specifications".

The following requirements shall apply:

- A. Type of Improvement. Within the corporate limits, a water distribution system including all pipes, fire hydrants, valves and other appurtenances shall be provided and said distribution system shall be connected to the public water system in accordance with plans acceptable to the Planning Commission and City Council.

Within the jurisdictional area of the City, but outside the corporate limits, if a proposed subdivision is so located with regard to an adequate public water supply line, either existing or proposed within one (1) year from the date of application for final plat approval or that said water line is located within five hundred (500) feet of the proposed subdivision or can be reached if the cost of connecting to said water line and installing an adequate distribution system to all lots shown upon said plat, exclusive of connections from individual structures, is equal to or less than one hundred fifty (150) percent of the cost of installing an individual water supply system for all lots, then adequate connecting lines to said public water system shall be constructed.

If the subdivision is not so located relative to a public water line, the City may authorize a community well system. In addition, the City may require a plan for future extension of such utilities, including permanent easements, for utilities throughout the proposed subdivision.

- B. Standards. When applicable, improvement plans for a permanent water system shall be provided showing pipe sizes, type of pipe, locations of fire hydrants and valves and, if applicable supply facilities, booster pumps, elevated or ground level storage tanks and other appurtenances.

Design standards of said system shall be subject to the approval of the City in accordance with the following standards;

1. The minimum main or pipe size shall be determined by the type of uses to be served and the provision of adequate fire flow capacities. Generally, water lines shall be at least six (6) inches in diameter.
2. The maximum distance between fire hydrants shall be determined by the City, but generally any portion of the proposed subdivision shall be within two hundred fifty (250) feet radius of a fire hydrant.
3. Gate valves on cross-connecting water lines shall be so located that no single break in the distribution system shall require more than five hundred (500) feet to be out of service in high value districts or eight hundred (800) feet in other districts.

Valves or cross connecting mains shall be so located that a break in the secondary distribution system will not necessitate shutting down major distribution lines.

Design standards of the water distribution system shall be in compliance with the requirements of the Nebraska Department of Health and Human Services.

- C. Fire hydrants shall be provided by the developer in all subdivisions with public water supplies. The hydrants shall be located between property lines and curbs with all outlets facing or parallel to the street. Hydrants shall be placed at the corners of all blocks and mid-block for blocks exceeding eight hundred (800) feet in length. Hydrants shall also be required at the entrance and end of all cul-de-sacs exceeding four hundred (400) feet in length. The type of hydrant and control valves and the location of the hydrant shall be approved by the utility superintendent and city engineer. The minimum size of any water line serving any hydrant shall not be less than six (6) inches in diameter and should be circulating water lines. The size and location of water lines shall be approved by the utility superintendent and city engineer.

Section 5.12 Required Improvements: Cost of Over-Size Improvements.

Minimum street pavement widths for streets shall conform to the standards established in Schedule A of this Ordinance. Minimum utility sizes shall be determined by the standards of the City with regard to providing service to the subdivision in question. Where pavement widths or larger pipe or main sizes are deemed necessary by the Planning Commission and City Council, the City shall bear the extra cost of providing such greater width or larger pipe or main sizes. The subdivider shall be required to pay for that part of the construction costs for the arterial streets, trunk sewers, or water lines which are serving the proposed subdivision as determined by the Planning Commission and City Council. The City shall pay the remainder of the costs.

Section 5.13 Required Improvements: Extensions to Boundaries.

The subdivider may be required to extend all necessary improvements to the boundaries of the proposed subdivision at his/her expense to allow for service to future anticipated developments on adjoining lands, as determined by the Planning Commission and City Council.

Section 5.14 Required Improvements: Off-Site Extensions.

If streets or utilities are not available at the boundary of the proposed subdivision or within the distances or costs established in Section 5.11 of this Ordinance and the Planning Commission determines that extensions across undeveloped areas are not warranted, the subdivider, if he/she wishes to proceed with the development, shall pay the cost of such off-site improvements and provide for appropriate off-site easements prior to the approval of the final plat. Such improvements shall be available for connections by subdividers of adjoining lands subject to City approval.

If the City elects to participate in the extension of street, utilities or other public improvements across such tracts, the City Council may establish a connection fee to said lines as reimbursement for the construction of such lines.

ARTICLE 6: DEDICATIONS AND RESERVATIONS ON PUBLIC LAND

Section 6.01 Dedication.

As a condition of final plat approval, the subdivider shall dedicate to the public all streets and alleys and easements as may be required by the Planning Commission and City Council. If such streets and alleys are not to be dedicated and are to be developed as private streets, the subdivider shall make adequate provision for a homeowner's association with direct responsibility to and control by the property owners of the subdivision, to provide for the maintenance of all such private streets and alleys and the removal of debris and snow therefrom so as to maintain adequate access at all times for fire, police, sanitation, utility and emergency vehicles. Legal assurances shall be provided which show that the association is self-perpetuating and has the authority to collect assessments from owners of property within the subdivision to accomplish these and other related purposes. The agreement by which the legal assurances are proved shall be an enforceable covenant running with the land in form acceptable to the City. Subdividers of "commercial" type subdivisions may be required to dedicate land for off-street parking as determined necessary by the City.

Such provisions shall also provide for agreement of the property owners that if the City is requested or required to perform any reconstruction, maintenance, repair, or snow removal from such streets in order to maintain adequate access, said owners shall pay the costs thereof to the City and that if not paid, the same shall become a lien upon the properties until such costs are paid in full.

Section 6.02 Reservation and Dedication of Public Land and Open Space.

Before preliminary or final plat approval is given, the Planning Commission and City Council may require the subdivider to dedicate reserve sites for parks, playgrounds, open space, schools, and other public land consistent with the Comprehensive Plan, as determined by the Planning Commission and City Council. Reservation of land for public acquisition and/or use shall be for a period not to exceed two (2) years from the date the plat is officially recorded unless otherwise provided for in the subdivision agreement. If such reserved site is not acquired by the City or other governmental entity within said two (2) year period, the subdivider may then file to re-subdivide the site for alternative purposes and sell any or all of the site.

Where a park, playground, school, or other site for public use indicated in the Comprehensive Plan is located in whole or in part in the applicant's subdivision the Planning Commission and City Council will determine the density and location of said park(s) or site(s) and may require the immediate acquisition, reservation or accept the dedication of such area.

Section 6.03 Park Dedication Fee.

As a way of assuring adequate land is available for new parks and facilities and that all existing and new recreational amenities are properly maintained, the City of Springfield has implemented a policy for a park dedication fee for such parks and facilities. Such fee is identified in the Master Fee Schedule and is based on each platted lot regardless of zoning.

Section 6.04 Developer Agreements.

The sections of this article may be implemented through a subdivision agreement between the developer and the City so long as the time and manner of compliance of this article and other provisions of these regulations are adhered to.

ARTICLE 7: IMPROVEMENT PROCEDURE

Section 7.01 Improvements Financing General.

In order to provide consistent information concerning the financing of required subdivision improvements; establish an equitable division of costs between the developer and City; and to insure orderly, cost effective growth in Springfield, the City Council shall require that the developer pay for the following services and improvements indicated as part of the subdivision process:

- A. All costs associated with the preparation and revisions to the Preliminary Plat including but not limited to, surveying, preliminary grading, drawings, and related services.
- B. Unless otherwise agreed to by the City in a Subdivision Improvements Agreement (Assessment District), the developer shall pay for all preparation of all items related to the final plat and those improvements and related costs contained in Article 5.
- C. All costs associated with the preliminary and final subdivision plat application shall be in accordance with the City's Fee Schedule.

Section 7.02 Subdivision Improvements Guarantees.

Prior to the final plat approval, but after approval of all improvements plans and specifications, the subdivider shall complete all improvements required for the subdivision. Final plat approval shall not be given until the dedication of all appropriate improvements and acceptance thereof by the City Council.

In lieu of requiring the completion of all improvements prior to the final plat approval, the City Council may enter into an agreement with the subdivider whereby the subdivider shall guarantee to complete all improvements required by this Ordinance and approved by the Planning Commission and City Council in a manner satisfactory to the City Council. To secure this agreement, the subdivider shall provide, subject to the approval of the City Council, one (1) or more of the guarantees set forth in Sections 7.03, 7.04 and 7.05 below.

Section 7.03 Surety Performance Bond.

The subdivider shall obtain a performance bond from a bonding company authorized to do business in the State of Nebraska. The bond shall be payable to the City and shall be in an amount to cover one hundred ten (110%) percent of the cost of all improvements, as estimated by the subdivider and accepted by the City Council upon recommendations of the City Engineer. The duration of the bond shall be until such time as the improvements are accepted by the City Council in accordance with Section 7.06 of this Ordinance.

Section 7.04 Escrow Account.

The subdivider shall deposit cash, or other instrument readily convertible to cash at face value, either with the City Council or in escrow with a bank. In lieu of any instrument other than cash, and in the case of an escrow account, the bank with which the funds are to be deposited shall be subject to the approval of the City Council. The amount of the deposit shall be an amount equal to one hundred ten (110%) percent of the estimated cost of all required improvements as estimated by the subdivider and accepted by the City Council upon recommendation of the City Engineer.

In the case of an escrow account, the subdivider shall file with the City Council an agreement between the bank and himself guaranteeing the following:

- A. That the funds of said escrow account shall be held in trust until released by the City Council and may not be used or pledged by the subdivider as security in any other matter during that period.
- B. That in the case of a default on the part of the subdivider to complete said improvements, the bank shall immediately make the funds of said account available to the City Council for use in completion of the improvements.

Section 7.05 Security Agreement.

The subdivider shall provide a security agreement guaranteeing the installation of all required improvements. The security agreement must be approved by the city attorney and in an amount sufficient to guarantee the installation of all improvements.

In case of an escrow account, the subdivider shall file with the city council an agreement between the bank and themselves guaranteeing the following:

- A. That the funds of said escrow account shall be held in trust until released by the City Council and may not be used or pledged by the subdivider as security in any other matter during that period.
- B. That in the case of a default on the part of the subdivider to complete said improvements, the bank shall immediately make the funds of said account available to the city council for use in completion of the improvements.

Section 7.06 Improvement (Assessment) Districts.

As to those portions of the subdivision that are situated within the corporate limits of the City, the developer may petition the City to create Improvement (Assessment) Districts to allow for the financing of improvements within the subdivision. Depending on the City's financial condition, the City's evaluation of risk of failure or delay in subdivision build-out, or other sufficient reason as determined by City, the City may or may not grant the Subdivider's request. In the event the City creates assessment districts, the subdivider shall deposit with the City funds equal to 20% or more of the cost of improvements as determined from the City Engineer's estimates prior to receipt of bids and award of contracts. The City may finance up to 80% of the cost of construction of said improvements. Such petition shall be in the form prescribed by the City and shall be executed by the owners of all the lots situated within the proposed improvement district. The cost of all such improvements in the district which are constructed shall be specially assessed against the land benefited thereby, to the full extent of special benefits, and unless otherwise agreed to in writing by the City prior to the time of the City's approval of the Final Plat, the entire cost of all public improvements in said subdivision shall be deemed to be of special benefit to the property situated therein, and the full cost thereof, including engineering fees, attorney's fees and other related costs, shall be specially assessed against such property. The City shall, in no event, be bound to form such a district, and if such a district be formed, the City shall not be required to install improvements therein until, in the opinion of the City, economic conditions warrant such installation; provided, the City shall have the right to limit the size of the final plat if the area of the tentative plat is more than ten acres.

As to those portions of the subdivision that are situated outside the corporate limits of the City but within the zoning jurisdiction of the City, the developer may cause such improvements to be constructed by a street improvement district or sanitary and improvement district in accordance with the appropriate state

law. However, the City Engineer shall not certify to the City that the required improvements have been satisfactorily arranged for until the developer presents certified evidence that the improvement district has been duly formed and has adopted a resolution of necessity authorizing a contract for the required work in that portion of said road improvement district or sanitary and improvement district included in the Final Plat. It is further provided, however, that if the City has approved a Final Plat for a phase of the area comprised in the Preliminary Plat, the developer may submit for final platting the next phase only if the required improvements have been installed in the first phase, or have been contracted for as above provided in the phase comprised in the Final Plat theretofore approved. Subsequent applications for final platting shall be processed in the same manner.

All improvement districts situated outside the corporate limits of the City but within the zoning jurisdiction of the City shall be in accordance with the City of Springfield Development Guidelines for Sanitary Improvement Districts.

Section 7.07 Time Limits.

Prior to the granting of final plat approval, the subdivider and the City Council shall agree upon a deadline for the completion of all improvements. Such dealings shall not exceed two (2) years from the date of final plat approval, provided, however, the City Council may extend that deadline for one (1) additional year where the subdivider presents substantial reason for doing so and provides any additional performance surety made necessary due to inflation or increased cost of completing the improvements

Section 7.08 Required Submittals Prior to Construction.

Prior to construction, the developer shall submit the following to the City Engineer for review and approval.

- A. Shop drawings of materials and equipment to be incorporated into the project.
- B. Executed contract with construction company.
- C. Approved letter of improvements from:
 - 1. Nebraska Department of Health and Human Services
 - 2. Nebraska Department of Environmental Quality
- C. Permits
 - 1. NPDES Permit for storm water discharges from construction sites.
 - 2. NDOR (If applicable).
 - 3. Other Permits (If applicable).

Section 7.09 Installation of Improvements.

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

- A. They may install the required improvements upon acceptance of plans and specifications being approved by the City Council.
- B. Within the corporate limits, they may submit a petition or petitions requesting the City to construct street surfacing, sanitary sewer, and water mains in the proposed subdivision by the district method. In that event, the developer shall have plans and specifications prepared and pay all costs for same, approved by the city staff, City Engineer, and City Council for all such improvement districts. The City shall assess the costs of such improvements to the adjacent property as provided by law.

Section 7.10 Plan Review Reimbursement. (Ord 562)

The subdivider or Sanitary and Improvements District shall reimburse the city the cost of all professional services incurred by the city for Plan Review, Plan Check, and Plan Approval as to conformance with approved City Standards and Specifications plus 1% of the contracted cost for said improvements in the subdivision.

Section 7.11 Failure to Complete Improvements.

If any portion of the required improvements shall fail to be completed and accepted for dedication in compliance with Section 7.13 below, within the required time period, either for reason of non-completion or for reason of substandard and unacceptable construction, the City Council shall do one (1) of the following:

- A. Where improvements have been guaranteed under Section 7.03 of this Ordinance, the bond shall be forfeited to the City.
- B. Where improvements have been guaranteed under Section 7.04 of this Ordinance, the City Council shall declare whatever security has been pledged as a guarantee to be forfeited.
- C. Where the City Council is not already in possession of said security, it shall immediately take the actions necessary to obtain it. Upon receipt of the security, the City Council shall use such to finance the completion of the improvements or rebuilding of substandard improvements. Unused portions of the surety shall be returned to the subdivider without interest.

Section 7.12 Testing Requirements.

The City will retain and the Developer shall pay for the services of a certified testing laboratory to provide the following testing during construction:

- A. Grading/Fill Testing
- B. Trench Testing
- C. Subgrade Testing
- D. Concrete Testing
 - a. Air
 - b. Slump
 - c. Strength

- E. Pavement Thickness Testing
- F. Sanitary Sewer Main Testing
 - a. Low Pressure Air Test
 - b. Alignment and Deflection Test
 - c. TV Inspection
- G. Water Main Testing
 - a. Bacteriological Samples
 - b. Hydrostatic Pressure Test
- H. Storm Water Pollution Prevention Plan (SWPPP) Monitoring
 - a. Storm Water Construction Site Inspection Report by a certified erosion and sediment control inspector
 - b. Erosion and Sediment Control Maintenance Report by a certified erosion and sediment control inspector

Testing Data to be submitted to the City as each element of project is completed. The City of Springfield “Infrastructure Standards and Specifications” outline the required frequency of each test.

Section 7.13 Inspection and Certification.

Upon completion of the improvements, the developer or designated agent shall file with the City a statement either certifying that the improvements meet the requirements of the city or provide a statement indicating the improvements do not meet the requirements of the approved improvement plans and specifications.

Upon completion of the improvements, the subdivider through use of a registered professional engineer shall file with the City a statement stipulating the following:

- A. That all required improvements are complete.
- B. That these improvements are in compliance with the minimum standards specified by the City.
- C. That there are no known defects from any cause in the improvements.
- D. That these improvements are free and clear of any encumbrances or lien.

If the City Engineer or other authorized person has certified that the improvements are complete and free from defect, the City shall accept any dedication of improvements. The City Council may, at its discretion, accept the dedication of any portion of the improvements provided that all statements and agreements specified above have been received for that portion of the improvements.

The developer or other authorized person shall regularly inspect condition of required improvements for defects.

Section 7.14 Reduction of Guarantees.

In those cases where improvement guarantees have been made under Section 7.03 or 7.04 of this Ordinance, the amount of the guarantee may be reduced upon acceptance in compliance with Section 7.02 of the dedication and acceptance of a portion of the improvements.

Section 7.15 Release of Guarantees.

Upon acceptance, in accordance with Section 7.01 and 7.02 of this Ordinance, the City Council shall authorize the release of the performance bond or the remaining portion of the escrow.

Section 7.16 Operation and Maintenance.

It is the intention of the City to provide no services other than planning, zoning and subdivision regulations administration to the jurisdictional area beyond the corporate limits of the City. Therefore, it shall be the obligation of the subdivider to present to the Planning Commission and City Council, a precise approach for the operation and maintenance of improvements in the subdivision. Said approach may include formation of districts, homeowners associates or other methods to operate and maintain such improvements. Said approach shall be binding on the subdivider in a form, agreement, or contract acceptable to the City Council.

ARTICLE 8: WAIVERS

Section 8.01 Granting of Waivers (Exceptions) and Conditions.

In addition to the exceptions contained in this Ordinance, the Planning Commission may recommend and the City Council may grant waivers from the provisions of these regulations, but only after determining that:

- A. There are unique circumstances or conditions affecting the property that are not the result of actions by the subdivider.
- B. The waivers are necessary for the reasonable and acceptable development of the property in question.
- C. The granting of the waivers will not be detrimental to the public or injurious to adjacent and nearby properties.

Section 8.02 Recording of Plat.

In no case shall the requirement of filing and recording a plat for subdivision be waived.

Section 8.03 Planned Unit/Cluster Developments.

The Planning Commission and City Council may also grant reasonable waivers to these regulations if the subdivider concurrently submits an application for, and obtains approval of, a Planned Unit Development of cluster development. The subdivider shall indicate where the plans vary from the requirements of this Ordinance and shall present evidence to support such requests.

Section 8.04 Amendments.

Any provision of these Regulations from time to time may be amended, supplemented, changed, modified or repealed by the Governing Body according to law; provided, however, that such amendments, supplements, changes, modifications or repealed provisions shall not become effective until after public hearing and report by the Planning Commission.

ARTICLE 9: ADMINISTRATION/ENFORCEMENT

Section 9.01 General.

The following apply towards administration of this Ordinance:

- A. It shall be the duty of the city staff to enforce these regulations and to bring to the attention of the Planning Commission and City Council any violation or lack of compliance herewith.
- B. No owner, or agent of an owner, of any parcel of land located in a proposed subdivision, shall transfer or sell any parcel before a plat of such subdivision has been approved by the Planning Commission and City Council in accordance with the provisions of these regulations, and filed for record with Sarpy County Register of Deeds.
- C. The subdivision, including re-subdivision, of any lot or any parcel by the use of metes and bounds description for the purpose of sale, transfer or lease which would evade these regulations shall not be permitted. All such subdivisions shall be subject to all the requirements contained in these regulations.
- D. No building permit shall be issued for the construction of any building or structure located on a lot or parcel subdivided, sold, transferred or leased in violation of the provisions of these regulations.

Section 9.02 Fees for Parks and Open Spaces.

To aid the acquisition of parks and open spaces as needed or as indicated in the Comprehensive Plan, each residential subdivider shall deposit with the City Clerk, a sum set by the City Council, based on the total number of lots in the Final Plat. Where the subdivider dedicated land for a proposed park, playground, school or other public use, other than streets and alleys, and as provided the fees are waived equal to no more than fair market value as determined by the County Assessor, of the property dedicated. Any fees received shall be reserved and used for public park land acquisition. Such fee is identified in the Master Fee Schedule.

Section 9.03 Amendments.

Any provision of this Ordinance may be amended, supplemented, changed, modified, or repealed from time to time by the City Council according to law, provided however, that such amendments, supplements, changes, modification or repealed provisions shall not become effective until after the study, written report and recommendation by the Planning Commission to the City Council.

Section 9.04 Violation/Penalties.

Any person, firm or corporation who fails to comply with the provisions of these regulations shall, upon conviction thereof, be guilty of a misdemeanor and shall be punishable by a fine of not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) plus the cost of prosecution for each violation, and in default of payment of such forfeiture and costs, imprisonment in the county jail until payment thereof for a period not exceeding thirty (30) days. Each day a violation exists or continues shall constitute a separate offense.

ARTICLE 10: ANNEXATION AND RECORDING OF PLAT

Section 10.01 Subdivision Annexation of Adjoining or Contiguous Properties.

All Subdivisions or additions laid out adjoining or contiguous to the corporate limits shall be included within the same and become part of the municipality for all purposes whatsoever, upon approval of and acceptance by resolution of the City Council.

Section 10.02 Petition for Annexation.

Any subdivision in which there are lands dedicated to the city or any subdivision serviced by public utilities shall be annexed to the city. Before approval for the final plat is given, the municipal body shall receive a petition for annexation from the owners of the subdivided properties, unless waved under the provisions of the subdivision agreement.

ARTICLE 11: LEGAL STATUS PROVISIONS

Section 11.01 Severability.

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 11.02 Repeals.

All ordinances of the City inconsistent herewith to the extent of such inconsistency, and no further, are hereby repealed. The repeal of any of the abovementioned ordinances does not revive any other ordinances or portions thereof by said ordinances. Such repeals shall not affect or prevent the prosecution or punishment of any person for the violation of any ordinance repealed hereby, for any offense committed prior to the repeal.

Section 11.03 Effective Date.

This ordinance shall take effect and be in force from and after its passage and publication according to law.

Section 11.04 Adoption.

This subdivision ordinance was adopted and approved this ___ day of _____, 20__ by the City Council of the City of Springfield, Nebraska.

(seal)

Mayor

ATTESTED: _____
City Clerk

**SCHEDULE A
MINIMUM STREET STANDARDS**

| Street Classifications | Minimum Right-of-Way (ft.) | Minimum Pavement Width ¹ (ft.) | Minimum Number of Traffic Lanes | Maximum Grade (%) | Minimum Centerline Radius (ft.) (Curve Data) | Minimum Sight Distance (VC) ³ (ft) | Minimum Pavement Thickness ⁴ (in) |
|--|----------------------------|---|---------------------------------|-------------------|--|---|--|
| Arterial Street ⁶ | 100 | 44 ⁷ | 2 | 6 | 700 ⁵ | 400 ⁵ | 9 |
| Collector Street | 80 | 36 | 2 | 10 | 300 | 300 | 8 |
| Local Street | 60 | 28 | 2 | 10 | 200 | 200 | 7 |
| Alleys | 20 | 12 residential 20 commercial | 1 | No max. | 100 | None | 7 |
| Cul-De-Sac ² and Loop Street | 60 | 28 | 2 | 10 (average) | 100 | 300 | 7 |
| Marginal Access (Frontage Road) (No Parking) | 50 | 25 | 2 | 8 | 100 | 300 | 7 |
| Minor Streets (No Parking) | 50 | 28 | 2 | 10 | 200 | 200 | 7 |
| Private Road ⁸ | 60 | - | 2 | - | - | - | - |

1. Pavement width measured back to back of curb.
2. Minimum right-of-way radius for the cul-de-sac turnaround shall be sixty-five (65) feet and the minimum pavement radius for the cul-de-sac turnaround shall be fifty (50) feet. Larger dimensions will be required in commercial and industrial areas as directed by the City Engineer.
3. (VC) - Vertical Curve of road
4. Strength equivalent to pour-in-place Portland Cement Concrete as per design standards by AASHTO or per geotechnical report
5. Per NDOR Standards or as directed by the City Engineer.
6. All section line roads will be designated as arterial streets.
7. Based on traffic study.
8. Also includes leg portion of flag lots or ingress/egress easements.

**SCHEDULE B
CERTIFICATION AND DEDICATION STATEMENTS**

Section B.01 Acknowledge of Notary

**ACKNOWLEDGE OF NOTARY
STATE OF NEBRASKA
COUNTY OF SARPY**

On the ____ day, of _____ 20____, before me, the undersigned Notary Public, duly commissioned and qualified in for said county approved known by me to be the identical person whose name is affixed to the dedication on this plat and acknowledge the execution thereof to be his/her voluntary act and deed as said _____.

WITNESS my hand and Notarial Seal the day and year last above mentioned.

Notary Public (SEAL)

Section B.02 Surveyor's Certification

SURVEYORS CERTIFICATION:

I hereby certify that I am a professional land surveyor, registered in compliance with the laws of the State of Nebraska, that this plat correctly represents a survey conducted by me or under my direct supervision on _____, that any changes from the description appearing in the last record transfer of the land contained in the final plat are so indicated, that all monuments shown thereon actually exist as described or will be installed and their position is correctly shown and that all dimensional and geodetic data is correct.

(Surveyor, RLS #) Date
(seal)

Section B.03 Approval of Springfield City Planning Commission

APPROVAL OF THE PLANNING COMMISSION OF SPRINGFIELD, NEBRASKA

This preliminary plat of _____ was approved by the Springfield Planning Commission this ____ day _____ 20____.

Chairperson, Springfield Planning Commission

Section B.04 Approval of Springfield City Planning Commission

APPROVAL OF THE PLANNING COMMISSION OF SPRINGFIELD, NEBRASKA

This final plat of _____ was approved by the Springfield Planning Commission this ____ day _____ 20__.

Chairperson, Springfield Planning Commission

Section B.05 Acceptance by Springfield City Council

ACCEPTANCE BY SPRINGFIELD CITY COUNCIL OF

This preliminary plat of _____ was approved by the City Council of the City of Springfield, Nebraska on this ____ day _____ 20__, in accordance with the State Statutes of Nebraska.

Mayor (City of Springfield SEAL)

ATTEST _____
City Clerk

Section B.06 Acceptance by Springfield City Council

ACCEPTANCE BY SPRINGFIELD CITY COUNCIL OF

This final plat of _____ was approved by the City Council of the City of Springfield, Nebraska on this ____ day _____ 20__, in accordance with the State Statutes of Nebraska.

Mayor (City of Springfield SEAL)

ATTEST _____
City Clerk

Section B.07 Acceptance by the Springfield City Engineer

This preliminary plat of _____ was reviewed and approved by the Springfield City Engineer on this ____ day of _____, 20__.

Springfield City Engineer

Section B.08 Acceptance by the Springfield City Engineer

This final plat of _____ was reviewed and approved by the Springfield City Engineer on this ____ day of _____, 20__.

Springfield City Engineer

Section B.09 Acceptance by Sarpy County Register of Deeds

Recorded on this _____ day of _____, 20__.

Sarpy County Register of Deeds (STAMP including book and Page)

Section B.10 Review of Sarpy County Surveyor

REVIEW OF SARPY COUNTY SURVEYOR

This plat of _____ was reviewed by the office of Sarpy County Surveyor on this ____ day of _____, 20__.

Sarpy County Surveyor (SEAL)

Section B.11 County Treasurer’s Certifications

COUNTY TREASURER’S CERTIFICATIONS

This is to certify that I find no regular or special taxes due or delinquent against the property described in the Surveyor’s Certificate and embraced in this plat as shown by the records of this office.

County Treasurer (SEAL) _____
Date

Section B.12 Administrative Plat Approval

APPROVAL OF CITY OF SPRINGFIELD

This Administrative Plat was approved by the City of Springfield this _____ day of _____, 20__.

City Engineer

Zoning Administrator

Section B.13 Owner's Certification

OWNERS CERTIFICATION

I/we the undersigned _____ owner(s) of the real estate shown and (names) described herein, do hereby certify that I/we have laid out, platted and subdivided, and do hereby lay out, plat and subdivided, said real estate in accordance with this plat.

This subdivision shall be known and designated as _____, an addition to the City of Springfield, Nebraska (delete last phrase if the subdivision is located outside of the corporate limits and will not be annexed to the City). All Streets and alleys shown and not heretofore dedicated are hereby dedicated to the public unless specifically noted herein. Other public lands shown and not heretofore dedicated are hereby reserved for public use.

Clear title to the land contained in this plat is guaranteed. Any encumbrances or special assessments are explained as follows: _____.

There are strips of ground shown or described on this plat and marked easement, reserved for the use of public utilities and subject to the paramount right of utility or City to install, repair, replace and maintain its installations.

(Additional covenants or restrictions and enforcement provisions therein may be inserted here or attached to the plat).

Signature

Signature

Section B.14 Lien Holder Consent

The undersigned holder of that certain lien against the real property described in the plat known as _____ (hereinafter "Plat"), said lien being recorded in the Office of the Register of Deeds of Sarpy County, Nebraska as Instrument No. _____ (hereinafter "Lien"), does hereby consent to the dedication of and subordinate the Lien to any utility (sewer, water, electric, cable TV, telephone, natural gas) easements, or streets or roads, pedestrian way easements, and access easements and relinquishments of access, dedicated to the public, all as shown on the Plat, but not otherwise. The undersigned confirms that it is the holder of the Lien and has not assigned the Lien to any other person.

(Name of Lien Holder)

By: _____

(Print the Name of Individual)

Title: _____