Greater Burlington Bicycle and Pedestrian Plan

A Comprehensive Plan for Active Transportation in Burlington and West Burlington

March 2013

RESOLUTION 2013 – 19

APPROVING THE GREATER BURLINGTON BICYCLE AND PEDESTRIAN PLAN

WHEREAS, the City of West Burlington Comprehensive Plan adopted on April 18th, 2007 lists goals to maintain the quality of life within a small city, create more recreation opportunities, and protect the health, safety and welfare of the citizens of West Burlington, and

WHEREAS, the Des Moines County Living Well committee established a goal to improve facilities for bicyclists and pedestrians in Greater Burlington and an objective to create a master plan for trails, sidewalks, and bike routes, and

WHEREAS, the Southeast Iowa Regional Planning Commission and Des Moines County Living Well Committee facilitated the creation of a bicycle and pedestrian master plan, and

WHEREAS, after research, public input, public meetings, data collection, presentations, open houses, surveys, and public participation the Greater Burlington Bicycle and Pedestrian Plan has been prepared for consideration, and

WHEREAS, the City Council reviewed the Greater Burlington Bicycle and Pedestrian Plan at their April 3rd, 2013 meeting and the public was allowed to comment until April 19th, 2013, and

WHEREAS, the City Council has determined that it is in the interest of the citizens of the City of West Burlington, Iowa to approve the Greater Burlington Bicycle and Pedestrian Plan.

NOW, THEREFORE, BE IT RESOLVED that the Greater Burlington Bicycle and Pedestrian Plan for the Cities of Burlington and West Burlington as attached herewith is hereby approved and adopted.

APPROVED and **ADOPTED** this 15 day of May, 2013.

Hans Trousil - Mayor

ATTEST:

Katie Willeford, Deputy City Clerk

Prepared by: City of Burlington Eric Tysland, Development & Parks Director	City Hall, 400 Washington Street, Burlington, IA 52601 (319) 753-8158

RESOLUTION NO. 2013-382

Meeting No. 33 Paper No. 7

Introduced by: Fleming Ayes: Fleming, McCampbell, Anderson + Davidson

Seconded by: McCampbell Nays: none

absent - Reed

RESOLUTION APPROVING THE GREATER BURLINGTON BICYCLE AND PEDESTRIAN PLAN

WHEREAS, the City of Burlington 2032 Comprehensive Plan, adopted on November 19, 2012 identified an action item as: Develop a City-wide Bike and Pedestrian Plan to establish a contiguous, safe network of on-street and off-street bike and pedestrian routes, and

WHEREAS, the Des Moines County Living Well committee established a goal to improve facilities for bicyclists and pedestrians in Greater Burlington and an objective to create a master plan for trails, sidewalks, and bike routes, and

WHEREAS, the Southeast Iowa Regional Planning Commission and Des Moines County Living Well Committee facilitated the creation of a bicycle and pedestrian master plan, and

WHEREAS, after research, public input, public meetings, data collection, presentations, open houses, surveys, and public participation the Greater Burlington Bicycle and Pedestrian Plan has been prepared for consideration, and

WHEREAS, the Planning and Zoning Commission reviewed and recommended approval of the Greater Burlington Bicycle and Pedestrian Plan at their April 1, 2013 meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE BURLINGTON CITY COUNCIL: That the City of Burlington hereby approves and adopts the Greater Burlington Bicycle and Pedestrian Plan.

APPROVED and ADOPTED this 6th day of May, 2013.

Jim Davidson

Jim Davidson – Mayor

ATTEST:

Kathleen P. Salisbury

Kathleen P. Salisbury, MMC – City Clerk

FILED-For Record

MAY 06 2013

CITY CLERKS OFFICE
BURLINGTON, IOWA

Acknowledgements

Bicycle and Pedestrian Plan Committee

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Tyler Bickel, Bickels Cycling and Fitness
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Plan Purpose

The purpose of this document is to create a strategic plan for the development of a bicycle and pedestrian system within the Greater Burlington Area that will focus on building a safe, connected, and easily accessible network of sidewalks, trails, and on road bicycle facilities.

The plan will provide proposed improvements that will offer residents with both transportation and recreational opportunities to connect to parks, historical sites, cultural resources, schools, shopping, dining, and places of employment.

Plan Objectives

The objectives of this plan are as follows:

I. To create a vision for alternative transportation options in the Greater Burlington area

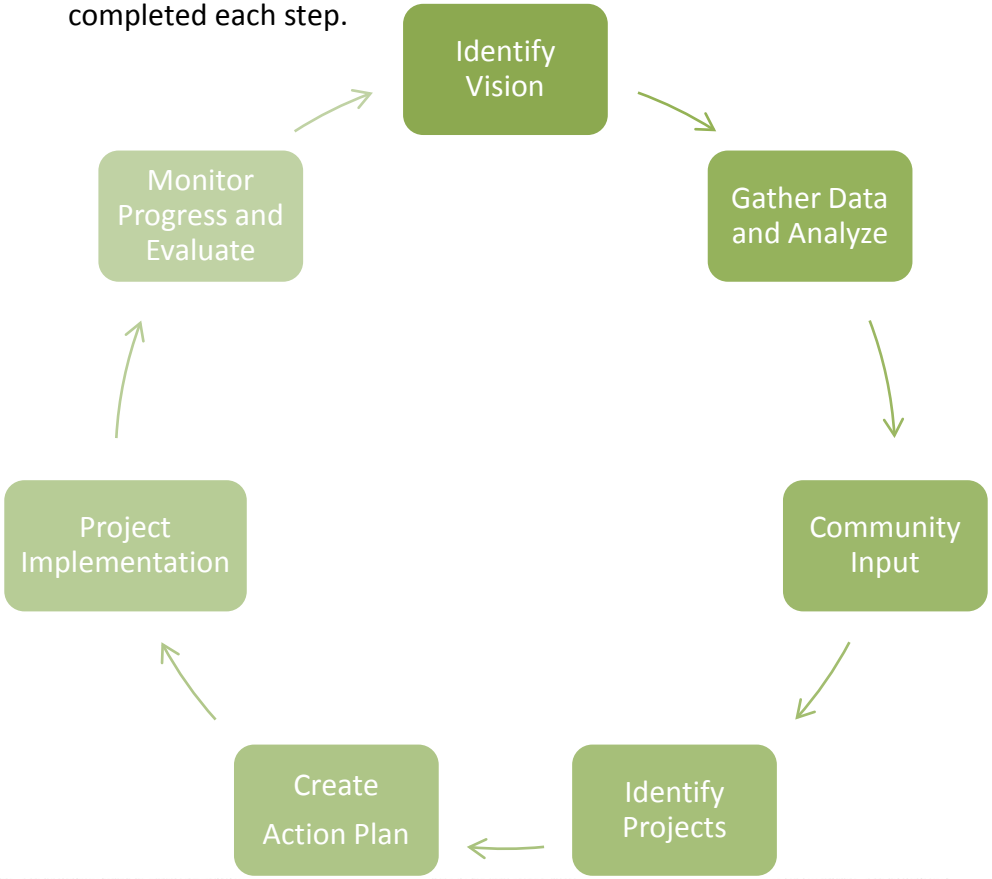
II. To identify and evaluate existing alternative transportation options in the Greater Burlington area

III. To identify the appropriate future facility needs for alternative transportation to accommodate all users in the Great Burlington Area

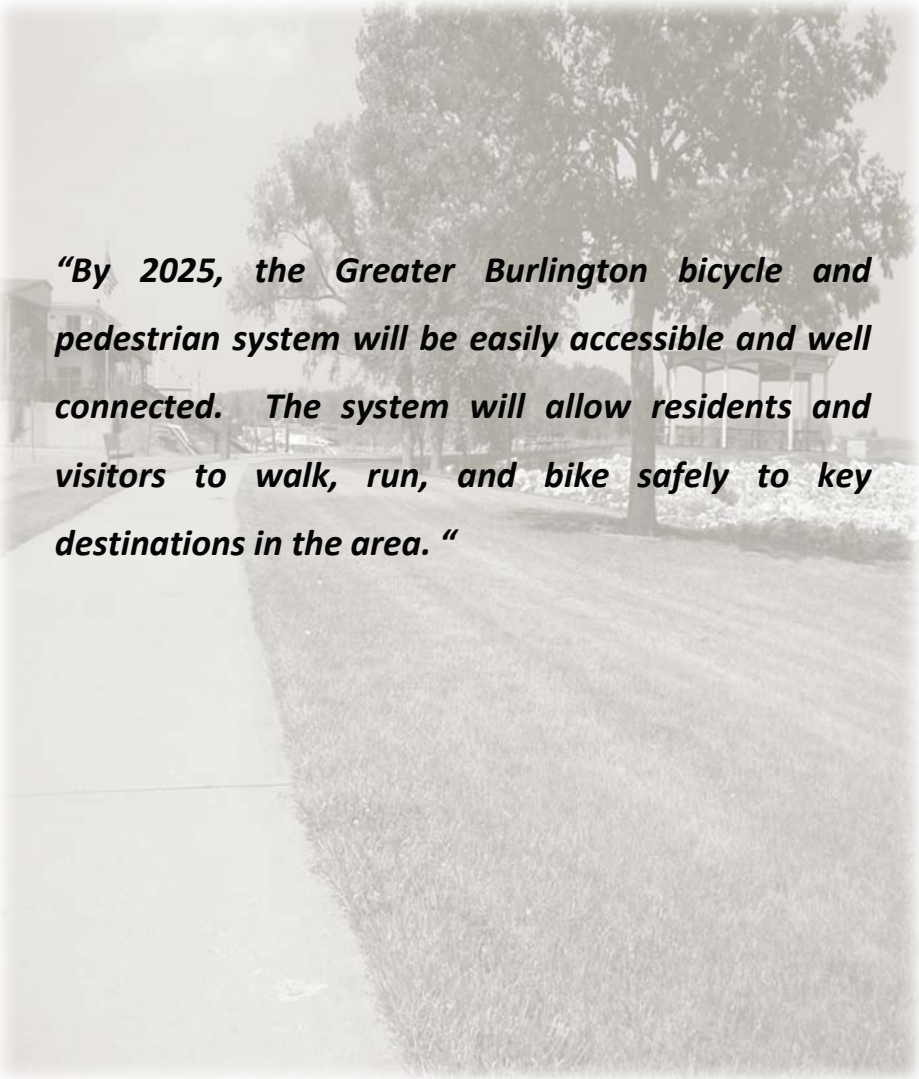
IV. To create a realistic action plan to implement the proposed improvements

Planning Process

The process for the development of this plan has involved a number of different elements as shown in the diagram below. This diagram also shows that this process is continual and will be monitored, evaluated, and updated over time as things change. The diagram shows the different steps involved in the process and also provides specific information on certain steps regarding what was done or who was responsible for completed each step.



Vision Statement



"By 2025, the Greater Burlington bicycle and pedestrian system will be easily accessible and well connected. The system will allow residents and visitors to walk, run, and bike safely to key destinations in the area. "

What makes up the Bicycle and Pedestrian System?

The Greater Burlington Bicycle and Pedestrian Plan incorporates a variety of facility types in the overall system including bike lanes, shared roads, paved shoulders, shared use paths, side paths, and sidewalks. Below are descriptions and pictures of these different elements that will be incorporated into the Bicycle and Pedestrian System.

Bicycle Lane or Bike Lane

A portion of a roadway which has been designated by striping, signing and pavement markings for the preferential or exclusive use of bicyclists

Share-the-Road Routes

These segments include designated bicycle routes on paved roads with light to moderate traffic, in urban or rural settings. Typically referred to as *shared lanes or shared roadways,* these facilities include a lane of or an entire traveled roadway that is open to both bicycle and motor vehicle travel. Below are typical signs designating bike routes and notifying motorists bikes are allowed to use the roadway.

Sharrows are a pavement marking used to designate a shared lane or shared roadway where bicyclists may use the full lane. Sharrows are typically marked with a bicycle symbol with chevron arrows above the bike to designate travel direction as seen below.

Paved Shoulders

Roadway shoulders are designed primarily for road safety and emergency use along busier routes, but can also accommodate shared roadway use by bicycles. They provide relatively wide, well-defined spaces along heavily traveled roads. Bicycles are preferably separated from motor vehicles by paint strips, recessed rumble strips, green strips, or other well-defined separations. This is typically utilized in rural settings, but can work in urban settings where right of way and shoulders are adequate.

Shared Use Path

A shared use bath is physically separated from motor vehicle traffic by an open space or barrier and within the highway right of way or within an independent right of way. Shared use paths may be used by a variety of users including pedestrians, skaters, wheelchair users, joggers, and other non-motorized users. Most shared use paths are designed for two way travel.

Sidepath

A sidepath is a shared use path that is located immediately adjacent and parallel to a roadway.

Sidewalk
The portion of a street or highway right of way, beyond the curb or edge of roadway pavement, which is intended for use by pedestrians.

Benefits of Bicycle and Pedestrian Facilities

There are many benefits to communities by having a complete and well connected system of bicycle and pedestrian facilities. Below is a list of the most popular benefits to having trails in a community.

Health and Wellness

- Exercising reduces stress and improves overall wellness.
- Walking is the best and easiest physical activity for most people.
- Providing affordable exercise and recreational opportunities within the community

Recreation and Quality of Life

- Preserving culturally and historically valuable areas
- Encouraging opportunities to meet and interact with neighbors
- Connecting communities to parks, schools, shopping and other recreational facilities

Education

- Allows educational access to protected areas
- Allows people learn about historic, cultural, and natural resources

Crime Reduction

- Reduces crime and illegal activity through regular use and high visibility of user

Alternative Transportation

- Provides alternative routes to get to work, school, shopping, and parks
- Provides additional emergency routes

Economic Gain and Tourism

- Most homebuyers are attracted to properties close to trails.
- Trails can create opportunities for new small businesses or provide existing businesses with new customers
- Enhances property values of communities by connecting them to open space areas
- Helps to attract tourists and new businesses to a community

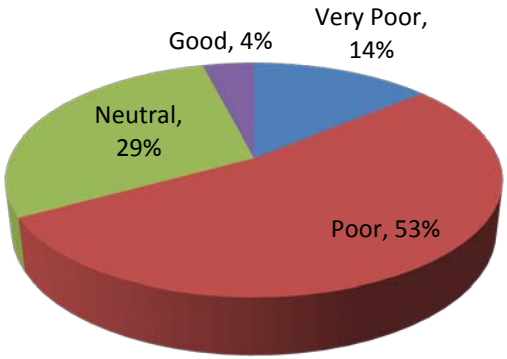
Introduction

To plan for future bicycle and pedestrian development, we must first review the existing conditions and efforts that have been made in the past on developing the local bicycle and pedestrian network. Evaluating the current trails, bicycle routes, and sidewalks will help us to determine where future facilities are most needed. The following pages provide more detail regarding the existing bicycle and pedestrian network, including current amenities available to users throughout the two communities.

Survey Results

The public was invited to complete a survey to assist in identifying issues with the current bicycle and pedestrian network. This survey was administered in July and August 2012 with 124 responses received. Of these responses 62% were from Burlington, 10% from West Burlington, and the other 28% from surrounding communities. The respondents were 58% male and 42% female with 31 to 60 year olds representing 72% of the responses. The following pages cover addition information that was learned from the survey. Full survey responses and comments can be found in Appendix A.

How would you rank the Greater Burlington Area's current bicycle and pedestrian facilities (trails, sidewalks, bike routes)?



* A fifth category of "excellent" received no responses.

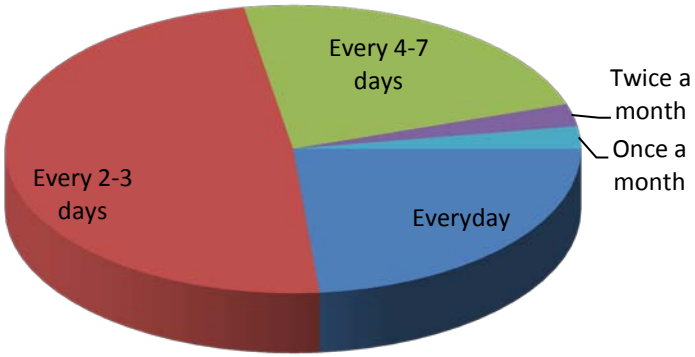
Do you currently (select all that apply)?

Walk	83
Bike	97
Jog or Run	45
Skateboard or Rollerblade	5
None	1

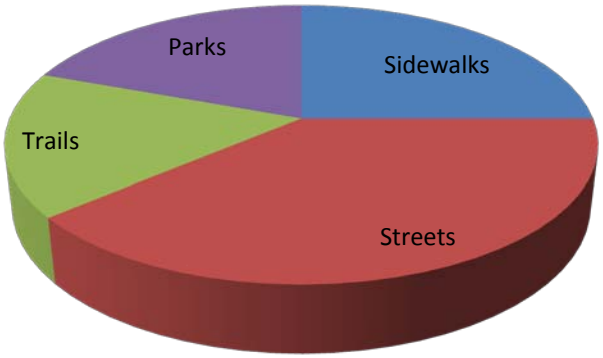
List specific locations where these activities are performed:

Out of 69 responses to this question some common responses included Crapo Park (34), Rec Plex (18), Dankwardt Park (11), Geode State Park (10), and Starr's Cave Park and Preserve (9).

How often do you perform these recreational activities?



Where do you perform the recreational activities you marked in question 5 (select all that apply)?



Where would you like to see new or improved trails/ sidewalks/ road bike facility?

Out of 94 responses top answers include any/everywhere or throughout town (17), connecting or continuing existing (16), and sidewalks (14).

What amenities would you like to see along the trails, sidewalks, on road bike facilities? Where are they needed?

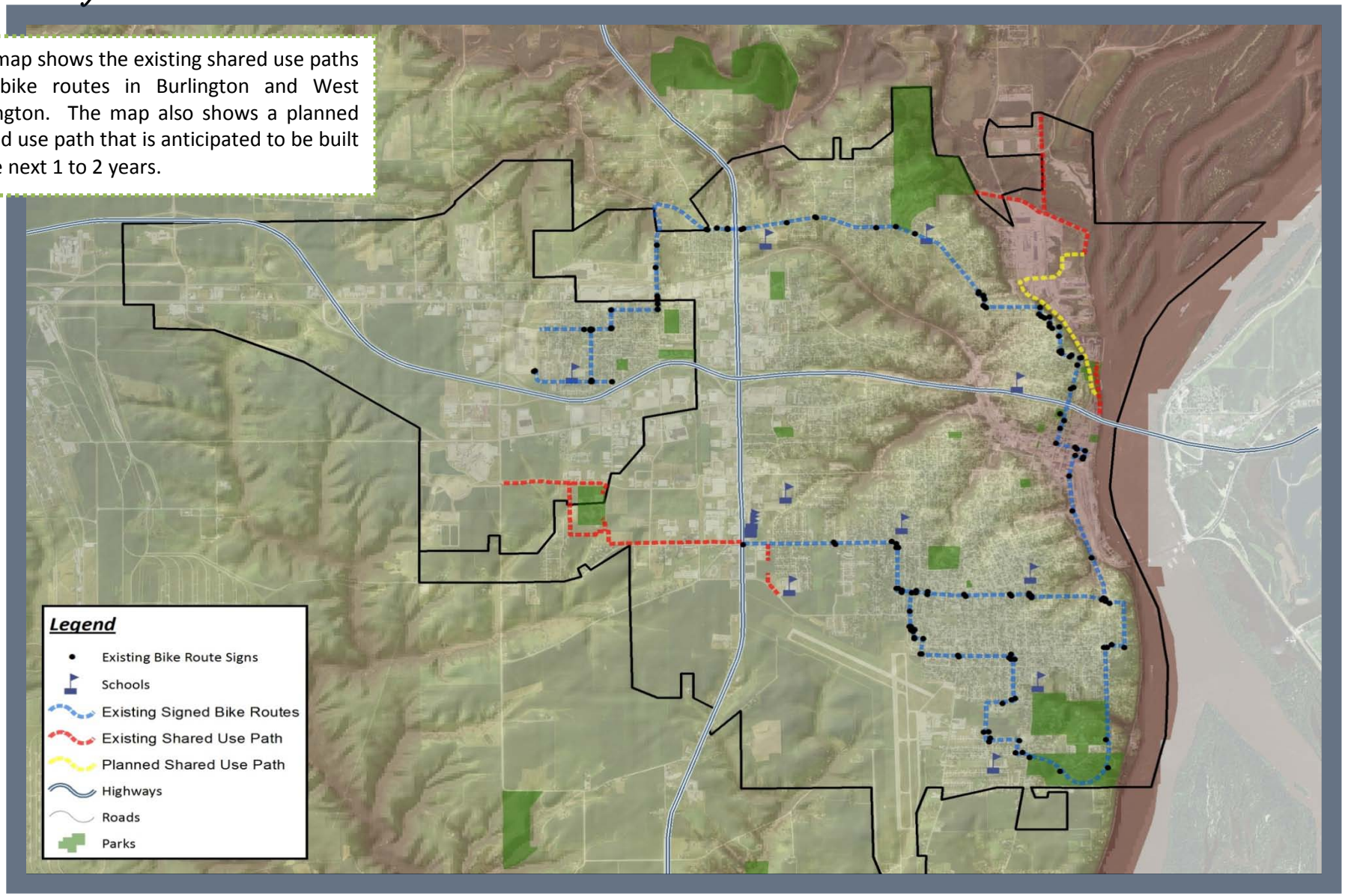
Of the 84 responses the top answers for amenities include water (47), restrooms (37), signage (26), bike racks (18), and resting stations/benches (17).

Would you be willing to do any of the following to assist in construction of the trails?

Privately donate	27%
Pay a tax/fee	34%
Purchase a dedication (bricks, benches, other objects)	29%
None	5%
Other (See comments in Appendix A)	5%

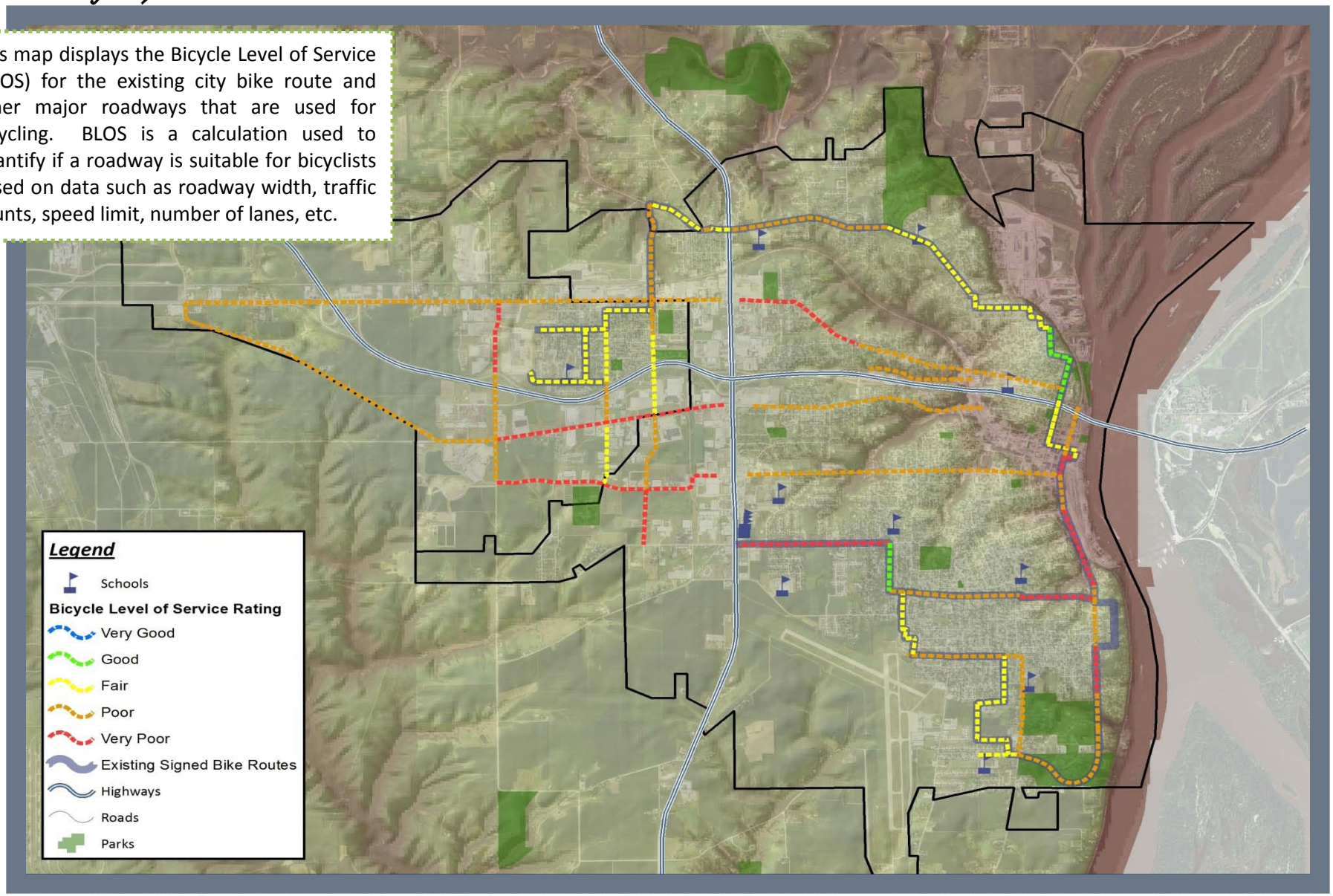
Existing Shared Use Paths and Bike Routes

This map shows the existing shared use paths and bike routes in Burlington and West Burlington. The map also shows a planned shared use path that is anticipated to be built in the next 1 to 2 years.



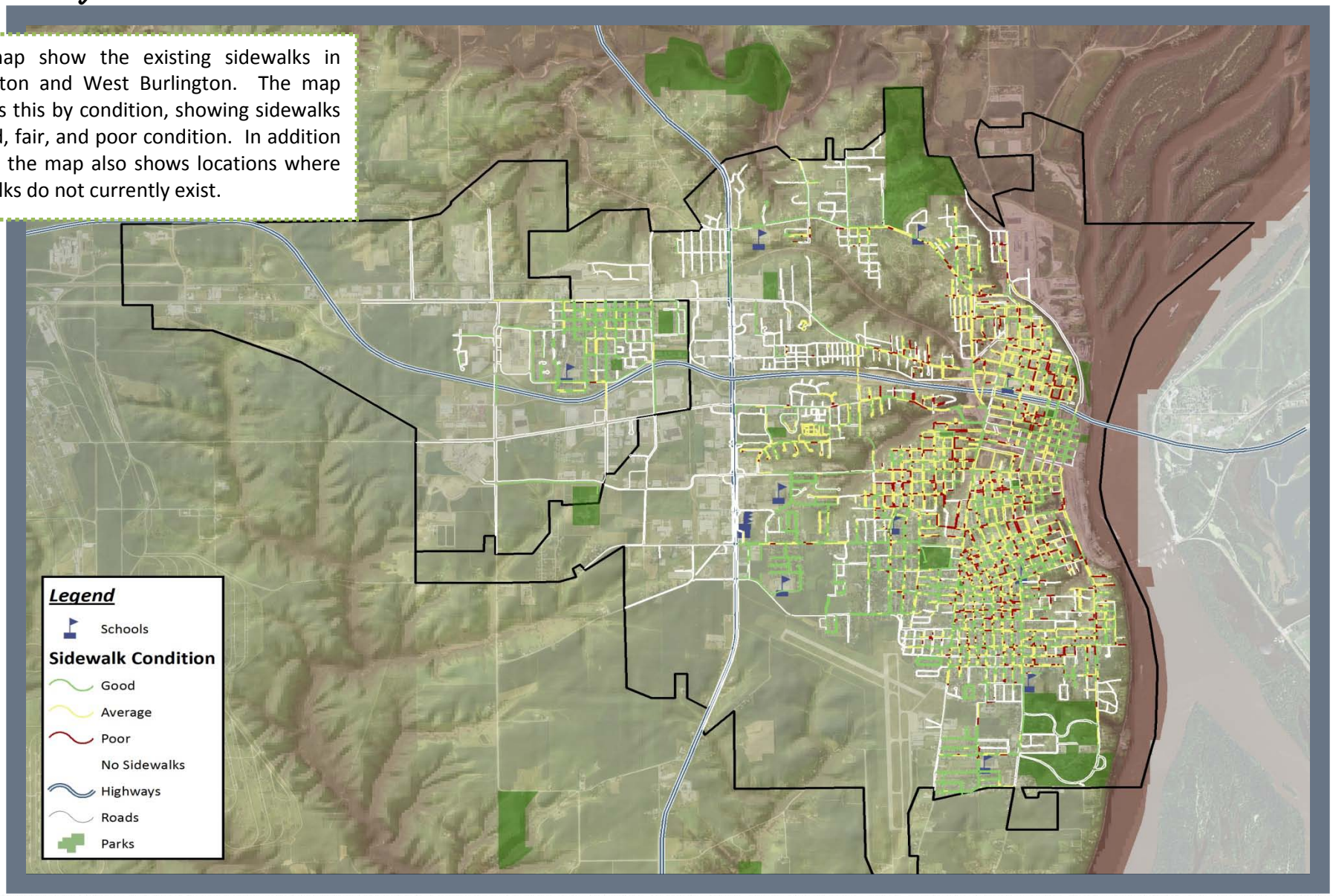
Existing Bicycle Level of Service

This map displays the Bicycle Level of Service (BLOS) for the existing city bike route and other major roadways that are used for bicycling. BLOS is a calculation used to quantify if a roadway is suitable for bicyclists based on data such as roadway width, traffic counts, speed limit, number of lanes, etc.

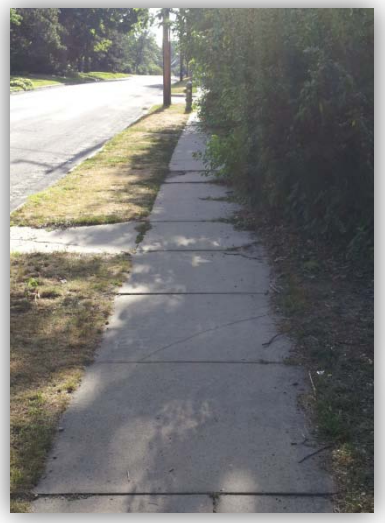


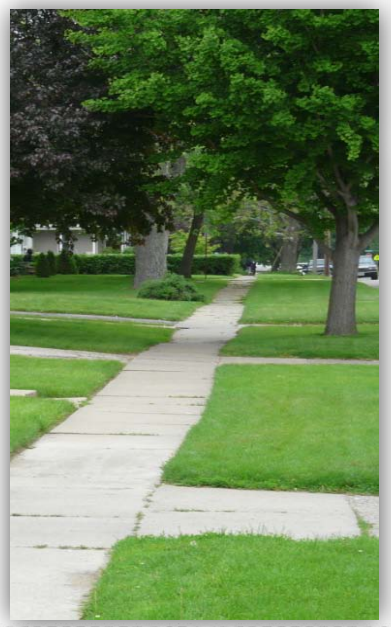
Existing Sidewalks

This map show the existing sidewalks in Burlington and West Burlington. The map displays this by condition, showing sidewalks in good, fair, and poor condition. In addition to this, the map also shows locations where sidewalks do not currently exist.



Pictures of Existing System





Existing City Code Requirements

Several sections of the Burlington and West Burlington city code have references regarding bicycle and pedestrian facilities including:

Burlington City Code

Chapter 17.80 - Subdivision Regulations
Chapter 71 – Traffic Control Devices
Chapter 77 – Pedestrians
Chapter 82 – Bicycle Regulations
Chapter 135 – Street Use and Maintenance
Chapter 137 – Sidewalk Regulations
Chapter 142 – Residential Street Improvements

West Burlington City Code

Chapter 71 – Traffic Control Devices
Chapter 77 – Pedestrians
Chapter 85 – Bicycle Regulations
Chapter 86 – Bicycle Licensing
Chapter 135 – Street Use and Maintenance
Chapter 136 – Sidewalk Regulations
Chapter 142 – Residential Street Improvements
Chapter 170 – Subdivision Regulations

These sections have been reviewed to determine necessary updates to improve the bicycle and pedestrian facilities in these communities. Please refer to Appendix B for complete city code references to bicycle and pedestrian facilities.

Analysis of Existing Conditions

The existing bicycle and pedestrian conditions as evaluated from public input and from existing features needs improvement. This is necessary in order to better the community, to provide greater assets to current citizens, and to offer an attraction for potential citizens or tourists. Currently the system of signed bike routes, trails and the pedestrian facilities that many times features overgrown paths, crumbling sidewalks, or poor placement of features(as seen in adjacent picture) is shown in the public's opinion of the existing conditions. These conditions are represented with 67% of the public survey stating the current system is poor or very poor.

Looking at the pedestrian conditions several issues currently exist. The first issue is the fact that West Burlington and Burlington are not connected in many areas with pedestrian friendly sidewalks or crosswalks. The area between the two cities includes many commercial and industrial properties which should be walkable to allow citizens alternative means of transportation. The lack of such alternative can particularly be seen on Roosevelt Avenue/Highway 61 as it runs through Burlington.

Many public comments noted that pedestrians (and bicyclists) are forced to walk across the Highway 61 Bridge over Highway 34 due to lack of sidewalks. Highway 61 also lacks crosswalks in many areas making it difficult for pedestrians to cross east and west. Sidewalks and crosswalks also are lacking on Agency Road in the commercial and industrial areas, making it dangerous for people walking and biking.

The bicycle and trail conditions also face many of the same problems as the pedestrian system. This includes the lack of a connected system throughout the two cities, with only two existing connections between the cities and only one connection directly between the two bike route systems. This leaves a large area without a connection to an existing route.

Another issue with the existing system is that the amenities provided along routes for the two cities are minimal, with only a few points of access to water, restrooms, bike racks, and resting stations. These four amenities were also the highest requested amenities from the public survey to add for a future system.

The current system of bike routes in both cities when evaluated with the bicycle level of service received poor grades showing that they are not suitable for riders of all ages and skills. This is attributed to a variety of factors, largely that rider dedicated lanes, but also to high traffic volumes, road quality, and speed.

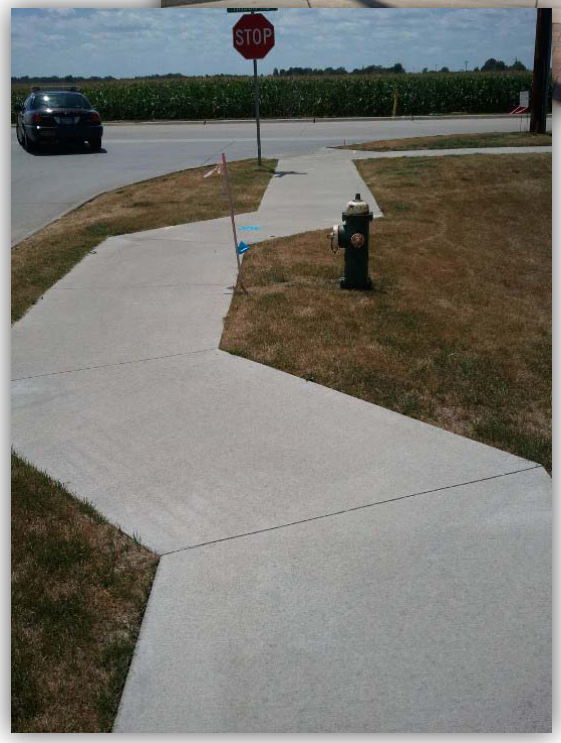
Summary of Existing Conditions

Pedestrian Facilities

- Lack connections between Burlington and West Burlington
- Lack sidewalks in major commercial areas along Highway 61, Agency Road, Mount Pleasant Street, and some schools.
- Crosswalks need to be marked at difficult intersections with high visibility crosswalks
- Overall poor conditions and poor placement of sidewalks

Bicycle and Trail Facilities

- Lack interconnectedness with current bike routes. Only allow two paths between Burlington and West Burlington.
- Confusion with bike route signage
- Majority of roadways are graded poorly by the bicycle level of service scores
- Amenities are lacking
- Lack of off road options



Introduction

The next stage of developing the plan involved utilizing what we have learned from evaluating our existing system and information from the public, who are the users of the system. This involved a survey, public meetings, and also past planning the Greater Burlington Area. In addition to utilizing this information, several key aspects were used to help narrow down the best and highest priority routes for the area, as seen below on this page. The results of this work can be seen by looking at the proposed shared use path, bike routes, and sidewalks on the following pages

Design Issues

- Topography and terrain issues
- Amount of traffic and safety
- Storm water drainage

Proximity to services

- Historic and cultural destinations
- Parks and open spaces
- Local trail linkages
- Existing amenities (gas, food, water, etc.)

Corridor characteristics

- Continuity and connections to regional trails (Flint River Trail, Mississippi River Trail, etc.)
- Multiple uses within corridor
- Logical starting and ending points
- Use of existing infrastructure
- Transportation or commuting potential

Financial and Implementation considerations

- Acquisition and construction cost
- Maintenance feasibility and cost
- Potential for economic development
- Potential for state, federal, and private funding
- Availability of right-of-way
- Opportunity for multi-agency cooperation

Land Use

- Utilizing publicly owned land as much as possible
- Proximity to existing neighborhoods
- Using existing transportation corridors

Natural Landscapes

- Proximity to water, wooded environments, etc.
- Scenic Beauty, Views of River, Vistas

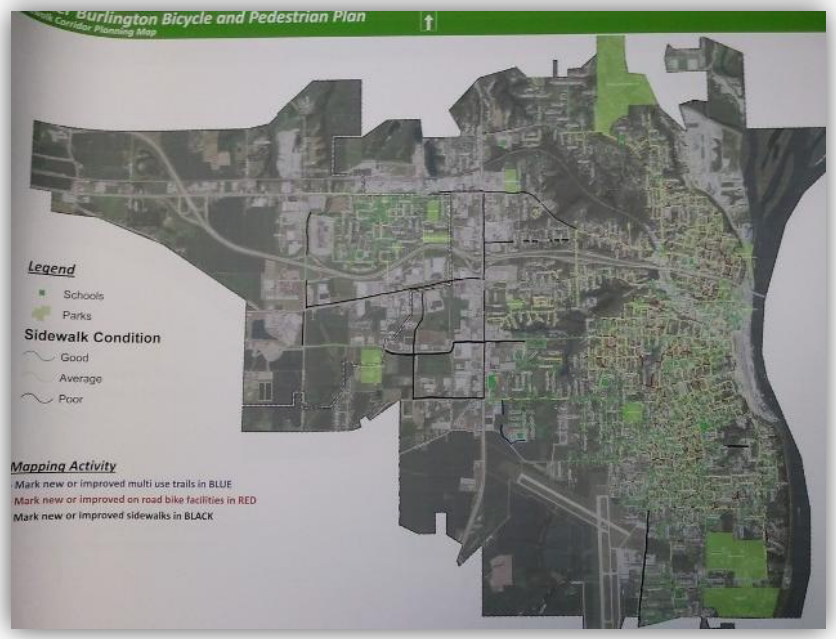
Public Meeting Results

Three public meetings were held by SEIRPC at the beginning of July to gather input on for the bicycle and pedestrian plan. The meetings were held at Burlington Public Library, Great River Medical Center in West Burlington, and in Wever at the end of a Bike Burlington Wednesday night dinner ride.

These meetings were held to provide an overview of the plan, describe the planning process, and to gather public input through a survey and mapping exercise.

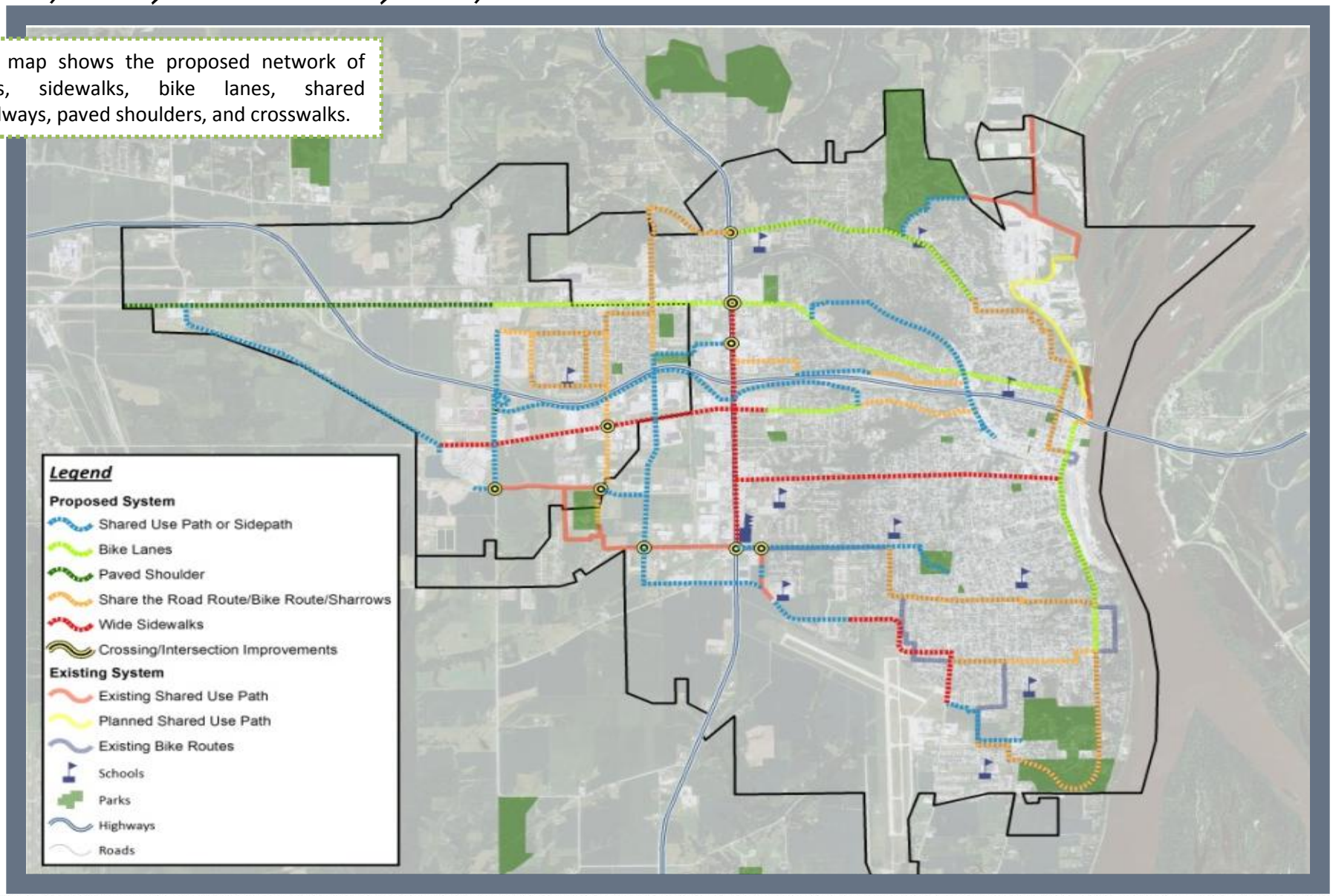
The mapping exercise enabled the public to draw on maps to show where they would like to see sidewalks, trails, and on road bike facilities located or improved in the future. The adjacent pictures provide examples of the maps where participants drew blue routes for multi-use trails and red for on-road bike facilities.

Routes drawn by the public were combined into one map which was used to determine the proposed bicycle and pedestrian network for Burlington and West Burlington. SEIRPC and Shoemaker and Haaland Engineers staff members reviewed the routes identified on this map utilizing the criteria listed on the previous page to determine what would make up the future network. The results of this review can be seen on the following page.



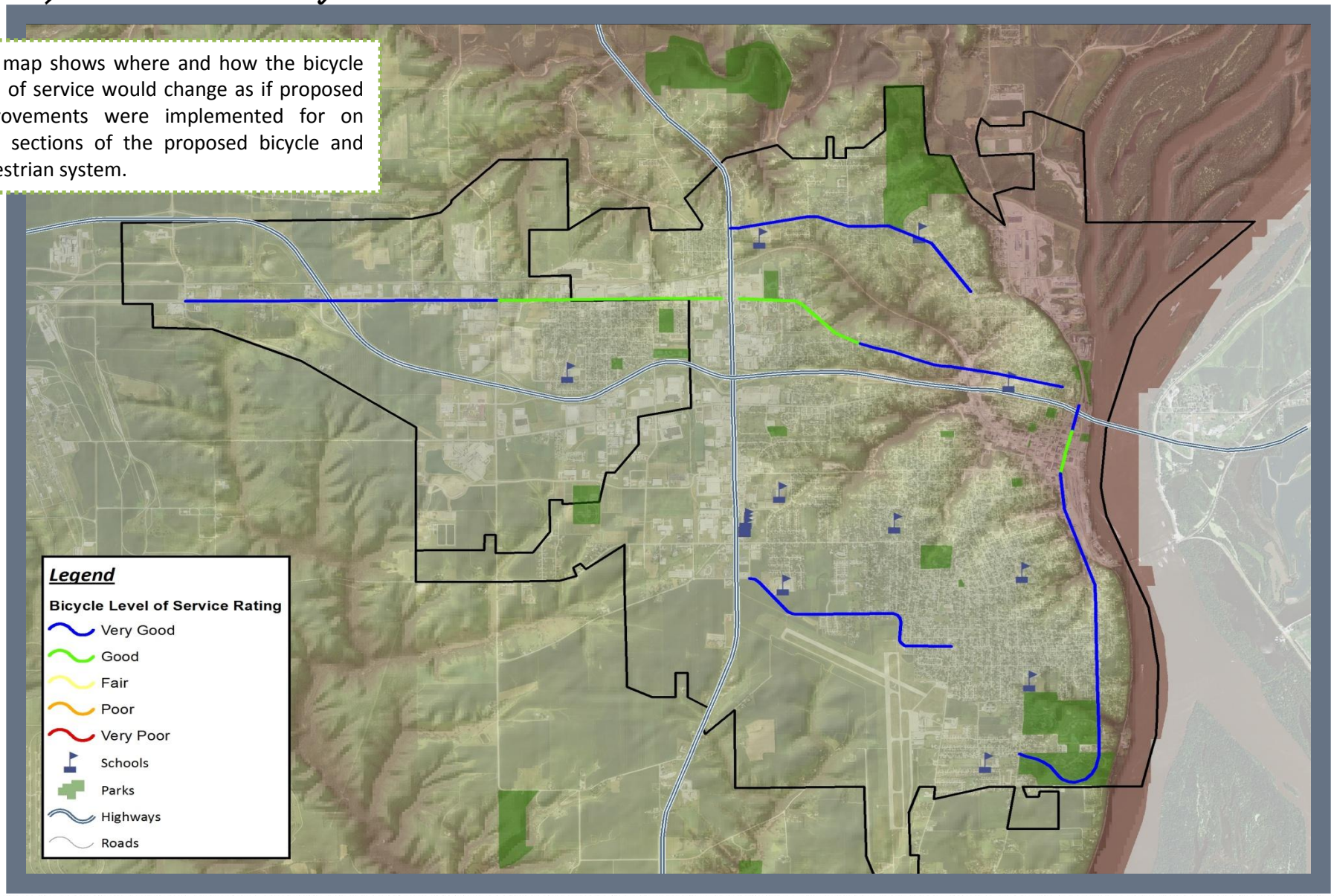
Proposed Bicycle and Pedestrian System Improvements

This map shows the proposed network of trails, sidewalks, bike lanes, shared roadways, paved shoulders, and crosswalks.



Bicycle Level of Service Change

This map shows where and how the bicycle level of service would change as if proposed improvements were implemented for on road sections of the proposed bicycle and pedestrian system.



Proposed Priority Projects

Trail project priorities were identified by staff utilizing input received from public input meetings and the bicycle and pedestrian plan steering committee. The main criteria used in developing the priorities included:

1. Transportation Value (missing links, connectivity to existing transportation facilities, creating bicycle and pedestrian corridors, populations served, safety improvements, connects community resources).
2. Feasibility (estimated costs, funding availability, environmental impacts, constructability).
3. Equitability (serve multiple jurisdictions and multiple user types).

Below is a list of the top priorities (in no particular order), with detailed descriptions of each project listed on the following pages.

- Crossing at Highway 61/Roosevelt Avenue and West Avenue
- Trail along West Avenue from Roosevelt to Terrace Drive
- Trail along Mason Road from Edward Stone Middle School east to existing sidewalk at Haskell Street
- Trail along Gear Avenue from West Street to Huston Street
- Painting Designated Bike Lanes and Shared Lane Markings (Sharrows) along existing Bike Route and Major Roadways

Crossing at Highway 61/Roosevelt Avenue and West Avenue

This project would improve the safety of the crossing at Highway61/Roosevelt Avenue and West Avenue for bicyclists and pedestrians. Specific improvements would include painting a ladder or zebra style crosswalk (see photo to the right), installing a countdown pedestrian head (see photo below), and installing warning signage along Highway 61 /Roosevelt Avenue warning motorists of a trail crossing (see photo below).

Trail along West Avenue from Highway 61/Roosevelt Avenue to Terrace Drive

This project would build a shared use path along the north side of West Avenue from Highway 61/Roosevelt Avenut to Terrace Drive. This would replace the existing bike route along this stretch of roadway, removing bicyclists off of the street. This would also create a connection to an existing shared use path to the south connecting to Edward Stone Middle School and Mason Road. Specific improvements would include Right of Way acquisition, an 8 or 10 foot wide shared use path, and painting a ladder or zebra style crosswalk across the frontage road.

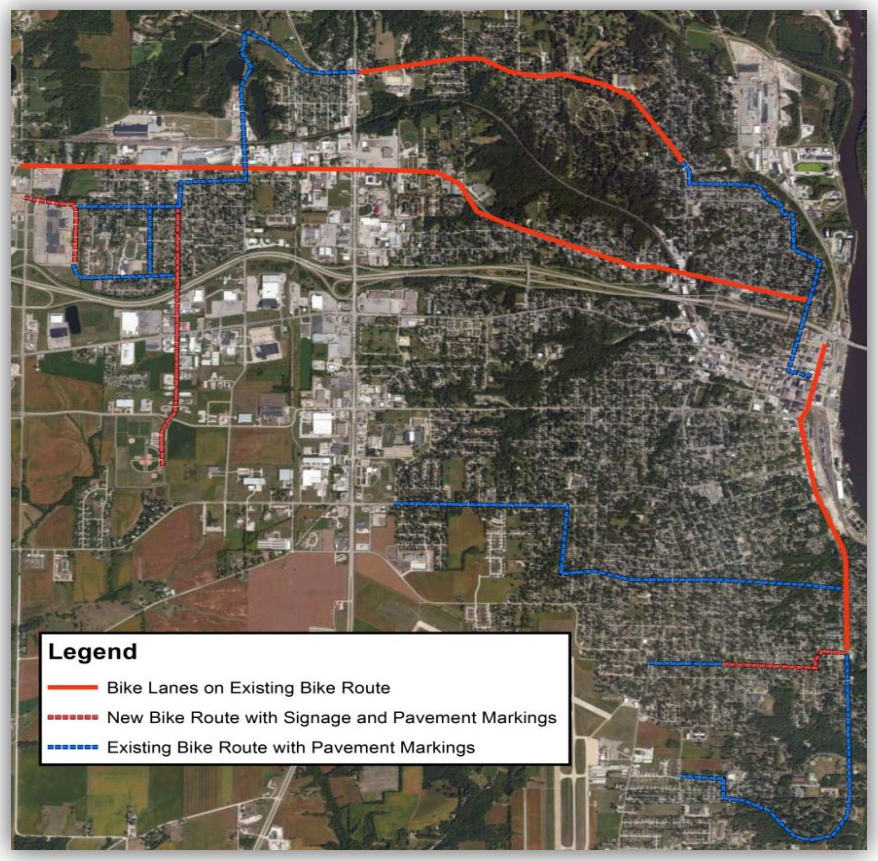
Trail along Mason Road from Edward Stone Middle School east to existing sidewalk at Haskell Street

This project would build a shared use path along the north side of Mason Road from Edward Stone Middle School to existing sidewalk at Haskell Street. This trail would provide a connection from existing neighborhoods west to Edward Stone Middle School, then moving north to the existing bike route/shared use path along West Avenue. Specific improvements would include Right of Way acquisition, a 10 foot wide shared use path, and painting a ladder or zebra style crosswalk at intersections with Sequoia and Columbia.

Trail along Gear Avenue from West Street to Huston Street

This project would build a shared use path along the west side of Gear Avenue from Division Street to Highway 34 and on the east side of Gear Avenue from Highway 34 to Huston Street. This trail would provide a connection from existing trail along West Avenue to the existing bike route on Huston Street. In addition, it would provide a connection to several key community destinations including Great River Medical Center, Southeastern Community Collect, and Westland Mall. Specific improvements would include an 8 or 10 foot wide shared use path, painting a ladder or zebra style crosswalk at intersections with Agency Road, crossing signal at intersection with Agency Road, and an underpass at Highway 34 to switch sides of the street.

Designating Bike Routes, Painting Designated Bike Lanes, and Painting Shared Lane Markings (Sharrows)



This project would include enhancing existing and identifying new bike routes through both communities. Specific improvements would include new signage and pavement markings to new bike routes, new pavement markings along existing bike routes, and designated bike lanes along existing bike routes. (See Section IV for examples of pavement markings)

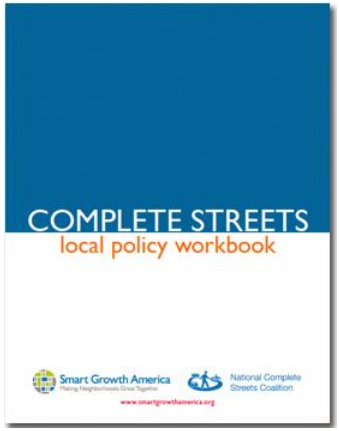
Additional Proposed Projects

In addition to the proposed network, additional projects are proposed to enhance the Greater Burlington Bicycle and Pedestrian network. Below is a list of these projects:

City Code Updates

After reviewing each community's city code, it is proposed that some changes be made including:

- 5 foot sidewalks as the preferred width for replacement and reconstruction of sidewalks with 4 foot minimum
- Definition included for wide sidewalks (6 to 8 feet)
- Description of sharrows and bike lanes including whose responsibility to designate
- Guidelines for types of crosswalks needed at intersections such as when to use ladder/zebra crosswalks vs. two horizontal lines
- Requirement for installation of sidewalks with all new developments
- Development and description of a Complete Streets Policy



Amenities Plan

Amenities, such as bicycle parking, water fountains, bathrooms, bike parking, bike repair stops, and wayfinding signage are a necessary component of a well built bicycle and pedestrian network. A separate plan should be developed focusing on where amenities currently exist and where they are needed along the future network.

Education

As the bike and pedestrian network expands and new facilities emerge such as sharrows/bike lanes, community education will be needed to teach pedestrians, bicyclists, and motorists. Education will need to focus on the different types of facilities, how to use them, and how to be safe when using them. Education programs and events will be needed at all levels from grade school to adults. There are several resources available from organizations such as the League of American Bicyclists, Iowa Bicycle Coalition, and Bicycle Safety Education Resource Center.

Encouragement

Encouragement focuses on promoting walking and bicycling in the communities. As the system grows we want people to be aware of the changes that have been made and encourage them to use the new routes. This could including holding events, creating maps, and providing incentives to people who walk or bike to school.

Analysis of Proposed Bicycle and Pedestrian System

The proposed bicycle and pedestrian system was derived from a variety of sources and addresses many of the existing issues. The first issue addressed was the lack of a safe facility on Highway 61. The proposed recommendations allow pedestrians a safe path along Highway 61 and allows bicyclists alternative routes around the difficult interchange.

Another issue addressed is the lack of interconnectedness of the two systems and some of the city's key features. From the survey the highest responded areas of where people currently perform recreation activities is Crapo Park and other parks. For this reason the proposed system looks to connect the parks with areas of large employment along Highway 61, the hospital, and between the current bicycle routes established.

Addressing the issue of current safety in the existing bicycle route the bicycle level of service was calculated to determine how changes could improve the system as seen in the previous map that shows where a bike lane is dedicated the BLOS improved for all routes. This allows the routes to be used by all ages and varying skill level.

The proposed addition of amenities along the routes and at key features in the city's such as commercial areas, large employers, and near downtowns allows users to experience a more friendly experience and allow them a flexibility they before couldn't have. If users know they can only make it so far before a rest, resting stations throughout allow them relief and to continue using the system for longer periods of time.

Summary of Proposed System

Pedestrian Facilities

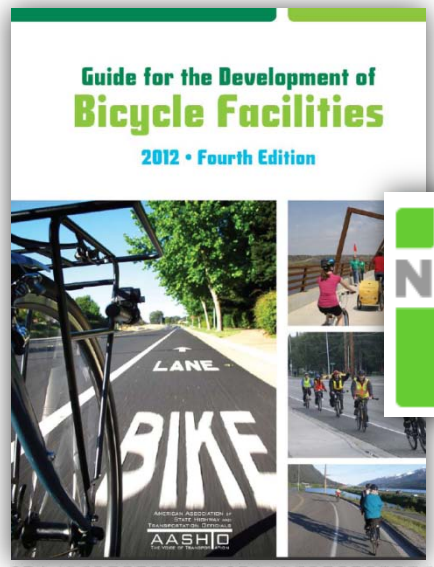
- Connects Burlington and West Burlington
- Allows access along Highway 61, Agency and near new schools.
- Adds crosswalks to difficult intersections, specifically designated crossings along Roosevelt at Sunnyside, West Avenue, and Mount Pleasant Street

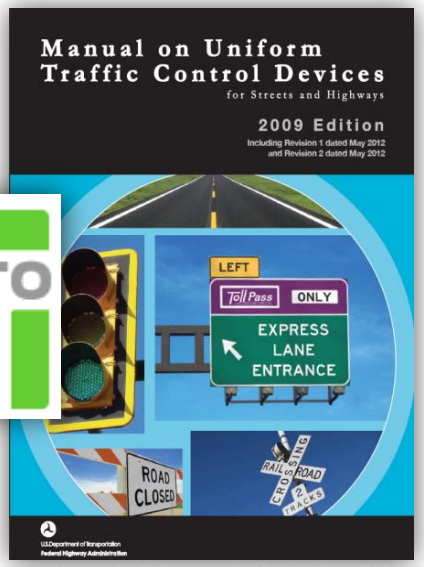
Bicycle and Trail Facilities

- The proposed on-road and off allow bicyclists and other users a connected system of routes throughout both city's connecting key features.
- Adding bike lanes increases the BLOS to an acceptable grade for all ages and varying skill levels along portions of existing bike route
- Adding amenities allows bicyclists and trail users a more friendly experience and allows more flexibility in routes.
- Adds crosswalks to difficult intersections, specifically designated crossings along Roosevelt at Sunnyside, West Avenue, and Mount Pleasant Street

Introduction

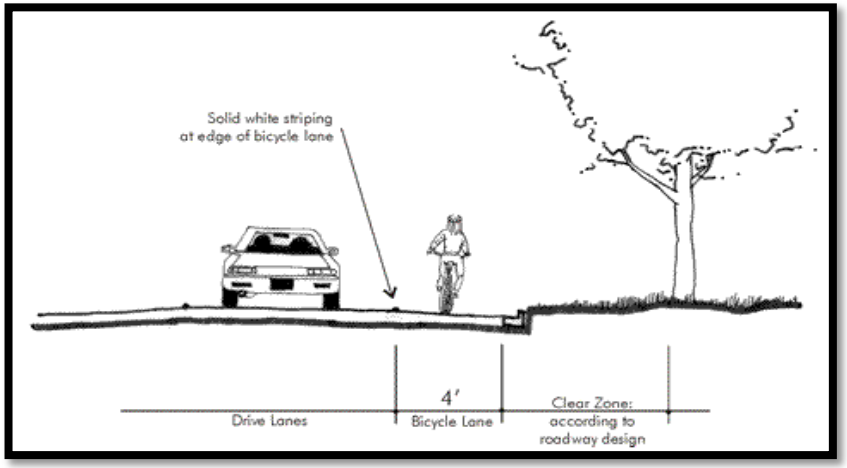
In planning for bicycle and pedestrian facilities current design standards should be used. The American Association of State Highway Transportation Official's (AASHTO) *Guide for the Development of Bicycle Facilities 4th Edition,* Iowa DOT's *Iowa Trails 2000* guide, National Association of City Transportation Officials Urban Bikeway Design Guide, FHWA Designing Sidewalk and Trail Access, and the Manual for Uniform Traffic Control Devices should be the utilized when designing facilities for bicyclists and pedestrian. The following pages provide a glimpse of these standards for the most common facility types, but the documents listed above should be reviewed in full before designing any bicycle or pedestrian facility. These standards should be utilized as the basis for all facility design, but can be adjusted or modified depending on each proposed scenario and needs.

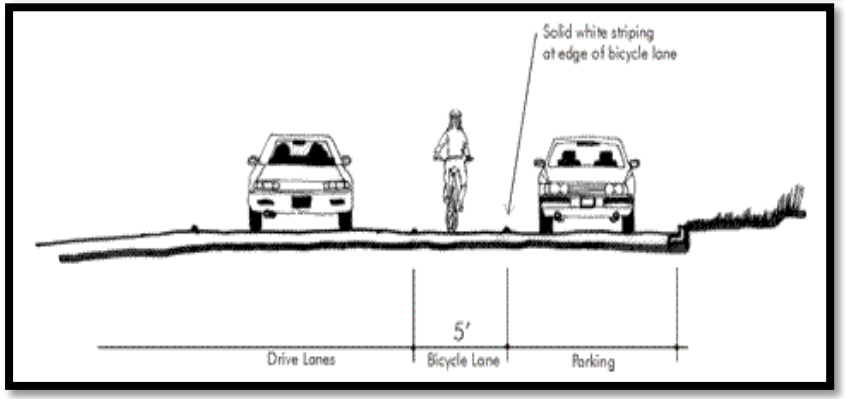




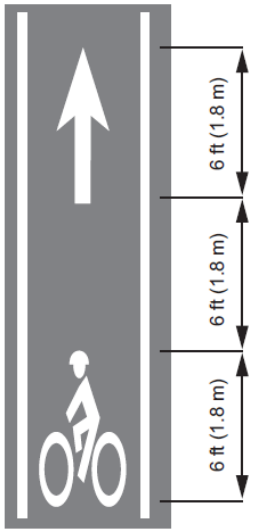
Bike Lanes

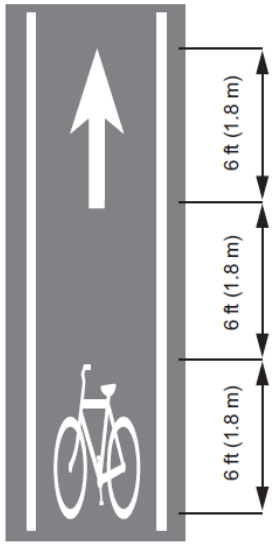
- Minimum width of bicycle lanes should be 4 feet as measured from edge of roadway or 5 feet as measured from the face of the curb or a guardrail to the bicycle lane stripe.
- Desirable width of bicycle lanes should be 5 feet as measured from edge of roadway.
- Minimum width of bicycle lanes adjacent to parking should be 5 feet.





- One of two MUTCD standard pavement markings should be used with spacing between symbols anywhere from 100 feet to 1,000 feet apart depending on the location.





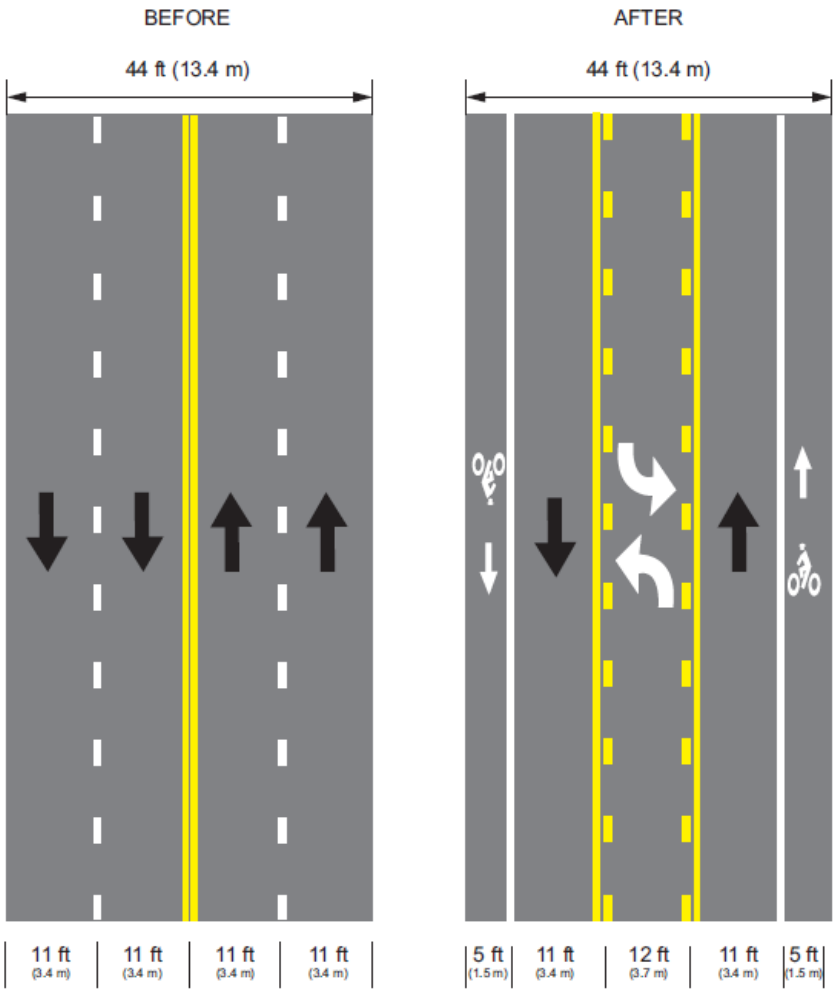
- Bike lane signs should be used only to supplement bike lane lines and markings where needed. Standard MUTCD signs should be used.

R3-17

R3-17aP

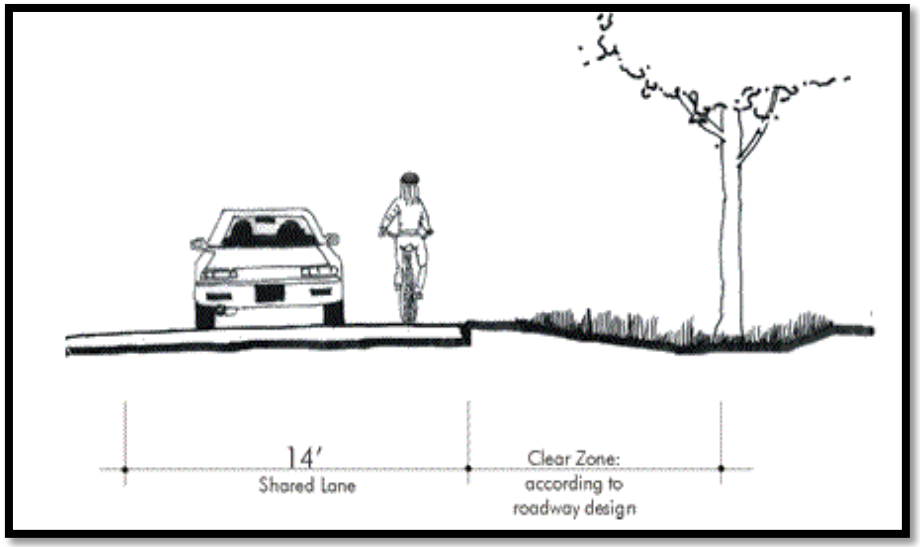
R3-17bP

- Reducing the number of travel lanes or creating "road diets" should be utilized where feasible to integrate bicycle facilities onto existing roadways.

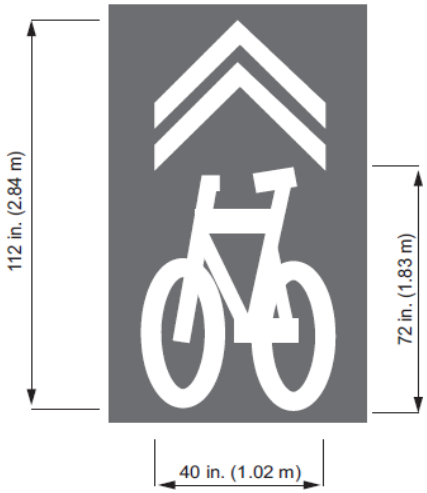


Share the Road Routes

- Lanes of 14 feet of usable lane width or greater allow motorists to pass bicyclists without encroaching and should be the standard width for Shared Lanes
- Lanes of 15 feet should be used in areas with steep grades or where obstructions such as drainage grates may reduce usable lane width.
- Lanes of 16 feet or greater may encourage motor vehicles to use them as two lanes so should be used with caution



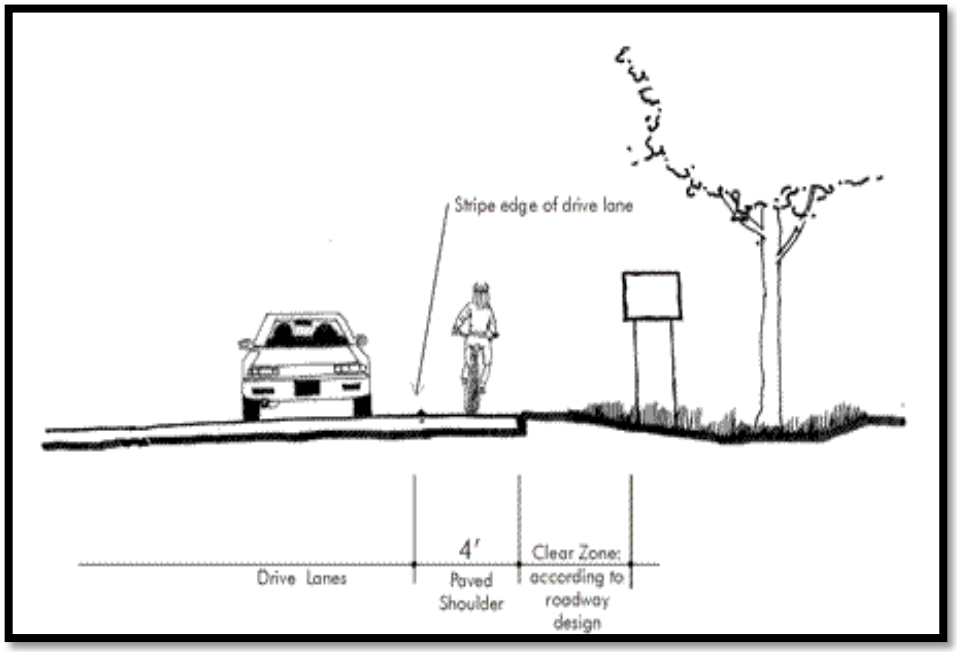
- MUTCD standard pavement markings should be used for marking shared lanes with spacing placed immediately after an intersection and spaced at intervals not greater than 250 feet. Shared lane markings should not be used on roadways with speeds exceeding 35 MPH.



- Shared roadway signs should use standard MUTCD signs to alert motorists that they may encounter bicyclists and need to be mindful and respectful of bicyclists.

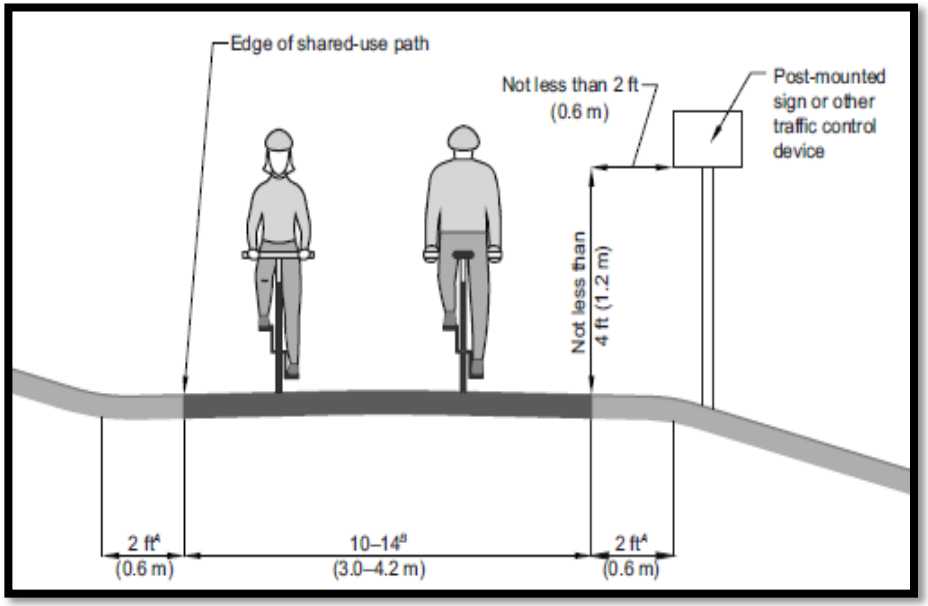
Paved Shoulders

- Paved shoulders should be a minimum of 4 feet to accommodate bicycle travel with greater width preferred for speeds >50mph
- Paved shoulders should be at least 5 feet from the face of guardrails, curbs, or other roadside barriers.



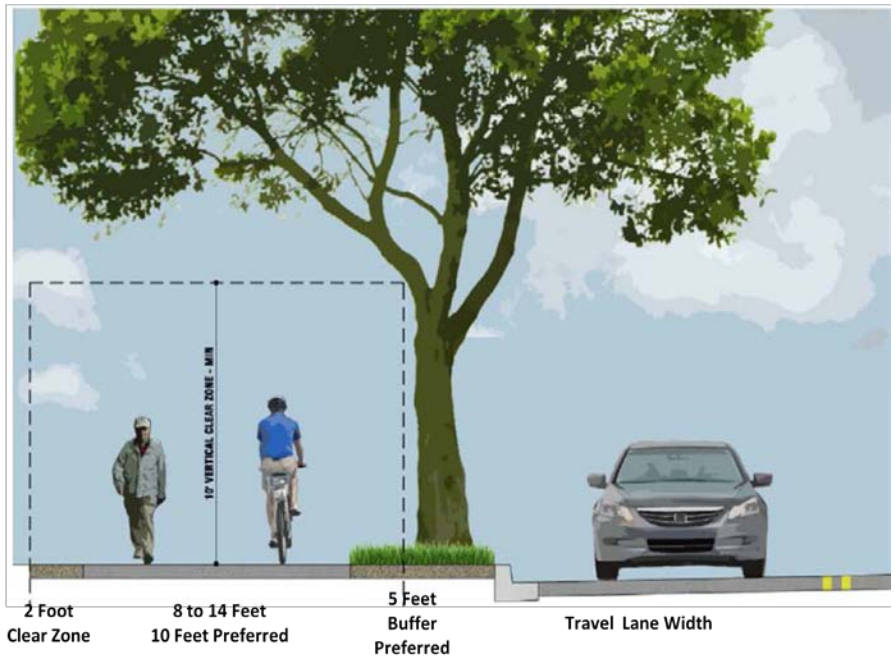
Shared Use Path

- Recommended width for two-way shared use path is a minimum of 8 feet, but should range from 10 feet to 14 feet depending on anticipated trail traffic.
- Should maintain a minimum 2 foot graded area on each side of the trail with a maximum 1V:6H slope.
- A 3 to 5 foot graded area on each side is preferred with a maximum 1V:6H slope.
- Asphalt or concrete are the recommended surfaces for shared use paths in an urban area. The surface of a shared use path should be smooth and free of tread obstacles.



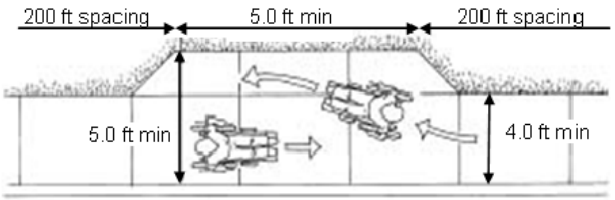
Sidepath

- Recommended width for two-way sidepath is a minimum of 8 feet, but should range from 10 feet to 14 feet depending on anticipated trail traffic.
- Should maintain a minimum 2 foot graded area on each side of the sidepath with a maximum 1V:6H slope.
- A 5 foot separation from the roadway is preferred but can be adjacent to the curb for a sidepath
- Concrete is the recommended surfaces for a sidepath in an urban area. The surface of a sidepath should be smooth and free of tread obstacles.

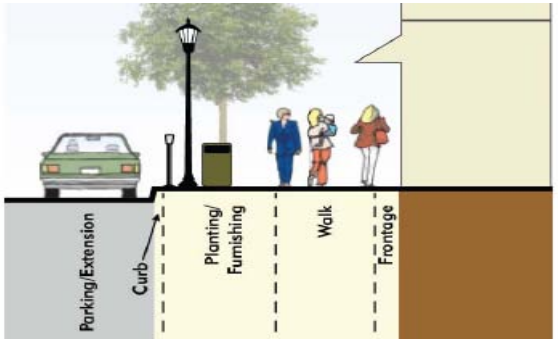


Sidewalks

- Sidewalks should be a minimum of 5 feet in width continuously or 4 feet continuous with a 5 foot by 5 foot passing zone every 200 feet to meet ADA in residential areas.



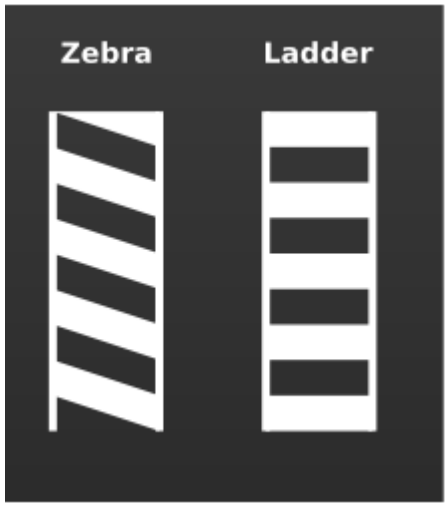
- Sidewalks in commercial areas should be a minimum of 6 feet for walking area and additional space for plantings, furnishings, and store frontages.



- Bypass areas should be made for vertical obstructions such as lighting or sign posts to maintain the width of the sidewalk.

Crossings

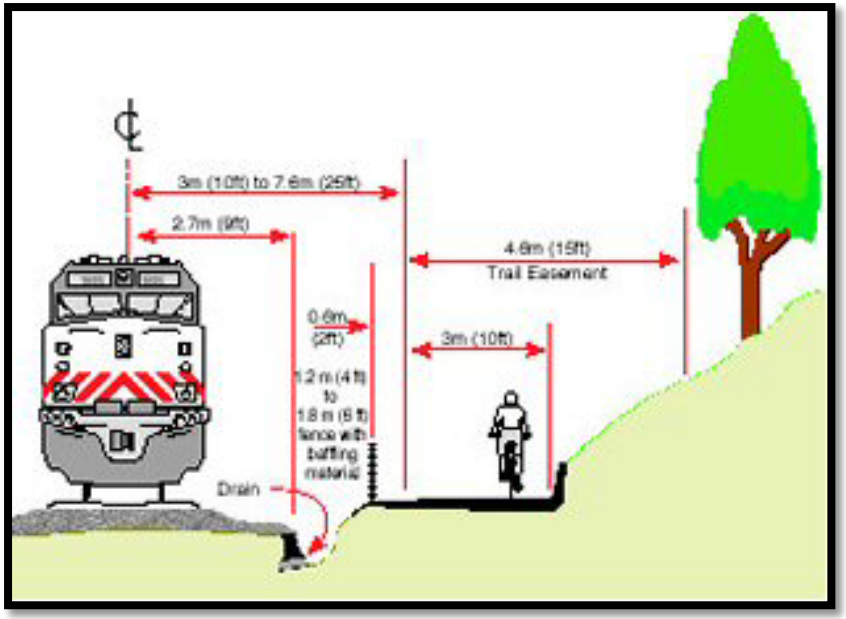
- Marked crosswalks are recommended at intersections between Shared Use Paths, Sidewalks and roadways where
  - Along recommended safe school routes.
  - Areas of substantial conflict between motorists and pedestrians.
  - At arterial crossings in central business districts.
  - Wherever there is a need to clarify or to increase the visibility of the crossing area.
- Marked crosswalks should always be installed at intersections with pedestrian signal heads.
- When crosswalks are marked, high visibility crosswalks are recommended such as ladder or zebra markings.



- Any new or replacement pedestrian crossing signals should be replaced with MUTCD approved pedestrian countdown heads.

Shared Use Paths Adjacent to Railroads

- Should be build to same standards as Shared Use Paths listed above.
- Shared use path should be separated a minimum of 2 feet from the rail line, with a recommended distance of 10 to 25 feet. Distance should be determined by available right of way, speeds of trains, frequency of trains, and willingness of rail operator.
- Shared use paths should provide a barrier to separate from adjacent rail such as fencing, vegetation, or a drainage ditch.



Introduction

The implementation of the proposed bicycle and pedestrian network will require ongoing planning, communication, and funding to see projects completed. This will take the work of several local groups working together to see these projects through. This section outlines general guidelines for these groups to follow for the successful implementation of this plan.

Plan Progress, Prioritization, and Updates

The Greater Burlington Bicycle and Pedestrian Plan itself should undergo periodic and timely updates to evaluate progress and maintain relevant information. It is recommended that the previously mentioned list of priority projects listed in Section III be evaluated and updated on an annual basis. This will allow for continual monitoring of projects to assess what has been completed and what new priorities have come about. A full update of this planning document is recommended after five years to allow for lessons learned from previous projects, while taking advantage of new or anticipated opportunities. These updates should be coordinated to support Comprehensive Plan updates or other major initiatives in the community

Financing Options

Funding for the proposed bicycle and pedestrian network will be crucial to complete the proposed projects. This funding comes from a variety of sources including federal, state, and local government, corporations, foundations, in-kind donations, private donations, and other fundraising activities. While some projects listed in this plan may be considered higher priority than others, the eligibility and use of funds will largely dictate which projects are completed. Below is a list of specific funding sources available that will need to be pursued to ensure the implementation of the proposed projects.

- **Federal Government**
  - Land and Water Conservation Fund
  - Federal Recreational Trails
  - Transportation Alternatives Program
  - Iowa Clean Air Attainment Program
- **State Government**
  - Resource Enhancement and Protection
  - Community Attraction and Tourism
  - State Recreational Trails
- **Foundations**
  - Wellmark Foundation
  - Witte Foundation
  - Murray Foundation
  - Carver Charitable Trust
  - Prairie Meadows Grant Program
  - Bikes Belong
  - National Trails Endowment

Ongoing Maintenance of Bicycle and Pedestrian Facilities

Bicycle and pedestrian facility management, maintenance, and operation are vital for a successful and sustainable system. Maintenance of a bicycle and pedestrian system consists of all the activities necessary to provide safe and usable surfaces for potential users. Typical maintenance activities will include, but are not limited to:

- Inspection of system (including notice to property owners for sidewalk repairs needed)
- Mowing and Edging
- Street cleaning, clearing snow, and clearing brush
- Repair/Replace Damaged Amenities
- Surface Patching and Repair
- Improving drainage to keep water off system
- Painting pavement markings

These activities are critical to maintaining the highest quality experience for trail users and extending the useful life of that facility. Typical trail construction has a useful life of 20 years before needing serious attention, depending on the type of trail and surfacing used in the construction of that trail. Partnerships will need to be formed between local city governments and volunteer organizations will help ensure that adequate resources are available to maintain the trail network. It is also recommended to identify a mechanism through city budgeting, user fees, donations, or a combination of these elements to finance long term maintenance of the system.

Roles and Responsibilities

Ensuring long term success for the implementation of this plan will rely on the assignment of roles and responsibilities to local public agencies and volunteer groups. Organizations that will typically get tasked with these roles and responsibilities for the implementation of the Greater Burlington Bicycle and Pedestrian Plan will include, but are not limited to:

- City of Burlington
- City of West Burlington
- Southeast Iowa Regional Planning Commission
- Bike Burlington
- Team Beast
- Des Moines County Healthy Living

Other entities or groups that may be involved in the implementation of this plan could include:

- 4H clubs
- Boy scouts and girl scouts
- School districts
- Other service organizations/businesses that have the time and willingness to help the cause.

Additional information on roles and responsibilities of specific tasks including plan updates, implementation tasks, and maintenance is provided in the next column.

Plan Updates

As described above, priorities should be updated on an annual basis with a full plan update every 5 years. These updates should be led by Des Moines County Living Well with representation from the City of Burlington, City of West Burlington, and with assistance from the Southeast Iowa Regional Planning Commission.

Maintenance

Maintenance should primarily rest with the City of Burlington and City of West Burlington. Where opportunities exist, volunteer organizations can be relied on to help out. Below is detail on expected roles and responsibilities for maintenance in the future if these facilities are built.

City responsibilities

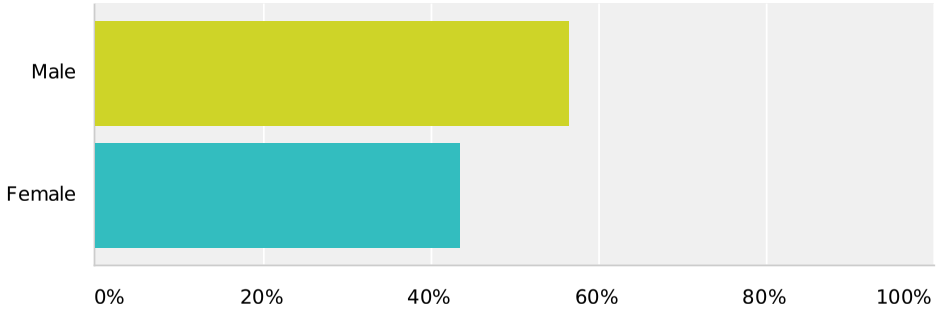
- Inspect system and create management for on road and off road facilities.
- Mowing, cleaning, and clearing of on road facilities and shared use path corridors.
- Patching and repair of shared use path corridors including pothole repair, crack filling, drainage improvements, painting, etc.
- Vandalism and nuisance control
- Enforcement of applicable ordinances, specifically regarding sidewalk conditions.
- Identify opportunities for utilizing volunteers for system maintenance such as inventory, planning, or physical labor

Volunteer group and organization responsibilities

- Public outreach and volunteer organization for planning, development, and maintenance opportunities as identified by the city.
- Create and manage local bicycle and pedestrian maintenance funds through Adopt-a-Trail programs, donations, or other fundraising methods.

Q1 Gender

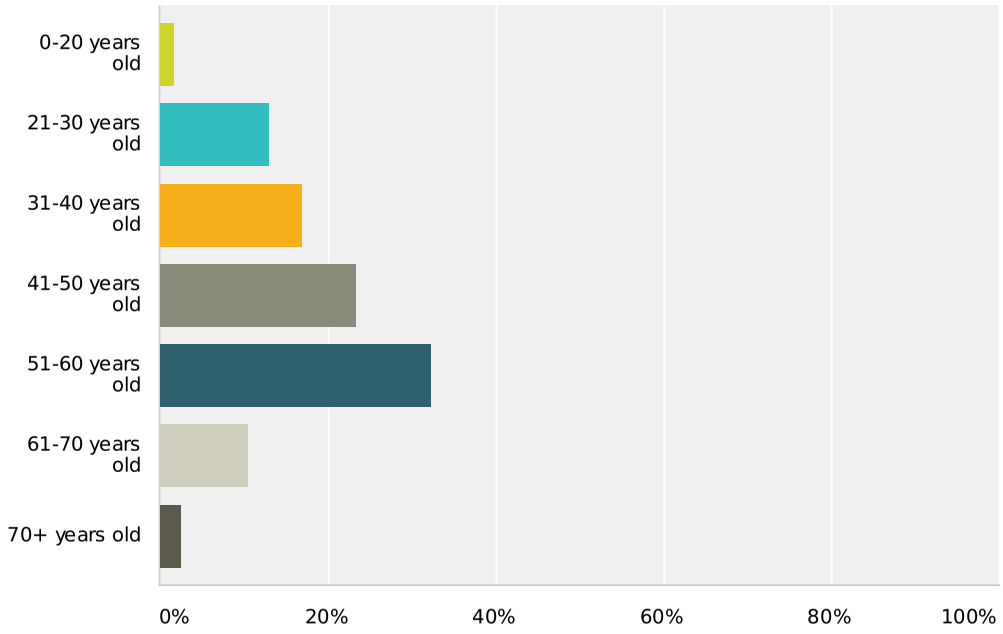
Answered: 124 Skipped: 1



Answer Choices	Responses	
Male	**56.45%**	70
Female	**43.55%**	54
Total		124

Q2 Age Range

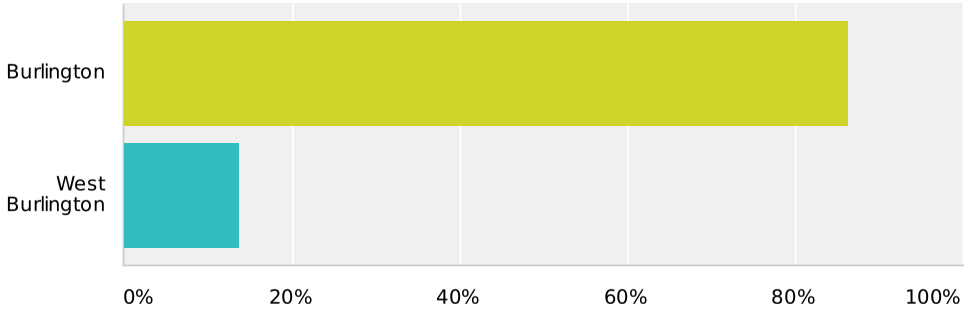
Answered: 124 Skipped: 1



Answer Choices	Responses	
0-20 years old	**1.61%**	2
21-30 years old	**12.90%**	16
31-40 years old	**16.94%**	21
41-50 years old	**23.39%**	29
51-60 years old	**32.26%**	40
61-70 years old	**10.48%**	13
70+ years old	**2.42%**	3
Total		124

Q3 Resident of:

Answered: 88 Skipped: 37



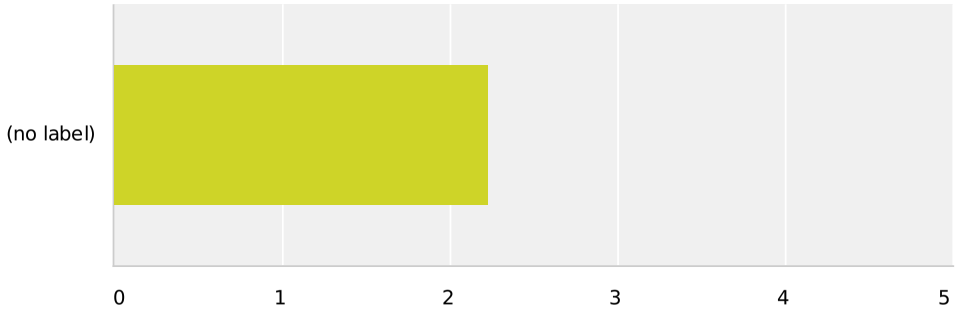
Answer Choices	Responses	
Burlington	**86.36%**	76
West Burlington	**13.64%**	12
Total		88

Resident of:
Other (please specify)

Mediapolis
Des Moines Co
Danville
Unincorporated Des Moines County
Des Moines County
Mediapolis
Mediapolis
Fort Madison
Fort Madison
Fort Madison
Nauroo
Fort Madison
Fort Madison
Fort Madison
Fort Madison
Donnelson
Mt. Pleasant
Mediapolis
Mt. Pleasant
Mt. Pleasant
Mt. Pleasant
Mediapolis
Mediapolis
Danville
Mediapolis
Yarmouth
Sperry
Mt. Pleasant
Carthage, IL
Yarmouth
West Point
Sperry
Danville
Mt. Pleasant

Q4 How would you rank the Greater Burlington Area's current bicycle and pedestrian facilities (trails, sidewalks, bike routes)?

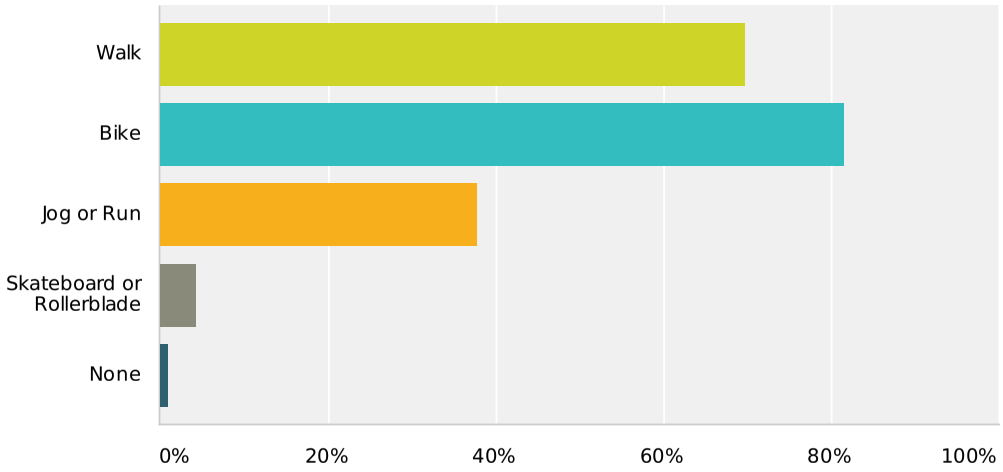
Answered: 100 Skipped: 25



	Very Poor	Poor	Neutral	Good	Excellent	Total	Average Rating
(no label)	**14.00%** 14	**53%** 53	**29.00%** 29	**4%** 4	**0%** 0	100	2.23

Q5 Do you currently (select all that apply)?

Answered: 119 Skipped: 6



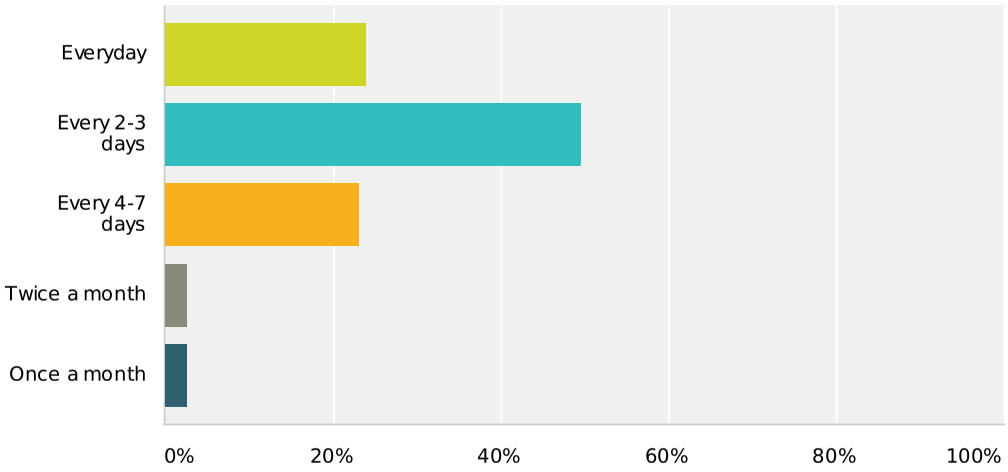
Answer Choices	Responses	
Walk	**69.75%**	83
Bike	**81.51%**	97
Jog or Run	**37.82%**	45
Skateboard or Rollerblade	**4.20%**	5
None	**0.84%**	1
Total Respondents: 119		

Do you currently (select all that apply)?
Other (please specify)

cross country ski
swim
Tennis
Tennis
Swim

Q6 How often do you perform these recreational activities?

Answered: 117 Skipped: 8



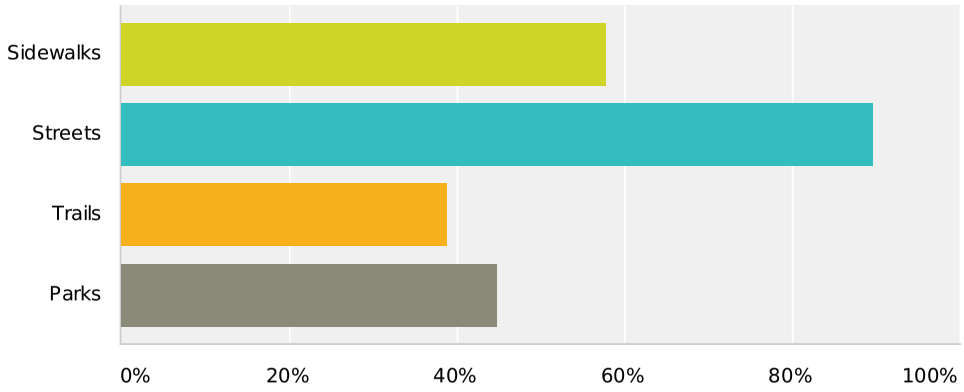
Answer Choices	Responses	
Everyday	**23.93%**	28
Every 2-3 days	**49.57%**	58
Every 4-7 days	**23.08%**	27
Twice a month	**2.56%**	3
Once a month	**2.56%**	3
Total Respondents: 117		

How often do you perform these recreational activities?
Other (please specify)

5-7 times a week

Q7 Where do you perform the recreational activities you marked in question 5 (select all that apply)?

Answered: 116 Skipped: 9



Answer Choices	Responses	
Sidewalks	**57.76%**	67
Streets	**89.66%**	104
Trails	**38.79%**	45
Parks	**44.83%**	52
Total Respondents: 116		

Where do you perform the recreational activities you marked in question 5 (select all that apply)? List Specific Locations such as Crapo Park, along West Avenue, Rec Plex Trail

Crapo Park, golf coarse, Y
the community and surrounding area
Crapo, Dankwardt, Big Hollow
Crapo, Danquart, Star's Cave...
Crapo Park, Geode
Wed, nite bike ride route. Streets of west burlington around mall, track in WB, to and from federal-mogul
Aspen Grove Cemetery
Downtown, S. Main, dankwardht park
HWY 99, West Ave, Parks - Crapo
H.S. Track
Bike route, Crapo Park
Crapo, Dankqwart, Geode, Rec Plex trail, side streets
Crapo park, otherwise city streets primarily in central part of the community.
Starr's cave, Flint river trail, Big hollow. Sunnyside area, Crapo park, Perkins park area
Rex plex, west avenue, around town
Starrs Cave Nature Preserve, Lake Geode State Park, Dehn's trail system behind the Y, various roads in the City of Burlington and Des Moines County
Crapo, Dankwardt, Rec. Plex, City streets
Streets and highways
Mt Pleasant Street
Streets throughout Burlington, Rec Plex Trail
Crapo Park HWY #99
Crapo,Rec Plex, Main street
mostly on busier streets that have fewer stop signs and lights. I have ridden on most every road in town.
Crapo Park, along West Ave, along Sunnyside Ave, Starr's Cave, residential neighborhoods (general), BHS track, Burlington / West Burlington designated bike route, etc.
City and County parks
Crapo Park, Flint River Trail (north of Case)
city of w.b.
Ride down Main Street to Tama Road, get on Bike path to Mill Dam Road and back home to Crestview by way Main Street. I also ride out to RecPlex by way of Mason Road to Bike Path and then home by way of Mason Road
Crapo Park and Streets/Sidewalks leading to and from the park from my house.
CRAPO PARK CEMETERY
Crapo Park, Dankwardt Park, Geode State Park, Star's Cave, Central Street, side streets to stay away from traffic
rural mediapolis
West Ave, geode, crapo, rec plex, ft. madison, starr's cave
Sunnyside, down by starrs cave, west ave, bike route, recplex
Rec Plex
Crapo Park, streets by parks, rec plex trail, start of flint river trail
Fort Madison to Nauvoo, Il
Mostly in Illinois
Rec Plex, Crapo/Dankwardt
bik burlington rides, old 34 to middle town/danville, to crapo
crapo
Crapo/ Dankwart, riverfront, main street
Crapo - bike ____, s_eed

all over town
Old 34, danville blacktop, mediapolis blacktop, 99
Mount Pleasant
West Ave, Rec Plex train
Geode, Mediapolis, Burlington Roads
Geode, Mediapolis, Burlington roads
geode, secondary roads - no gravel, mainly country roads, not a lot in town
Crapo, dankwart, west avenue, rec plex trail, streets throughout the area
Rec Plex trail, and crapo park Streets in Burlington
We live on golf course road. All of the above. Love the new trail along 99.
Dankwart
I ride with bike Burlington most wed. evening from april to septermber
Louisa street, bike roadway along major arterial (west, mt. pleasant, Roosevelt)
406, 99, old 34, 16, geode street park
Geode State Park, Crapo park, along west avenue, rec plex, Hwy 99 trail, flint bottom road, irish ridge, old hwy 34
Areas near Main/Harrison
Crapo/Dankward, Perkins
crapo, rec plex, streets and sidewalks mainly south side of town
Harrison/Mason Road, Summer Street, downtown, north hill, Main Street, Crapo
Crapo Park , Big Hollow
On my street and around my neighborhood(Lenox Park) because we do not have any sidewalks.
Sunnyside, Crapo Park, along West Avenue, Rec Plex Trail, Flint River Trail, North Hill City Streets, Main Street, Mason Road, etc. All over town.
Crapo Park, Rec Plex Trail, Riverfront Trail, hospital trail, south side of town
all throughout town
Starr's Cave, along Sunnyside
Crapo Park, along West Ave, Rec Plex Trail

Q8 Where would you like to see new or improved trails/ sidewalks/ road bike facility?

Answered: 94 Skipped: 31

Where would you like to see new or improved trails/ sidewalks/ road bike facility?
Open-Ended Response

Throughout Burlington. The city needs to provide safe, biking, walking trails along roadways and through communities. Do you realize how many residentail areas in this town do not have sidewalks or extremely poor
I hope trail does not go on HWy99. I feel that it would note be safe when it could be done along river .
Continuation of trails north of town
Everywhere.
Finish the paved trail from downtown to Big Hollow. That would really be fantastic. But, please, pave it so I
Maybe some new trails in town or right on the edge of town. I would like to bike more but I don't really feel like there is a good place to be able to ride my bike. I don't like it when people ride their bikes on the street
Geode
Sidewalk improvements around schools would be good so kids have an easier route home.
Connecting WB to Burlington, Around YMCA, to and from rec plex to west Burlington
North Of Burlington
I would like to see the bike trail by CASE extended
All throughout the city. Trails should be accessible from every neighborhood.
Throughout town
North of Burlington
Everywhere
Maybe around town, near present route. Maybe connecting Crapo and Starr's Cave?
Throughout town, bike lanes
I look forward to a more extensive bike trail into the county.
Make it accessible to get to the parks (IE Starrr's cave) w/o having to drive. Tough to access by bike, or foot or ski now. Narrow road. Cars speed 50 mph in this area. Watch out for a consistent offending white station wagon. Need to get that license plate. Not that it would do any good. Cars rule in this town.
I would like to see sidewalks everywhere especially in the busy streets like agency and Roosevelt. There are not even crosswalks. Bike lanes on roads would be nice also.
Sunnyside street needs to have a dedicated bike lane. I was very disappointed to see that when it was resurfaced last year there was no bike lane added. There needs to be a bike route around town that connects
Big Hollow Park: new trail; improved roads everywhere in the county
Bike paths through the entire city, continuation of trail to big hollow
Everywhere we can; create safe biking, walking trails, like other communities have.
Along Mt Pleasant. Form SCC to YMCA and other housing. Also from schools to housing.
Road and sidewalks are horrible on the "bike path" through Burlington. New trails can go anywhere. We just need something in Burlington where people do not try to run you over.
Burl to Big Hallow
ALL THE WAY TO BIG HOLLOW CONNECTED AS WELL AS TO GEODE
Road bike from place to place or side walks so adults or children could go safely from place to place instead of having to DRIVE everytime.
Everywhere
Roosevelt, Division, Airport region- bike lanes
Take out the Main St Sidewalk and make it a walking & Bike path.

piecing together improvements in school zones & commercial districts along with general neighborhood street / sidewalk maintenance. The new Edward Stone Middle School, BHS, Norte Dame, West Avenue, & Mason Road area will be very interesting come this 2012 - 2013 school year. The designated Burlington / West Burlington bike path is in need of signage improvements. In some areas, the roadways are in need of fixing, let alone the sidewalk...which, if taking the bike route, most people aren't riding on the sidewalk.
Major corridors in city
We need a safe way to walk or bike over Highway 61.
Roosevelt Ave, Madison Ave, Main St, Mason Rd Sunnyside Ave
I would like to see sort of a hub and spoke system with all parts of Greater Burlington connected to the
Crapo or Dankwardt to Rec Plex or to Starrs Cave or out to Geode State Park from Great River
All through Des Moines Co.
connect bike trail seamlessly all the way from the riverfront to the Big Hollow
School). I would like to see a sidewalk on Madison Ave from Koestner St. to S. Main Dr. I would like to see a sidewalk on Roosevelt Ave. from Sunnyside to Mason Road. I would like to see a sidewalk on Agency from Walmart to Roosevelt Ave.
to the mall safely, to various restaurants. When I have been in other countries, they have bike trails that mirror the larger streets so that you could ride your bike or walk to the points of interest in the community. I could take my bike to the grocery store daily without a problem.
anywhere
down by river
Bike trail from S. Lee County to N. Des Moines
Anywhere
South east Ia
south of Burlington, west Burlington
Better Motor vehicle drivers
In Fort Madison and surrounding area
more connecting trails/own bike path such as near around recplex
Perimeter around Burlington 25+ miles
Riverfront, crapo
river front (longs)
Along major roads in town, Roosevelt area.
out in county
most urgent need - roosevelt ave - many people walk/ride along there and it is too busy with cars.
south east Iowa
Big Hollow trail
Continue to work on the trails that we are developing
Everywhere bad roads exist
continue to work on the trail, roosevelt to rec plex is too short.
Burlington to Mediapolis (Big hollow)
Burlington to Mediapolis
bike paths on many streets, dedicated trails, wider shoulders
on 99 north of Burlington we need bike lanes, also mt. pleasant road to geode park
Mason Rd, Main Street
Sidewalks along busy road, trails by the river of scenic locations

Bike routes, marked road throughout major roads in town. Also trails that connect, finished sidewalks, etc. Also a way to get across Roosevelt to path leading to rec plex
Mason Rd to Roosevelt. Trail from muddy's to flint trail (trail to no where presently)
Through out the city
Crapo park, main street
Highway 99 to Starrs Cave
anywhere
Along the river
Out in the country
more bike lanes, trails.
paved biking trails thru town and along busiest roads, i.e. 34, 61, Roosevelt, west ave.
Fort Madison to Montrose Trail
I see many people walking along Agency to SCC,GRMC amd the Mall as well as Walmart and the stripall every
Bike lanes on streets in town
New sidewalks throughout the City, should coincide with every street project. Trails linking parks, downtown,
Continuation of Flint River Trail, Continuation of West Ave Trail to Dankwardt Park and around hospital, SCC,
along main roads, finish sidewalks through town, trails connecting to new trail out of town
Mason Road, Sunnyside, Roosevelt Avenue
Improve crossing over Roosevelt at West Avenue in order to create a safe crossing. Very dangerous today. Trails in the area would get a lot more use if this issue were addressed.
along major streets and roads
Mt Pleasant Street East of the YMCA
I would like to see sidewalks in Lenox Park because there a lot of kids walking in the streets to Aldo Leopold
Along Highway 61 so you can get to the South side of town. Sunnyside, Main Street & Mason Road should
Improved sidewalks throughout neighborhoods and connecting existing trails and sidewalks in place
by Case and from Bickles to the outskirts of town
Bike lanes on roads/streets - finish the trail from downtown to Big Hollow
Around all the schools and along Sunnyside.

Q9 What amenities would you like to see along the trails, sidewalks, on road bike facilities? Where are they needed? (Examples include: public restrooms, bike racks, water fountains, resting stations, wayfinding signage etc.)

Answered: 84 Skipped: 41

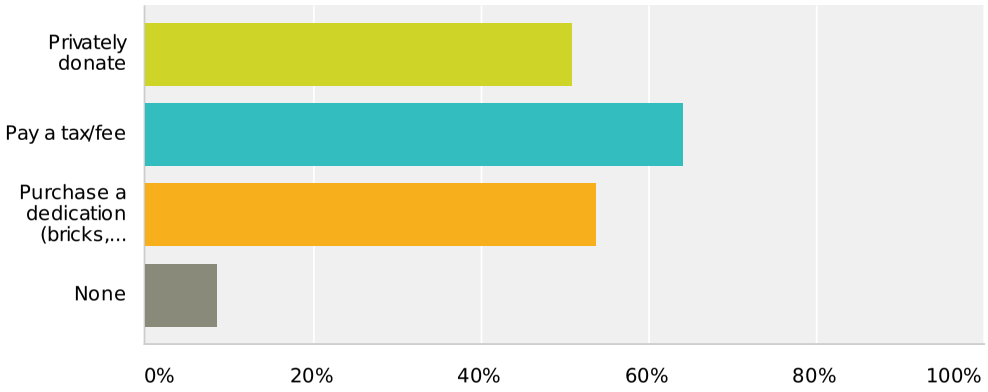
What amenities would you like to see along the trails, sidewalks, on road bike facilities? Where are they neede
Open-Ended Response

Signage and not on posts. They are too easy to damage and destroy. Have simple plagues placed in the sidewalks
Water fountain, signage, Some emgency phone iinformation if someone would have trouble. Directions to restrooms etc.
water fountains
water and restroom
Clear signage. Resting areas. Occasional restrooms. Water fountains.
water fountains and benches would be great. Wayfinding signage, or at least mile markers (every half mile) would be useful and can be done fairly inexpensively They don't have to be ritzy, just get the point across. Like 150-yard markers in
Near creeks,bike racks
Restrooms, fountains, wayfinding signage
Wider roads to allow bike traffic or easier walking. A bridge/pass on sylvanna street in Burlington to Penington street in WB to cross railroad tracks. West Burlington avenue near swim pool is a nice section. Water fountain, bike stop/rack in
Fountains
Parking Areas
Bike racks at the port
Lean-to's/shelters, water fountains, signage (wayfinding and historical), Trail maps
Wider Shoulders, Drinking fountains
Water, Wider shoulders, resting, no gravel!
Public Restrooms, water fountains, resting stations
Public Restrooms, water fountains, shelter from rain
water fountains would be great. Broken now at Starr's Cave, slight trickle at some at Crapo, but many recreational facilites aren't equipped for people with water, restrooms, doggie poo bags, directional sigage, benches, bike racks.
No facilities, just more dedicated routes for bicyclist and runners to use.
Signage, water stations, restrooms.
Restrooms are ok as well as safe drinking wster, but are not necessary.
Public restrooms, water fountains.
RESTROOMS, WATER STATIONS, EXERCISE STATIONS
Amenities are wonderful, but would be nice to at least concentrate on building the basics.
I think that the trails alone would be a huge improvement.
Signage
Yes all that would be great!! Let's f.irst get some trails done
Signage is the biggest. In commercial or highly-concentrated public districts, bike racks will be very useful. If on an extended bike trail, depending on the distance & remoteness of the trail, restrooms & water fountains would be nice amenities to have. I feel signage is the most important upfront with the rest to follow at a potentially later date.
restrooms, water fountains, signage
Water fountains, wayfindings, restrooms.
Wayfinding signage, bike racks
bike racks in key areas, such as downtown, would be good. Benches in shaded areas for rest stops. Wayfinding signage.
resting station and wayfinding signage
You do the trail and I can come up with the rest of it. However, if money is no object, a restroom and a water fountain
anyof those items mentioned wold be nice. bike racks are a high priority if there is a stopping point at any place.
restrooms

def. water stations, table, sitting areas
Restrooms, water fountains (bars? :))
Restrooms, Water
Safety from Traffic
Restrooms, water fountains, rest stations, wayfinding signage
Public restrooms, water fountains
Restrooms, water access
Yes to all
water fountains
put $ into trail
water fountains, resting stations
restrooms, water fountains
finish trail first
The restrooms in crapo would be a great example of needed facilities.
signs, reststops
all of the above would be a great start
Water Fountains
signage
Public restoorms, water fountains, wayfinding signage
Public Restrooms, water fountains, wyafinding signange.
guestrooms with water fountains.
shelters, water, toilets, signage
Mile markers, water fountains, every 4 or 5 mikles, restrooms 2 to 3 miles per 20 mile stretch
bike racks in parks, wayfinding for visitors/
Restrooms, water, benches
bike lanes, water fountains
No water fountains, water bottles don't fit water spickets to fill water bottle. We need to fill water bottles.
public restrooms, bike racks
if there's enough bike riders, runners, walkers, etc. businesses will accommodate them. Public restrooms, however are
signs leading people to start of big hollow trail
restooms
restrooms
Restrooms, water faucet rather than fountain
Water Fountains
If u put up nice amenities, such as above, they will be vandalized, UNFORTUNATELY
Bike Racks
Bike Racks near Downtown, RecPlex, and other busy recreation areas.
benches, trees, signage to key locations - with distances
bike racks (parks), wayfinding, marked areas for biking/pedestrians along roads
Signage
Need safe crossing of Roosevelt at West Avenue.
water fountains; benches;
Signs
water fountains, benches.
Trash cans for Pet waste. This is the largest complaint from pet owners. Have to carry waste back home.
water fountains, bike racks, signage for directions and also signage that includes mileage around trails
Water fountain, benches, trash cans, wayfinding signage
Public restrooms every 10 miles would be nice. Water fountains every 5 miles would be nice. Bike racks would be very useful wherever a potential biker would get off of their bikes.

Q10 Would you be willing to do any of the following to assist in construction of the trails?

Answered: 106 Skipped: 19



Answer Choices	Responses	
Privately donate	**50.94%**	54
Pay a tax/fee	**64.15%**	68
Purchase a dedication (bricks, benches, other "in-memory" objects)	**53.77%**	57
None	**8.49%**	9
Total Respondents: 106		

Would you be willing to do any of the following to assist in construction of the trails?
Other (please specify)

I suppose I coudl be open, but we are taxed enough as it is. This is something that everyone could use. How about you get people on unemployment to build it.
Could help with some of the work.
Fund raise?
Also help to maintain trail by mowing, trash pick-up, etc.
Assist in set-up/construction of any items
Help construct
maybe
help with installation if needed, planning, etc
volunteer
Assist with work.

Q11 Comments

Answered: 31 Skipped: 94

Comments
Open-Ended Response

It would be great addition to community.
I really want to see the Flint River Trail finished.
A bridge/crossing across railroad tracks in WB to Burlington would be nice.
More emphasis on cleaner streets. focus on maintenance of longitudinal cracks and joints. Wider, paved shoulders, marked for bike use. Better signed bike crossings.
Education: Signs that describe historical and national features
Thanks for your efforts
Burlington doesn't have a trail, It has a route.
I travel quite a bit and am jealous of the "trail friendly" areas in Ames, Des Moines, Cedar Falls. We can and should do better. Our communities are at stake.
Stop the graveling of city streets and parks
Let's get 'er done
BURLINGTON'S ROADS ARE WORST OF ANY TOWN I'VE BEEN IN!
BIke Roads would provide another way of transportation and make our community healthy and safe at the
Roosevelt is the most pathetic corridor for pedestrians and bicyclists in a hundred miles. Concentrating most of the commercial activity in this area with little to no pedestrian access is silly and I'm actually surprised no one has died trying to cross Roosevelt on foot. We must match our land use patters to our transportation network!
Thank you for checking into all of this!
Thanks
Good Luck
None, would be gald to contribute if the effort was in Fort madison. What is happening with the MRT?
I hope to help make this happen
Running/walking is good. Biking would like more bike paths
More motorists awareness and courtesy
burlington roads are in bad condition
Crapo walking very nice. My daughter lives in Chicago and they seem to have more bike paths and trails than
We are far behind many other communities in providing trails of this nature.
We need more trails for trails for families. Safe Places to take my grand children. Can we incorporate a destination similar to high trestle trail bridge, maybe starrs cave?
Louisa street needs improvement, now a bad bike route
i'd like to see the current tail be finished with 25-30 miles on it
mark bike symbols on streets like in middletown
lots of potholes on bike routes.
Bike lanes along busy streets would be helpful. Sweeping sides of streets and roads so bikes can ride to the far right would also be helpful. Link all trails, recplex-99-starrs cave, etc. Need better signage for bike route thru
Good idea to connect from Roosevelt to Gear ave then over to trail on Division and/West Avs
We need to Burlington a bike friendly town like boulder, CO. So more can/willl commute to work, stores, etc.

CHAPTER 135

STREET USE AND MAINTENANCE

135.01 Removal of Warning Devices
135.02 Obstructing or Defacing
135.03 Placing Debris On
135.04 Playing In
135.05 Traveling on Barricaded Street or Alley
135.06 Use for Business Purposes
135.07 Washing Vehicles
135.08 Maintenance of Parking or Terrace
135.09 Failure to Maintain Parking or Terrace
135.10 Dumping of Snow
135.11 Driveway Culverts
135.12 Utility Mains
135.13 Coal Bins
135.14 Penalty

135.01 REMOVAL OF WARNING DEVICES. It is unlawful for a person to willfully remove, throw down, destroy or carry away from any street or alley any lamp, sign, barricade, obstruction, guard or other article or things, or extinguish any lamp or other light, erected or placed thereupon for the purpose of guarding or enclosing unsafe or dangerous places in said street or alley without the consent of the person in control thereof.

(Code of Iowa, Sec. 716.1)

135.02 OBSTRUCTING OR DEFACING. It is unlawful for any person to obstruct, deface, or injure any street or alley in any manner.

(Code of Iowa, Sec. 716.1)

135.03 PLACING DEBRIS ON. It is unlawful for any person to throw, place or deposit on any street or alley any glass, glass bottle, nails, tacks, wire, cans, trash, garbage, rubbish, litter, offal, leaves, grass or any other debris or substance.

(Code of Iowa, Sec. 321.369)

135.04 PLAYING IN. It is unlawful for any person to coast, sled or play games or to ride roller skates, skateboards or sleds on the roadway of streets or alleys, except in the areas designated by the City for such purposes.

(Code of Iowa, Sec. 364.12[2])

135.05 TRAVELING ON BARRICADED STREET OR ALLEY. It is unlawful for any person to travel or operate any vehicle on any street or alley temporarily closed by barricades, lights, signs, or flares placed thereon by the authority or permission of any City official, police officer or member of the fire department.

135.06 USE FOR BUSINESS PURPOSES. It is unlawful to park, store or place, temporarily or permanently, any machinery or junk or any other goods,

wares, and merchandise of any kind upon any street or alley for the purpose of storage, exhibition, sale or offering same for sale, without permission of the Council.

135.07 WASHING VEHICLES. It is unlawful for any person to use any public sidewalk, street or alley for the purpose of washing or cleaning any automobile, truck equipment, or any vehicle of any kind when such work is done for hire or as a business. This does not prevent any person from washing or cleaning his or her own vehicle or equipment when it is lawfully parked in the street or alley.

135.08 MAINTENANCE OF PARKING OR TERRACE. It shall be the responsibility of the abutting property owner to maintain all property outside the lot and property lines and inside the curb lines, roadway, or pavement edges upon the public streets, except that the abutting property owner shall not be required to remove diseased trees or dead wood on the publicly owned property or right-of-way. Maintenance includes timely mowing, trimming trees and shrubs and picking up litter.

(Code of Iowa, Sec. 364.12[2c])

135.09 FAILURE TO MAINTAIN PARKING OR TERRACE. If the abutting property owner does not perform an action required under the above section within a reasonable time, the City may perform the required action and assess the cost against the abutting property for collection in the same manner as a property tax.

(Code of Iowa, Sec. 364.12[2e])

135.10 DUMPING OF SNOW. It is unlawful for any person to throw, push, or place or cause to be thrown, pushed or placed, any ice or snow from private or public property, sidewalks, or driveways onto the traveled way of a street or alley.

(Code of Iowa, Sec. 364.12 [2])

135.11 DRIVEWAY CULVERTS. The property owner shall, at the owner's expense, install any culvert deemed necessary under any driveway or any other access to the owner's property, and before installing a culvert, permission must first be obtained from the City. In the event repairs or maintenance are needed at any time with respect to culverts, it shall be the responsibility of the property owner to make such repairs or perform such maintenance. In the event the owner fails to do so, the City shall have the right to make the repairs. If the property owner fails to reimburse the City for the cost of said repairs, the cost

shall be certified to the County Treasurer and specially assessed against the property as by law provided.

135.12 UTILITY MAINS. No gas, water or sewer mains or electrical, telephone or other utility cables may be laid in any street, either residential or commercial districts, without the approval of the City Engineer as to the location thereof.

135.13 COAL BINS. In the event the City desires to construct a public improvement within any public right-of-way, no adjacent property owner will be allowed to keep or maintain any vault, cellar, coal bin, storage facility or excavated area of any kind therein except as may be approved by the Director of Public Works. Any such existing structure within the public right-of-way to be improved is declared to be a nuisance and a dangerous structure. Prior to the commencement of such a project, the adjacent property owner shall abandon use of the area within the public right-of-way and construct a masonry wall or equivalent structure on that person's property immediately adjacent to the right-of-way which is sufficient to allow the abandoned area to be filled with sand or crushed stone and compacted to support the public improvement. At least ninety (90) days prior to the commencement of the project, written notice of the impending public improvement shall be given either by certified mail to the affected property owner as shown by the records of the County Auditor, or by personal service on the property owner. The notice not only shall inform the property owner of the nature of the public improvement and the date of commencement of construction, but also shall state that if the property owner fails to comply with the direction of the Director of Public Works, a wall or structure of the type required on account of the public improvement will be bid and constructed as part of the improvement project and the cost thereof assessed to the adjacent property owner. In the event the adjacent property owner does not comply with the written notice, the Director of Public Works shall initiate an action for collection of the cost of construction during the following fiscal tax year in the same manner as a property tax.

135.14 PENALTY. Any person violating any of the provisions of this chapter shall, upon conviction, be subject to the penalties set forth in Section 1.14 of this Code of Ordinances.

CHAPTER 137

SIDEWALK REGULATIONS

137.01 Purpose
137.02 Definitions
137.03 Removal of Snow, Ice and Accumulations
137.04 Responsibility for Maintenance
137.05 City May Order Repairs
137.06 Sidewalk Construction Ordered
137.07 Permit Required
137.08 Sidewalk Standards
137.09 Barricades and Warning Lights
137.10 Interference with Sidewalk Improvements
137.11 Encroaching Steps
137.12 Openings and Enclosures
137.13 Fires or Fuel on Sidewalks
137.14 Defacing
137.15 Debris on Sidewalks
137.16 Merchandise Display
137.17 Sales Stands
137.18 Water From Downspouts and Eaves
137.19 Penalty

137.01 PURPOSE. The purpose of this chapter is to enhance safe passage by citizens on sidewalks, to place the responsibility for the maintenance, repair, replacement or reconstruction of sidewalks upon the abutting property owner and to minimize the liability of the City.

137.02 DEFINITIONS. For use in this chapter the following terms are defined:

1. "Broom finish" means a sidewalk finish that is made by sweeping the sidewalk when it is hardening.

2. "Defective sidewalk" means any public sidewalk exhibiting one or more of the following characteristics:

A. Vertical separations equal to three-fourths (¾) inch or more.

B. Horizontal separations equal to one (1) inch or more.

C. Holes, depressions or spalling equal to three-fourths (¾) inch or more in depth and at least four (4) inches in diameter.

D. Spalling over fifty percent (50%) of a single square of the sidewalk with one or more depressions equal to one-half (½) inch or more.

E. A single square of sidewalk cracked in such a manner that no part thereof has a piece greater than one square foot and sections are distorted or distressed with a vertical height difference of one-half (½) inch or more or a horizontal separation of one (1) inch or more.

F. A sidewalk with any part thereof missing to the full depth.

G. A change from the design or construction grade equal to or greater than one-half (½) inch per foot.

3. "Established grade" means that grade established by the City for the particular area in which a sidewalk is to be constructed.

4. "One-course construction" means that the full thickness of the concrete is placed at one time, using the same mixture throughout.

5. "Owner" means the person owning the fee title to property abutting any sidewalk and includes any contract purchaser for purposes of notification required herein. For all other purposes, "owner" includes the lessee, if any.

6. "Portland cement" means any type of cement except bituminous cement.

7. "Sidewalk" means all permanent public walks in business, residential or suburban areas.

8. "Sidewalk improvements" means the construction, reconstruction, repair, replacement or removal, of a public sidewalk and/or the excavating, filling or depositing of material in the public right-of-way in connection therewith.

9. "Wood float finish" means a sidewalk finish that is made by smoothing the surface of the sidewalk with a wooden trowel.

137.03 REMOVAL OF SNOW, ICE AND ACCUMULATIONS. It is the responsibility of the abutting property owners to remove snow, ice and accumulations promptly from sidewalks. If a property owner does not remove snow, ice or accumulations within twenty-four (24) hours after the snow or ice has stopped falling, the City may do so and assess the costs against the property owner for collection in the same manner as a property tax.

(Code of Iowa, Sec. 364.12[2b & e])

137.04 RESPONSIBILITY FOR MAINTENANCE. It is the responsibility of the abutting property owners to repair, replace or reconstruct, or cause to be repaired, replaced or reconstructed, all broken or defective sidewalks and to maintain in a safe and hazard-free condition any sidewalk outside the lot and property lines and inside the curb lines or traveled portion of the public street.

(Code of Iowa, Sec. 364.12 [2c])

137.05 CITY MAY ORDER REPAIRS. If the abutting property owner does not maintain sidewalks as required, the Council may serve notice on such owner, by certified mail, requiring the owner to repair, replace or reconstruct sidewalks within a reasonable time and if such action is not completed within the time stated in the notice, the Council may require the work to be done and assess the costs against the abutting property for collection in the same manner as a property tax.

(Code of Iowa, Sec. 364.12[2d & e])

137.06 SIDEWALK CONSTRUCTION ORDERED. The Council may order the construction of permanent sidewalks upon any street in the City and may specially assess the cost of such improvement to abutting property owners in accordance with the provisions of Chapter 384 of the Code of Iowa.

(Code of Iowa, Sec. 384.38)

137.07 PERMIT REQUIRED. No person shall remove, reconstruct or install a sidewalk unless such person has obtained a permit from the City to perform work in the City right-of-way and has agreed in writing that said removal, reconstruction or installation will comply with all ordinances and requirements of the City for such work. A written application for such permit shall be filed with the City and shall be accompanied by any permit fee as established by resolution of the Council.

137.08 SIDEWALK STANDARDS. Sidewalks repaired, replaced or constructed under the provisions of this chapter shall be of the following construction and meet the following standards:

1. Concrete. Portland cement concrete shall be the only material used in the construction and repair of sidewalks unless permission is received from the Director of Public Works to use other paving materials.

2. Construction. Sidewalks shall be of one-course construction.

3. Sidewalk Base. Concrete may be placed directly on compact and well-drained soil. Where soil is not well drained, a sub-base of compact, clean, coarse gravel or sand shall be laid.

4. Sidewalk Bed. The sidewalk bed shall be so graded that the constructed sidewalk will be at established grade.

5. Length, Width and Depth. Length, width and depth requirements are as follows:

A. Residential sidewalks shall be at least four (4) feet wide and four (4) inches thick, and each section shall be no more than four (4) feet in length.

B. Business District sidewalks may be required to extend from the property line to the curb. The sidewalk dimensions shall be determined case by case.

C. Driveway areas shall be not less than six (6) inches in thickness.

6. Location. Residential sidewalks shall be located with the inner edge (edge nearest the abutting private property) one foot outside the property line, unless the City establishes a different distance due to special circumstances.

7. Elevations. The street edge of a sidewalk shall be at an elevation even with the curb at the curb or not less than one-half (½) inch above the curb for each foot between the curb and the sidewalk.

8. Slope. All sidewalks shall slope one-quarter (¼) inch per foot toward the curb.

9. Finish. All sidewalks shall be finished with a "broom" or "wood float" finish.

10. Ramps for Persons with Disabilities. There shall be not less than two (2) curb cuts or ramps per lineal block which shall be located on or near the crosswalks at intersections. Each newly constructed curb cut or ramp shall comply with Federal ADA legislation and City construction standards.

137.09 BARRICADES AND WARNING LIGHTS. Whenever any material of any kind is deposited on any street, avenue, highway, passageway or alley when sidewalk improvements are being made or when any sidewalk is in a dangerous condition, it shall be the duty of all persons having an interest therein, either as the contractor or the owner, agent, or lessee of the property in front of or along which such material may be deposited, or such dangerous condition exists, to put in conspicuous places at each end of such sidewalk and at each end of any pile of material deposited in the street, a sufficient number of approved warning lights or flares, and to keep them lighted during the entire night and to erect sufficient barricades both at night and in the daytime to secure the same. The party or parties using the street for any of the purposes specified in this chapter shall be liable for all injuries or damage to persons or property arising from any wrongful act or negligence of the party or parties, or their agents or employees or for any misuse of the privileges conferred by this chapter or of any failure to comply with provisions hereof.

137.10 INTERFERENCE WITH SIDEWALK IMPROVEMENTS. No person shall knowingly or willfully drive any vehicle upon any portion of any sidewalk or approach thereto while in the process of being improved or upon any portion of any completed sidewalk or approach thereto, or shall remove or destroy any part or all of any sidewalk or approach thereto, or shall remove, destroy, mar or deface any sidewalk at any time or destroy, mar, remove or deface any notice provided by this chapter.

137.11 ENCROACHING STEPS. It is unlawful for a person to erect or maintain any stairs or steps to any building upon any part of any sidewalk without an encroachment agreement with the City.

137.12 OPENINGS AND ENCLOSURES. It is unlawful for a person to:

1. Stairs and Railings. Construct or build a stairway or passageway to any cellar or basement by occupying any part of the sidewalk, or to enclose any portion of a sidewalk with a railing without an encroachment agreement with the City.

2. Openings. Keep open any cellar door, grating or cover to any vault on any sidewalk except while in actual use with adequate guards to protect the public.

3. Protect Openings. Neglect to properly protect or barricade all openings on or within six (6) feet of any sidewalk.

137.13 FIRES OR FUELS ON SIDEWALKS. It is unlawful for a person to make a fire of any kind on any sidewalk or to place or allow any fuel to remain upon any sidewalk.

137.14 DEFACING. It is unlawful for a person to scatter or place any paste, paint or writing on any sidewalk.

(Code of Iowa, Sec. 716.1)

137.15 DEBRIS ON SIDEWALKS. It is unlawful for a person to throw or deposit on any sidewalk any glass, nails, glass bottle, tacks, wire, cans, trash, garbage, rubbish, litter, offal, or any other debris, or any substance likely to injure any person, animal or vehicle.

(Code of Iowa, Sec. 364.12 [2])

137.16 MERCHANDISE DISPLAY. It is unlawful for any person to place any goods or merchandise for temporary sale or display upon any sidewalk with first obtaining a special event permit from the City.

137.17 SALES STANDS. It is unlawful for a person to erect or keep any vending machine or stand for the sale of fruit, vegetables or other substances or commodities, which is of a permanent type nature, on any sidewalk without an encroachment agreement with the City.

137.18 WATER FROM DOWNSPOUTS AND EAVES. It is unlawful for the owner of any property to permit the discharge of any water from the downspouts or eaves of any building upon or over the sidewalks of the City. Such downspouts may be connected with the street gutters in such a manner as to prevent the water from flowing on or over the sidewalks as allowed by the City Engineer.

137.19 PENALTY. Any person violating any of the provisions of this chapter shall, upon conviction, be subject to the penalties set forth in Section 1.14 of this Code of Ordinances.

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CHAPTER 142

RESIDENTIAL STREET IMPROVEMENTS

142.01 Purpose
142.02 Definitions
142.03 Street Widths
142.04 Sidewalks
142.05 Cost Sharing Arrangement
142.06 Alley Replacement
142.07 Annual Appropriations
142.08 Selection of Projects Through Rating System
142.09 PCC Paving

142.01 PURPOSE. The purpose of this chapter is provide an alternative assessment procedure to Chapter 384 of the Code of Iowa, which alternative procedure provides for a cost sharing arrangement between the City and benefited private property owners who wish to voluntarily upgrade at least one block of an existing seal-coated street to a permanent condition.

142.02 DEFINITIONS. For the purpose of this chapter, the following words and phrases have the following meanings:

1. "Permanent improvement level" means a street which has been improved to a portland cement concrete (PCC) street or a street improved by the installation of a thirty-inch curb and gutter system and eight inches of asphaltic cement concrete (ACC) or as otherwise defined by other Council action.

2. "Residential street" means a street or alley which primarily functions to provide direct access and benefit to adjacent properties and on which vehicular traffic travels slowly and in low volumes and as designated on the Major Streets Plan Map.

142.03 STREET WIDTHS. For purposes of this chapter, the standard width of the improved residential street shall be twenty-seven (27) feet. If, in the judgment of the Director of Public Works, the standard width is not feasible, the width may be reduced to a minimum of nineteen (19) feet and parking restricted as may be necessary.

142.04 SIDEWALKS. The City shall not be responsible for the installation, repair, or replacement of sidewalks adjacent to the improved street or the addition of parking areas within the public right-of-way. Sidewalks may be repaired or replaced if, at the discretion of the Director of Public Works, repair or replacement of an existing sidewalk is necessary because of the construction process related to the street improvement or a sidewalk has been damaged by the roots of a tree within the City right-of-way and approved by the City. The Director of Public Works is authorized to assist property owners adjacent to the street improvement during the bidding process related to the improvement

project in the event any property owner wishes to install a new sidewalk or replace an existing one.

142.05 COST SHARING ARRANGEMENT. For any street improvement constructed pursuant to this chapter, the City will pay the full cost of any storm or sanitary sewer improvements as may be necessary. Concrete work for curb and gutter improvements will be constructed by the City based on bids accepted from the private sector. The labor cost for installing ACC material will be borne by the City. The cost of the concrete work, as contracted, the ACC material, and other project costs as may be necessary will be cost-shared by the City and the affected property owners by means of the City paying seventy-five percent (75%) of the cost of the street improvement project and the affected property owners paying twenty-five percent (25%) of the street improvement project. Any costs associated with upgrading driveways will be at the sole expense of the property owner. The Public Works Director is authorized to include driveway upgrading as part of the project, but costs will be assessed directly to the benefiting properties.

142.06 ALLEY REPLACEMENT. In the event there is no access to a property owner's residence from an existing improved street within the City and an alley is the sole means of public access to the residence, the alley may be improved as provided in this chapter in the same manner as a street improvement.

142.07 ANNUAL APPROPRIATIONS. At its discretion, the Council may annually appropriate funds to be expended to meet the City's cost share of street improvement projects adopted under this chapter. Funds must be available and uncommitted before any such project is actually bid and constructed by the City.

142.08 SELECTION OF PROJECTS THROUGH RATING SYSTEM. The following rating system will be used in determining whether or not the City will adopt a street improvement project under this chapter in conjunction with affected residents as well as determining the priority and timing of projects. For purposes of this chapter, each City block of street or alley will be rated as a separate project. For each proposed project, one base point shall be assigned for each one percent of property fronting on the proposed street improvement project owned by a landowner who consents in writing to the proposed project. A minimum of fifty-one (51) base points is required for any project to be considered under this chapter. Additional points will be added based on maintenance costs incurred by the City in regard to the existing street. The Director of Public Works will assign twenty-five (25) points to high maintenance streets, fifteen (15) points to medium maintenance streets, and five (5) points to low maintenance streets. If the proposed street improvement

project is within an area designated a targeted neighborhood planning area as determined by the Council, the project will be assigned an additional five (5) points. Streets having existing reusable curb and gutter on both sides of the street within the proposed project area will be assigned an additional ten (10) points, and on one side of the street will be assigned an additional five (5) points. Each block of proposed street improvement which is a continuation of, or contiguous to, another block of proposed street improvement will be assigned an additional twenty (20) points.

142.09 PCC PAVING. This chapter may be utilized for a street improvement project which upgrades an existing street to a PCC street, but only to the extent that the City's share does not exceed the amount the City would expend if the project was constructed to the standards applicable to an ACC street improvement as defined above or seventy-five percent (75%), whichever is less. Otherwise the project will be contracted by the City and the cost thereof paid by means of special assessment tax procedures set forth in Chapter 384 of the Code of Iowa.

Chapter 17.80 Subdivisions

17.80.100	**General Provisions**	**17.80.500**	**Minor Subdivision Final Plat Procedures**
17.80.200	**Pre-Application Conference**	**17.80.600**	**Improvement Agreements**
17.80.300	**Major Subdivision Preliminary Plat Requirements**	**17.80.700**	**Approval, Recording and Appeal**
17.80.400	**Major Subdivision Final Plat Process**	**17.80.800**	**Site Design Standards**

17.80.100 General Provisions

17.80.101 Title: This chapter shall be known and may be cited and referred to as the Subdivision Regulations for the City of Burlington, Iowa, and will be referred to herein as the "Regulations" to the same effect as if the full title were stated.

17.80.102 Purpose: In order to maintain the public interest, these Regulations establish provisions, requirements, and procedures to:

1. To provide for accurate, clear and concise legal descriptions of real estate in order to prevent, wherever possible, land boundary disputes or real estate title problems;
2. To provide for a balance between the use rights of individual landowners and the economic, social, and environmental concerns of the public when the City is developing or enforcing its land use regulation; and social, and environmental concerns of the public when the City is developing or enforcing its land use regulations; and
3. To encourage orderly development of the City and provide for the regulation and control of the extension of public improvements, public services, and utilities, the improvement of land, and the design of subdivisions, that are consistent with the City's Comprehensive Plan and other specific community plans.

17.80.103 Application: Any proprietor of land who wishes to create a land parcel shall cause a plat to be made in conformance with the provisions of these Regulations, as they are the minimum requirements for the promotion of the public health, safety, and general welfare. If any other statute, local ordinance or regulation imposes higher standards than are required by the Regulations, that statute, local ordinance or regulation shall govern.

17.80.104 Authority Area: These Regulations govern the review and approval of any plat for subdivision of any area of land within the City or within two (2) miles of the City boundaries of Des Moines County, except the City waives its right to review subdivisions in the overlapping area identified by an active agreement with West Burlington as provided for in Chapter 354 of the Code of Iowa.

These Regulations apply where any or all of the following circumstances exist or occur:

1. Any area of land which has been divided or shall hereafter be divided into two or more parts;
2. Any area of land that is described by metes and bounds, or an area of land that is not a complete platted lot.

17.80.105 Modifications: Whereas, in the case of a particular subdivision, it can be shown that strict compliance with the requirements of the Regulations would result in extraordinary hardship to the Applicant or would prove inconsistent with the purpose of the Regulations because of unusual topography or other conditions, the City Council may modify by variance or waive the requirements of the Regulations so that substantial justice may be done and the public interest secured provided,

however, that such modification or waiver shall not have the effect of nullifying the intent and purpose of the Regulations.

In so granting a modification or waiver, the City Council may impose such additional conditions as are necessary to secure substantially, the objectives of the requirements so modified or waived.

17.80.106 Fees: The City Council shall from time to time establish by resolution, a schedule of reasonable fees, sufficient to recover incurred costs, to be charged for the review of plats and associated improvements under these Regulations.

All fees for review of plats shall be paid in full prior to City Council acceptance of the final plat.

17.80.107 Penalties: Any person who violates, omits, neglects, refuses to comply with or resists the enforcement of any of the provisions of the Regulations, shall be fined for each offense as provided for in Chapter 4 of the Municipal Ordinance; and each additional day that a violation exists shall constitute a separate offense.

In addition to any penalties that may be issued, the City also maintains the right of injunction on all purported violations.

17.80.108 Applicability and Severability: See Section 17.01.03 of this Zoning Code

17.80.109 Relationship: In addition to the requirements of the Regulations, all plats of land must comply with all other applicable City, county, state and federal statutes or regulations. All references in the Regulations to other City, county, state or federal statutes or regulations are for informational purposes only, and do not constitute a complete list of such statutes or regulations. The Regulations are expressly designed to supplement and be compatible with, without limitation, the following City plans, regulations or ordinances:

1. Comprehensive and Land Use Policy Plan
2. Zoning Ordinance
3. Historic Preservation Ordinance
4. Flood Plain Ordinance
5. Building and Related Construction Codes
6. Rental Housing Code
7. Transportation Plan
8. Parks Master Plan
9. Design and Improvement Standards Policy

Plats may be disapproved on the basis of the above plans and specifications. The City Council may adopt or amend additional plans and policies not listed above, however, carrying the same effect.

17.80.110 Recording of Plat: No subdivision plat or street dedication within the City or within the two (2) miles of the corporate limits of the City shall be filed for record with the County Recorder, or filed by the Recorder, until a final plat and/or Improvement Agreement has been approved in accordance with this Chapter.

17.80.111 Definitions: Unless otherwise expressly stated, the following terms shall, for the purposes of the Regulations, have the meaning herein indicated.

1. Adequate Public Facilities - Facilities determined by the City Council to be capable of supporting and servicing specified levels of service for anticipated infrastructure needs in the physical area and with the designated intensity of a proposed subdivision.

2. Alley - A public way designed to be used as a secondary means of access to the side or rear of abutting property whose principal frontage is on some other public way.

3. Applicant - The owner of land proposed for subdivision or the developer thereof who has written authority to act on behalf of the owner.

4. Auditor's plat – A subdivision plat required by either the auditor or the assessor, prepared by a surveyor under the direction of the auditor.

5. Bikeway - A public way designed to be used for bicycling, or a combination of biking and pedestrian traffic. "Bikeway" shall include: any path, which is a public way separated from any highway, street or alley and/or, is a portion of a highway, street, alley or other public way reserved and marked for the exclusive use for bicycles and/or pedestrian traffic.

6. Block - An area of land bounded by streets, highways, and/or by a combination of streets and public parks, cemeteries, railroad rights-of-way, exterior boundaries of the subdivisions, shorelines of waterways, or corporate boundaries.

7. Bond - Any form of security including a letter of credit, a cash deposit, surety bond, collateral, property or instrument of credit in an amount and form satisfactory to the City Council.

8. Building – See Section 17.10.05, #21

9. Building Official/Zoning Enforcement Officer - The individual(s) appointed by the Development Director who is responsible for the administration and enforcements of the Zoning, Subdivision or Building Regulations of the City.

10. Central Water System - A private water system including collection and treatment and distribution facilities, established to serve a new subdivision or re-subdivision that is located outside the corporate boundaries serving the number of people as specified by the Department of Natural Resources or other appropriate State Agency.

11. Central Sewerage System - A private sewer system including collection and treatment facilities established to serve a new subdivision or re-subdivision that is located outside the corporate boundaries serving the number of people as specified by the Department of Natural Resources or other appropriate State Agency.

12. Central Storm Water Runoff System - A private storm water runoff system including collection and treatment and distribution facilities, established to serve a new subdivision or re-subdivision that is located outside the corporate boundaries serving the number of people as specified by the Department of Natural Resources or other appropriate State Agency.

13. City - The City of Burlington, Iowa.

14. County – Des Moines County, Iowa.

15. Dedication - A grant to the City of title to land, without compensation.

16. Design and Improvement Standards – Standards set forth in City Policy, adopted by the City Council for the City of Burlington

17. Driveway Approach - A vehicle access form private property to a public street or alley.

18. Easement - The perpetual right to use the land of another for a specified purpose.

19. Highway - A public way designated as a highway by an appropriate, state or federal agency.

20. Improvement Agreement - A written agreement signed by an Applicant and authorized agents of the City whereby the Applicant agrees to undertake performance of those obligations imposed by the Regulations, or agrees to be contained in the agreement and as authorized by the City, and containing such other terms and provisions in such form as shall be acceptable to the City. Specifically, an Improvement Agreement is to be entered into after approval of the Preliminary Plat in the event that improvements set forth therein will not be completed before submission of the Final Plat.

21. Land Use Policy Plan - The comprehensive plan for the City of Burlington, Iowa, as adopted and as subsequently amended.

22. Lot - An area of land designated by number or letter in a plat of subdivisions recorded pursuant to the Regulations, or otherwise recorded with the office of the County Recorder.

23. Major Subdivision - Any subdivision that is not classified as a Minor Subdivision.

24. Minor Subdivision - Any subdivision that plats no more that three lots fronting on an existing public way and does not require construction or extension of any public ways, utilities or other improvements, as set forth in these Regulations.

25. Outlot - An unbuildable area of land, due to its, size, shape, topography or general location within the phasing of a subdivision.

26. Plat of Survey – The graphical representation of a survey of one or more parcels of land, including a complete and accurate description of each parcel within the plat, prepared by a registered land surveyor.

27. Preliminary Plat - A plat for a proposed major subdivision prepared and submitted in accordance with these Regulations.

28. Right-of-way - A strip of land acquired by reservation, dedication, prescription, or condemnation and used or intended to be used by specific persons or the public for a specific purpose or purposed. “Right-of-Way” shall include, but not be limited to, any public ways.

29. Sidewalk - A public way designed and used for walking and located in public right-of-way or public easements.

30. Sketch Plan - A plan of land, preparatory to the plat, showing the location of a proposed division of land, including the general location and dimensions of any proposed streets and other improvements and the general layout and arrangement of intended land uses, in relation to the surrounding area.

31. Street - A public way designed and used for passage of vehicles. “Street” shall not include any alleys or highways.

32. Street Classification - All streets shall be classified as one or more of the following, in accordance with the adopted street classification map:
    a. Principal Arterial: A street intended for the movement of traffic to and from major traffic generators such as the Downtown or Highway Commercial areas, major industrial areas, and/or as a route for traffic between communities and that accommodates a high degree of mobility with a high degree of access control.
    b. Minor Arterials: Streets intended to collect and distribute traffic in a manner that is designed to serve low intensity traffic generating areas such as neighborhood commercial areas, education facilities, churches or designed to carry traffic from collector streets to principal arterials with a degree of access control.
    c. Urban Collector: A street intended to move traffic from local streets to arterial streets. These streets provide for movement at moderate speeds and provide a direct route between activity centers with a lesser degree of access control than arterial streets.

d. Local: A street designed for low speeds and low intensity traffic volumes intended to provide access to private property, and also to move traffic to and from low generating areas to collector and arterial streets.
e. Cul-de-Sac: A residential street closed at on end with a turn-around.
f. Dead-end: A street with only one vehicular traffic outlet.
g. Frontage Road: A street that parallels and is adjacent to an arterial street separated from the through traffic on the arterial street.

33. Structure – See Section 17.10.05, #115

34. Subdivision – The division of land into two (2) or more parts, for the purpose, whether immediate or future, of transfer of ownership or building development. The term, when appropriate to the context, may refer to the process of subdividing or to land subdivided.

    The sale of or exchange of small parcels of land to or between the owners of adjacent platted lands, where such sale or exchange does not create any additional lots and where the land sold or exchanged constitutes no greater than fifty percent (50%) of the area of the original lot (lot receiving the additional land) is not considered a subdivision and shall require a Plat of Survey or an Auditor's Plat to be recorded with the County Auditor.

17.80.200 Pre-Application Conference

17.80.201 Purpose: The purpose of the Pre-Application Conference is to inform City staff of a possible future subdivision; to facilitate City staff review of the effect and feasibility of a proposed subdivision in relation to the City's existing and proposed infrastructure systems; and to inform the Applicant of the requirements of the Regulations.

17.80.202 Procedure: The Applicant shall request a Pre-Application Conference with appropriate City staff, and shall submit three copies of a Sketch Plan for the area of land proposed to be subdivided ten days prior to the Pre-Application Conference.

17.80.203 Sketch Plan Contents: A Sketch Plan shall contain the following information at a minimum:

1. The name of the proposed subdivision;
2. The name, address and other pertinent information about the property owner, the Applicant, or other preparer of the Sketch Plan;
3. A north arrow and the preparation or submission date;
4. The general location, areas and dimensions of any lots to be platted by the proposed subdivision;
5. The general location, width and dimensions of any highways, streets, alleys, and other ways existing or proposed to be reserved or dedicated for public use on or abutting the area of land proposed to be subdivided;
6. The general location of any existing or proposed public infrastructure including water mains, sanitary sewer mains, storm sewer mains, and facilities and other infrastructure; and
7. The location, width and character of all existing or proposed utility easements on or abutting the area of land proposed to be subdivided.

17.80.204 Considerations: The appropriate City staff shall review and comment upon the Sketch Plan, taking into consideration the requirements of the Regulations and the best use of the tract or parcel proposed to be subdivided and giving particular attention to the following:

1. The locations and layout of any proposed streets or other public ways;
2. The arrangement and size of any lots to be platted by the proposed subdivision;
3. The layout of any proposed public infrastructure;
4. The pattern of surface water drainage on the area of land proposed to be subdivided;
5. The potential for any additional development of abutting lots, or areas of land.

17.80.205 Disclaimer: Neither the developer not the City shall be bound by any comments, recommendations, determinations or decisions of City staff offered or made during the Pre-Application Conference.

17.80.206 Classification of Subdivisions: The Development Department shall issue an oral or written determination as to the classification of a proposed subdivision within 20 days of the conclusion of the Pre-Application Conference process. All subdivisions will be classified as either a Major Subdivision or a Minor Subdivision.

1. A subdivision may be classified as a Minor Subdivision only if both of the following conditions are met:

a. The proposed subdivision will plat no more than three (buildable) lots, which will be legally platted after recording of the subdivision and each of which will front on an existing public way, not including alleys; and
b. The proposed subdivision will require no public improvements of any kind, except sidewalks and/or bicycle paths in compliance with the Parks Master Plan.

2. Any subdivision not meeting both conditions for classification as a Minor Subdivision shall be classified as a Major Subdivision.

3. The determination of the Development Department as to the classification of a proposed subdivision shall be presumed to be correct.

17.80.300 Major Subdivision Preliminary Plat Requirements.

17.80.301 Preliminary Plat Procedure: The Applicant shall file a complete Application for Preliminary Plat Approval of a Major Subdivision with the Development Department at least 30 days prior to a regular meeting of the Planning and Zoning Commission.

17.80.302 Application: An Application for Preliminary Plan Approval of a Major Subdivision shall include:

1. A completed Application Form available from the Development Department;
2. Six (6) paper copies not larger than 11" x 17" and four (4) paper copies no larger than 24" x 36" of the Preliminary Plat prepared in accordance with these Regulations;
3. Any filing fee established by the City Council.

An application for Preliminary Plat Approval of a Major Subdivision shall be deemed "complete" for the purpose of time periods within which action is required when so certified by the Development Department.

17.80.303 Review Process for a Major Subdivision Preliminary Plat: Staff and Agency Review of the Preliminary Plat; Concurrent Review by County when necessary:

1. The Development Department shall distribute a copy of the Preliminary Plat to other departments, persons, and utility companies as it determines may be necessary or appropriate for their review, comments and recommendations.
2. The Development Department shall assemble, review, and report on any comments or recommendations submitted to it for consideration by the Planning and Zoning Commission.
3. In addition, where the proposed subdivision occurs within the two-mile radius of the City in which Des Moines County subdivision regulations will also apply, the Applicant shall be required to demonstrate compliance with all applicable requirements set forth in such county regulations prior to approval of the Preliminary Plat by the City Council pursuant to Section 354.9 of the Code of Iowa.

17.80.304 Planning and Zoning Commission Review:

1. The Planning and Zoning Commission shall examine the Preliminary Plat, any comments, recommendations or reports assembled or made by the Development Department, and such other information as it deems necessary or desirable to consider.
2. Based upon such examination, the Planning and Zoning Commission shall ascertain whether the Preliminary Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan, and to the City's other duly adopted plans.
3. Planning and Zoning Commission Recommendation: Following such examination and within 30 days of the regular meeting of the Planning and Zoning Commission at which a complete Application is first formally received for consideration, the Planning and Zoning Commission shall forward a report including its recommendation to the City Council setting forth its reasons for any recommendation.

17.80.305 City Council Review of Preliminary Plat: All proposed subdivision plats shall be submitted to the City Council for review and approval in accordance with these Regulations. The City Council shall examine the Preliminary Plat, any comments, recommendations or reports examined or made by the Planning and Zoning Commission, and such other information as it deems necessary and reasonable to consider.

17.80.306 City Council Action on Preliminary Plat:

1. Based upon such examination, the City Council shall determine whether the Preliminary Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan and to the City's other duly adopted plans. In particular, the City Council shall determine whether the subdivision conforms to minimum levels of service standards set forth in the Land Use Policy Plan for public infrastructure and shall give due consideration to the possible burden of the proposed subdivision on public improvements.

2. Following such examination and within 30 days of the referral of the Preliminary Plat and report of recommendations to the City Council by the Planning and Zoning Commission, the City Council shall by resolution approve, approve subject to conditions, or disapprove the Preliminary Plat.

17.80.307 Effect of Approved Preliminary Plat:

1. An approved Preliminary Plat shall be valid for one year from the date on which the City Council approves the Preliminary Plat, by which time the Applicant shall submit an Application for Final Plat Approval or the Preliminary Plat shall become null and void. The City Council may grant an extension of time for the validity of the Preliminary Plat for a period not to exceed one additional year, however, if the approval period expires at any time, the applicant must resubmit the preliminary plat.

2. The City Council may require the Applicant to execute an Improvement Agreement as set forth in these Regulations and provide security in the form of a bond or acceptable alternative between the approval of the Preliminary Plat and submission of an Application for Final Plat Approval of a Major Subdivision. The Applicant must either complete all indicated improvements to the satisfaction of the City or enter into an Improvement Agreement to do so.

17.80.308 Major Subdivision Preliminary Plat Design Standards: A Preliminary Plat shall be prepared by a registered land surveyor at a scale of one inch equals 100 feet, unless an alternate scale is approved by the Development Director and the sheets shall be numbered in sequence if more than one sheet is used. Sheets shall be of such size as is acceptable for filing in the office of the City Clerk but shall be not greater than 24 inches by 36 inches and no less than 8 ½ inches by 11 inches.

17.80.309 Major Subdivision Preliminary Plat Features: In addition to all information provided with the Sketch Plan, the Preliminary Plat shall show the following information:

1. A statement by a registered land surveyor that the Preliminary Plat was prepared by or under his or her supervision, the surveyor's signature, Iowa registration number or seal, and certification of accuracy. As an alternative, a Preliminary Plat may be prepared where a registered land surveyor certifies that the perimeter boundary of the subdivision was prepared under his or her supervision, and all other intermediate lot lines may be prepared by an engineer licensed in the State of Iowa;

2. The number of each sheet, the total number of sheets included in the plat, and match lines indicating where each sheet adjoins any other sheet, and an index sheet showing the relationship between the sheets;

3. Survey date describing the lengths, bearing and curve date of any existing or proposed lot, block, public or private way, railroad or utility right-of-way, deed restriction, covenant, easement, dedication or other area within the tract or area of land proposed to be subdivided, and the outer boundaries to the tract or area of land proposed to be subdivided;

4. The general location, use and dimensions of any existing structures on any portion of the tract or area of land proposed to be subdivided, including required setback distances from

lot boundaries for any structures on any portion of the tract or area of land proposed to be subdivided;

5. The general location and areas of any existing water courses, wetlands, floodplains, trees, woodland resources, prairie resources or other environmentally sensitive areas on or within 200 feet of any portion of the tract or area of land proposed to be subdivided;
6. Topographical features including contours at vertical intervals of not more than two feet, unless an alternate contour interval is approved by the Development Director;
7. Any existing or proposed sidewalks, bikeways, highway, street, alley or other public way including centerline street stationing and geometrics;
8. The location and dimensions of any existing or proposed public infrastructure including any water main, sanitary sewer main or storm sewer main and any associated facility, including appropriate easements;
9. The location and dimensions of any existing or proposed utilities including electric, gas, telephone or cable, including appropriate easements;
10. A grading plan and a plan for soil erosion and sediment control;
11. A plan for storm water management and run-off control;
12. The location of property with respect to surrounding property and streets, the names of all adjoining property owners of record, or the names of adjoining developments;
13. The names of adjoining streets;
14. The location and width of all existing and proposed streets and easements, alleys, and other public ways, and easements and proposed street rights-of-way and building set-back lines including proposed parking prohibitions;
15. The location and dimensions of all property proposed to be set aside for park or playground use, or other public or private reservation, with designation of the purpose of those set asides, and conditions, if any, of the dedication or reservation;
16. Progressive block number or letter may be assigned to groups of lots separated from other lots by streets or other physical features of land. Each lot within each block of the plat shall be assigned a progressive number. Streets, alleys, parks, open areas, school property, other areas of public use, or areas within any block of the plat that are set aside for future development shall be assigned a progressive letter and shall have the proposed use clearly designated. No strip of land shall be reserved by the subdivider unless it is of sufficient size and shape to be of practical use or service as determined by the City Council; and
17. Lot dimension and lot areas.

The lack of information under any item specified herein, or improper information supplied by the Applicant, shall be cause for disapproval of a Preliminary Plat.

17.80.400 Major Subdivision Final Plat Process

17.80.401 Final Plat Procedure: The Applicant shall file an Application for Final Plat Approval of a Major Subdivision with the Development Department before the expiration of the period of validity of a Preliminary Plat as described herein.

17.80.402 Application: An Application for Final Plat Approval of a Major Subdivision shall include:

1. A completed Application Form available from the Development Department;
2. Six (6) paper copies no larger than 11" x 17" and two (2) copies no larger than 24" X 36" of a Final Plat prepared in accordance with these Regulations;
3. A computer diskette or CD containing a Computer Aided Design Drawing of the Final Plat, which shall be provided in a format meeting the hardware and software specifications of the City;
4. Any Improvement or Development Agreement in a form consistent with the requirements of City Policy and these Regulations; and
5. Any filing fee established by the City Council.

17.80.403 Review Process for a Major Subdivision Final Plat:

1. The Development Department shall distribute a copy of the Application Form and the Final Plat to such other departments, persons, and utility companies as it determines may be necessary or appropriate for their review, comments and recommendations.
2. The Development Department shall assemble, review and report on any comments or recommendations submitted to it and shall examine the Final Plat with regard to its conformance with the Preliminary Plat.
3. The Development Department shall forward the Final Plat to the City Council for its review within 20 days after the Applicant has filed a complete Application for Final Plat Approval, if the Department finds and reports in writing that the Final Plat substantially conforms to the approved Preliminary Plat.
4. An Application for Final Plat Approval of a Major Subdivision shall be "complete" for the purpose of commencing time periods within which action by the City Council is required when so certified by the Development Department .

17.80.404 City Council Action on Final Plat for Major Subdivision:

1. All proposed subdivision plats shall be submitted to the City Council for review and approval. Upon receipt of any Final Plat forwarded to it for review and approval, the City Council shall examine the Application Form, the Final Plat, any comments, recommendations or reports examined or made by the Department of Planning and Housing, and such other information as it deems necessary or reasonable to consider.
2. Based upon such examination, the City Council shall ascertain whether the Final Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan and to the City's other duly adopted plans.
3. Following such examination, and within 60 days of the Applicant's filing of the complete Application for Final Plat Approval of a Major Subdivision with the Development Department, the City Council shall approve, approve subject to conditions, or disapprove the Application for Final Plat Approval of a Major Subdivision.
4. The City Council shall, by resolution, set forth its reasons for approving, disapproving, or for conditioning its approval of any Application in its official records and shall provide a written copy of such reasons to the developer.

17.80.405 Major Subdivision Final Plat Design Standards: A Final Plat for a Major Subdivision shall be drawn at a scale of one inch equals 100 feet unless an alternate scale has been approved by the Development Director. A Final Plat shall be drawn on sheets measuring no greater than 24 inches by 36 inches and no less than 8-1/2 inches by 11 inches. The Final Plat shall also be prepared on a computer diskette containing a Computer Aided Design Drawing of the Final Plat which shall be provided in a format meeting the hardware and software specification of the City.

17.80.406 Major Subdivision Final Plat Design Standards: A Final Plat shall show, at a minimum, the following information:

1. The name of the proposed subdivision on each sheet and a notation identifying any resubdivision as such wherever the name of the proposed subdivision appears;
2. The name, address and other pertinent information about the owner and the developer;
3. A statement by a registered land surveyor that the plat was prepared by or under his or her supervision, the surveyor's signature, Iowa registration number or seal, and certification of the accuracy of the plat;
4. The number of each sheet, the total number of sheets included in the plat, and match lines indicating where each sheet adjoins any other sheet, and an index sheet showing the relationship between the sheets;
5. A scale, a north arrow and the preparation or submission date on each sheet;
6. All monuments existing or to be of record, as required by Chapter 355 of the Code of Iowa, as amended or superseded;
7. Survey data describing the bounds of any existing or proposed lot, block, public or private way, railroad or utility right-of-way, deed restriction, covenant, easement, reservation, dedication or other area within the tract or area of land proposed to be subdivided, the outer boundaries of the tract or area of land proposed to be subdivided, and reference to at least two section corners within the United States Public Land Survey System in which the plat lies or to at least two established monuments with any existing recorded plat when the proposed subdivision is a resubdivision in whole or in part;
8. All distance, bearing, curve, and other survey data, as required by Chapter 355 of the Code of Iowa, as amended or superseded;
9. The identity of any lot to be platted by the proposed subdivision be address, block and lot numbers, and of all adjoining or interior excepted tracts or areas of land by clear and relevant identifying information including the notation "not a part of this plat," and of any pubic ways within or abutting the proposed subdivision by name, and any recorded subdivision abutting the proposed subdivision by name;
10. The location, areas and dimensions of any existing floodplains;
11. The area of any lot to be platted by the proposed subdivision, to be shown on the plat either on each such lot or in a lot area table;
12. The names of any existing or proposed public ways;
13. Street stationing data for each street;
14. Any other information previously provided on the Sketch Plan or Preliminary Plat and requested by the Department of Planning and Housing; and
15. Two monuments on the boundary of the proposed subdivision shall be noted as being in accordance with the City's requirements relative to the established State Plain Coordinate System as defined in Chapter 355 of the Code of Iowa.

17.80.407 Major Subdivision Final Plat Attachments: Requirements set forth in Chapter 354 of the Code of Iowa and Des Moines County Recorder's Office shall be attached to and accompany any Final Plat for a Major Subdivision during the recording process.

17.80.500 Minor Subdivision Final Plat Procedures

17.80.501 Application: An Application for Final Plat Approval of a Minor Subdivision shall include:

1. A completed Application Form available from the Development Department;
2. Six (6) paper copies no larger than 11" x 17" and two (2) copies no larger than 24" X 36" of a Final Plat prepared in accordance with these Regulations;
3. Any plat located within the corporate limits shall have a computer diskette or CD containing a Computer Aided Design Drawing of the Final Plat, which shall be provided in a format meeting the hardware and software specifications of the City;
4. Any Improvement or Development Agreement in a form consistent with the requirements of City Policy and these Regulations; and
5. Any filing fee established by the City Council.

17.80.502 Staff and Agency Review of Final Plat for Minor Subdivision:

1. The Development Department shall distribute a copy of the Application Form and the Final Plat to such other departments, persons, and utility companies as it determines may be necessary or appropriate for their review, comments and recommendations.

2. The Development Department shall assemble, review and report on any comments or recommendations submitted and shall examine the Final Plat with regard to its conformance with the Preliminary Plat.

3. An Application for Final Plat Approval of a Minor Subdivision shall be "complete" for the purpose of commencing time periods within which action by the City Council is required when so certified by the Department of Planning and Housing.

17.80.503 City Council Action on Final Plat for Minor Subdivision:

1. All proposed subdivision plats shall be submitted to the City Council for review and approval. Upon receipt of any Final Plat forwarded to it for review and approval, the City Council shall examine the Application Form, the Final Plat, any comments, recommendations or reports examined or made by the Development Department, and such other information as it deems necessary or reasonable to consider.
2. Based upon such examination, the City Council shall ascertain whether the Final Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan and to the City's other duly adopted plans.
3. Review of Minor Subdivisions located within the jurisdiction of the City's two (2) mile review area may be waived by resolution of the City Council, provided the subdivision is not located in the Urban Growth Area as designated by the City.
4. Following such examination, and within 60 days of the Applicant's filing of the complete Application for Final Plat Approval of a Minor Subdivision with the Development Department, the City Council shall approve, approve subject to conditions, or disapprove the Application for Final Plat Approval of a Major Subdivision.
5. The City Council shall, by resolution, set forth its reasons for disapproving any Application or for conditioning its approval of any Application in its official records and shall provide a written copy of such reasons to the developer.

17.80.504 Minor Subdivision Final Plat Design Standards: A Final Plat for a Minor Subdivision shall be drawn at a scale of one-inch equals 100 feet unless an alternate scale has been approved by the Development Director. A Final Plat shall be drawn on sheets measuring no greater than 24 inches by 36 inches and no less than 8-1/2 inches by 11 inches. The Final Plat shall also be provided on a computer diskette containing a Computer Aided Design Drawing of the Final Plat, which shall be provided in a format meeting the hardware and software specifications of the City.

17.80.505 Minor Subdivision Final Plat Design Standards: A Final Plat shall show, at a minimum, the flowing information:

1. The name of the proposed subdivision on each sheet and a notation identifying any resubdivision as such wherever the name of the proposed subdivision appears;

2. The name, address and other pertinent information about the owner and the developer;

3. A statement by a registered land surveyor that the plat was prepared by or under his or her supervision, the surveyor's signature, Iowa registration number or seal, and certification of the accuracy of the plat;

4. The number of each sheet, the total number of sheets included in the plat, and match lines indicating where each sheet adjoins any other sheet, and an index sheet showing the relationship between the sheets;

5. A scale, a north arrow and the preparation or submission date on each sheet;

6. All monuments existing or to be of record, as required by Chapter 355 of the Code of Iowa, as amended or superseded;

7. Survey data describing the bounds of any existing or proposed lot, block, public or private way, railroad or utility right-of-way, deed restriction, covenant, easement, reservation, dedication or other area within the tract or area of land proposed to be subdivided, the outer boundaries of the tract or area of land proposed to be subdivided, and reference to at least two section corners within the United States Public Land Survey System in which the plat lies or to at least two established monuments with any existing recorded plat when the proposed subdivision is a resubdivision in whole or in part;

8. All distance, bearing, curve, and other survey data, as required by Chapter 355 of the Code of Iowa, as amended or superseded;

9. The identity of any lot to be platted by the proposed subdivision be address, block and lot numbers, and of all adjoining or interior excepted tracts or areas of land by clear and relevant identifying information including the notation "not a part of this plat," and of any pubic ways within or abutting the proposed subdivision by name, and any recorded subdivision abutting the proposed subdivision by name;

10. Any other information previously provided on the Sketch Plan and requested by the Development Department;

11. Location of floodplain as applicable;

12. If a subdivision plat, described as part of the United States Public Land Survey System and not entirely a resubdivision of an existing recorded plat, lies within more than one forty-acre aliquot part of a section, the acreage shall be shown only for assessment and taxation purposes for the portion of the subdivision that lies within each forty-acre aliquot part of the section;

13. The area of any lot to be platted by the proposed subdivision, to be shown on the plat either on each such lot or in a lot area table;

14. The names of existing streets; and

15. Two monuments on the boundary of the proposed subdivision shall be noted as being in accordance with the City and State of Iowa requirements.

17.80.506 Minor Subdivision Final Plat Attachments: Requirements set forth in Chapter 354 of the Code of Iowa and Des Moines County Recorder's Office shall be attached to and accompany any Final Plat for a Minor Subdivision during the recording process.

17.80.600 Improvement Agreements

17.80.601 General: Such Improvement Agreements or Development Agreements shall constitute a binding contract between the Applicant and the City (the "parties") and shall be subject to approval as to the form by the City Attorney.

17.80.602 Terms: The City Council may require that all public improvements be installed and dedicated prior to approval of the Major or Minor Subdivision Final Plat. However, the City Council may accept an Improvement Agreement in lieu of the construction of said improvements, provided that security in the form of a Bond or other substitute is placed on file with the City as set forth in these Regulations. Between the approval of the Preliminary Plat and submission of an Application for Final Plat Approval of a Major Subdivision, the Applicant must either complete all indicated improvements to the satisfaction of the City or enter into an Improvement Agreement to do so.

Unless otherwise provided in the Improvement Agreement, the Improvement Agreement shall create no rights enforceable by any third party who is not a party to the Improvement Agreement.

The Improvement Agreement shall include a clause providing that the Applicant's substantial compliance with each and every term, condition, provision and covenant of the Preliminary Plat, of the Improvement Agreement, and of all applicable federal, state and local laws and regulations shall be a condition precedent of approval of the Final Plat for Major Subdivision.

An Improvement Agreement shall require installation of required public improvements within one year of approval of the Final Plat. A maximum extension of one year may be granted for such completion, as allowed by the City Council. If such improvements are not completed within the specified timeframe, the City of Burlington shall cause such improvements to be completed at the expense of the developer in the form of the security on file with the City of Burlington.

17.80.603 Approval: The Improvement Agreement shall be adopted by the City Council pursuant to applicable state and local laws and shall be attached and recorded with the Major Subdivision Final Plat in the office of the County Recorder.

17.80.700 Approval, Recording, and Appeal

17.80.701 Approval and Recording:

1. The passage of a resolution by the City Council accepting any Final Plat, whether for Major or Minor Subdivision, shall constitute final approval of the subdivision subject to the City Clerk receiving a copy of the recorded Final Plat.

2. The Applicant shall request that a copy of such resolution be certified by the City Clerk. The Applicant shall cause the Final Plat and the certified resolution to be recorded in the office of the County Recorder, Des Moines County, Iowa.

3. A copy of the recorded Final Plat and certified resolution must be received by the City Clerk within 60 days of the final approval of the Final Plat by the City Council. The City Council may initiate proceedings to revoke any approved Final Plat not so received.

17.80.702 Appeal: If any Preliminary Plat or Final Plat is disapproved by the City Council, such disapproval shall, by resolution, state the reasons for such disapproval and shall state requirements for approval.

17.80.800 Site Design Standards

17.80.801 General: The design standards contained in these Regulations are the minimum requirements applicable to a wide variety of circumstances for the general arrangement and layout of subdivisions. More stringent standards may be appropriate when the City Council finds and concludes that site conditions so require, in order to ensure development of an economical, pleasant, and durable neighborhood. More stringent standards may be required so long as such findings and conclusions demonstrate the consistency and compatibility of the standards with applicable elements of the Land Use Policy Plan, other City Plans, and the following specific considerations:

1. Safe and convenient pedestrian and vehicular access to the subdivision;
2. Appropriate preservation and integration of natural features within the subdivision;
3. The capacity and capability of infrastructure facilities, utility service and community facility service; and
4. Minimizing overall lengths of public ways and infrastructure facilities while limiting the use of dead-end streets and cul-de-sacs.

Prior to the acceptance of any public improvements by the City, the subdivider shall provide certification signed by a professional engineer licensed in the State of Iowa that the improvements were constructed in accordance with the City's approved plans and specifications.

17.80.802 Blocks: Any block created by subdivision shall be appropriate to the type of development and use contemplated and shall conform as nearly as practicable to the size of existing and abutting blocks within the City's jurisdiction so that any new public way shall extend the existing system of public ways, so that the preferred block length does not exceed 600 feet and in no case shall a new block be longer than 1,320 feet or shorter than 280 feet between center lines of public ways unless topography or other conditions justifies variation. Blocks shall have sufficient width to provide for two tiers of lots sufficient for the building needs of the use proposed and to satisfy applicable zoning requirements. One tier of lots may be permitted for blocks adjacent to arterial streets, railroads, or waterways.

17.80.803 Lots: Any lot created by subdivision shall be appropriate for the type of development and use contemplated and shall meet any applicable zoning requirements and the following additional standards:

1. A lot at the corner or intersection of two public ways shall be of such width to permit appropriate building setback and orientation to both public ways, as well as to provide adequate vehicular sight clearance;
2. A lot with double frontage or reverse frontage shall not be permitted, except where essential to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography and orientation;
3. A lot shall be provided with a usable access to a public way, except that access on an arterial street shall not be permitted unless alternative arrangements are impractical or impossible in which instance a frontage road, a cul-de-sac, or some other means of alternative access may be required in order to limit possible traffic hazard on such street. Such usable access shall be in the form of the minimum lot width fronting a public street, as described in Table 17.30.20;
4. A lot should have side lot lines that are substantially at right angles to straight street lines or radial to curved street lines;

5. The minimum required lot width may be measured at the building setback line if said lot is located on the outer radius of a street such as a cul-de-sac. In no case shall the lot width measured at the right-of-way line of a cul-de-sac or curved street be less than forty (40) feet.
6. A lot shall have adequate depth and width for any proposed structure, off-street service, and parking facilities required by the type of development and use contemplated, provided that a minimum lot width of 50 feet and a minimum lot depth of 100 feet are maintained;
7. A lot created by subdivision that is larger than required under applicable zoning requirements or other relevant building restrictions shall be arranged along with any other such lots created by subdivision to allow the opening of future public ways. Any further subdivision, dedications or reservations providing for such opening or extension of public ways may be made a requirement of the approval of final plat to the extent allowed by law; and
8. An area of land created by subdivision that is unbuildable due to its location, size, shape, or intended use, shall be labeled “outlot” on the final subdivision plat, the approval of which shall thereby restrict it as an unbuildable area. If possible, ground that is unusable due to size, shape, or terrain should be added to adjacent lots and not be made into an "Outlot." Flag-lots are discouraged and shall be labeled as “outlots” when shown on the major or minor final plat.

17.80.804 Conformance to Natural Features: As a means to protect the health, safety and welfare, no land shall be subdivided into buildable lots which is unsuitable for development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, or other natural features. The developer may formulate adequate methods to avoid, minimize or mitigate any problems reasonably expected from subdivision or development of such land. Upon review of methods taken to avoid, mitigate or minimize any such problems the Planning and Zoning Commission may recommend and the City Council may approve of such subdivision.

17.80.805 Monumentation: Monuments shall meet all requirements specified by statute and the Design and Improvement Standards, and shall occur prior to the submittal of the Final Plat as required.

17.80.806 Subdivision Name: The proposed name of any subdivision shall not duplicate or too closely approximate phonetically the name of any other subdivision in the county. The City Council shall have the final authority after consultation with the Planning Commission to designate the official name of any subdivision, which it shall determine at the time of preliminary plat approval for any major subdivision and of final plat approval for any minor subdivision.

17.80.807 Subdivision Improvement Plan Submittal Requirements: Plans for public improvements shall be submitted to the Department of Public Works for review and approval at least 21 days prior start of construction. Upon approval, and at least 7 days prior to construction, the developer shall deliver all plans, specifications, and documents required by the Design and Improvement Standards to the Public Works Department:

Construction shall not proceed until the above documents have been delivered and a pre-construction conference has occurred with representation from the Public Works Department, the developers Engineering Consultant, and the Contractor.

17.80.808 Subdivision Landscaping Requirements: All plans and specifications shall be designed by a Licensed Landscape Architect or other suitable alternative approved by the Development Director. All designs shall meet Standards set forth by the Parks and Recreation Department and the Design and Improvement Standards for the City of Burlington.

17.80.809 Streets: The arrangement, character, extent, width, grade and location of all streets shall conform with the City's arterial street map, these regulations, and any further plans adopted by the City Council.

1. Cul-de-sacs – Streets open at only one end shall have a maximum length of seven hundred fifty (750) feet, measured along the centerline of the roadway from the edge of the adjacent street to the end of the cul-de-sac. Such dead-end roadway shall be served by an eighty (80) foot diameter paved cul-de-sac with one hundred (100) foot diameter right-of-way at the terminus. Street layouts within a subdivision shall be designed to the greatest extent possible to allow current and future connections to adjacent land and existing streets in the area; in order to provide adequate street connections and thru traffic routes, to allow for a more uniform (grid) street pattern and to reduce or eliminate the need for a cul-de-sac.

17.80.810 Street Installation: Any subdivision for which a public street is necessary requires the installation of such street including curbs and gutters adequate to serve all lots or parcels of land within the area to be subdivided. Streets shall be installed with due regard to the present and foreseeable needs of the area to be subdivided and to the location and capacity of existing streets. Streets shall be installed at the subdivider's expense and be constructed according to requirements of the City, certified by a registered engineer and approved by the Public Works Department. Any such street shall become property of the City, upon the City's inspection, approval, and acceptance of such street, after the subdivider pays to the City any costs associated with its installation including any reasonable charge for any supervisory or other services provided by the City.

Streets shall be designed and installed to meet the current Design and Improvement Standards set forth by City Policy and these Regulations.

17.80.811 Rights-of-Way Widths: Street and Right of Way widths and vehicular parking widths shall conform to those standards set forth in the Design and Improvement Standards for the City. These street widths may be modified by the City Council based upon the type of development or use anticipated for the area to be subdivided.

17.80.812 Sidewalks: Sidewalks shall be designed to provide convenient access to all properties and shall connect to the City-wide sidewalk system. Such a sidewalk shall connect with any sidewalk within the area to be subdivided and with any existing or proposed sidewalk in any adjacent area. Sidewalks shall be required on both sides of the street for all new residential streets. Sidewalks may be required in commercial and industrial areas depending on the surrounding area, for increased connectivity to such areas. Any required sidewalk shall be constructed to the Standards set forth by the Design and improvement Standards for the City.

A pedestrian walkway made of concrete may be required where deemed essential to provide access to schools, parks and playgrounds, commercial areas, and/or transportation or community facilities.

17.80.813 Bikeways/Walkways: A bicycle path shall be constructed in an area to be subdivided in order to conform to the Comprehensive City Plan and the Parks and Recreation Master Plan adopted by the City Council. The dimensions and construction specifications of any such bicycle/pedestrian path shall be determined by the number and type of users and the location and purpose of the bicycle/pedestrian path. Pathways shall be a minimum width of ten (10) feet unless otherwise approved by the Community Development Department; in no case shall the width of such path be less than eight (8) feet.

17.80.814 Water Supply: Any subdivision to which a public water main is accessible requires installation of adequate water facilities including fire hydrants, at the subdivider's expense and subject to City specifications described in the Design and Improvement Standards Policy for the City. Prior to the connection with the existing water system of the City, it may be necessary for the

developer to pay a connection fee in accordance with the requirements of the City and the Waterworks Department.

Any subdivision to which a public water main is not accessible requires the installation at the subdivider's expense and subject to requirements of the City and Waterworks Department plans and specifications. The water main system to be installed shall include any water mains and other water facilities adequate to serve all lots or areas of land within the area to be subdivided. The water main system shall be extended to the furthest extent (end) of the platted area at the subdivider's expense.

Due regard shall be given to the present and reasonably foreseeable needs of the area to be subdivided and to the location and capacity of existing water mains and other water facilities. Any such water mains or other water facilities shall become the property of the Waterworks Board of Trustees, upon inspection, approval, and acceptance of such mains and facilities.

17.80.815 Sanitary Sewers: Any lot or area of land created by subdivision shall be served by sanitary sewer facilities in a manner prescribed by City plans and specifications and any applicable rules, regulations and standards of the Iowa Department of Natural Resources and no such lot or area of land shall be served by any individual sanitary sewer disposal system. To the greatest extent possible, the design of the subdivision shall be developed with a gravity sanitary sewer system. The use of sanitary sewer lift stations shall be limited to those instances where no other alternatives exist.

All sanitary sewers shall be improved, designed and installed to standards set forth in the Design and Improvement Standards Policy for the City. All installations shall be certified by an engineer registered with the State of Iowa for conformance to City standards.

The sanitary sewer system to be installed shall include any sanitary sewers and other sewage facilities adequate to serve all lots or areas of land within the area to be subdivided. Due regard shall be given to the present and reasonably foreseeable needs of the area to be subdivided and to the location and capacity of existing sanitary sewers and other sewage facilities.

Any such sanitary sewers or other sewage facilities shall become the property of the City, upon the City's approval, and acceptance of such sewers and facilities, after the subdivider pays to the City any costs associated with services provided by the City.

17.80.816 Electric Distribution and Street Lighting: All improvements shall be designed and installed to meet the standards set forth by Alliant Energy, or any other subsequent provider to the City of Burlington.

17.80.817 Storm Water Management: Any subdivision shall make adequate provisions to control the rate of storm or flood water runoff including any storm water management measures necessary and appropriate for carrying away by pipe or surface channelization any spring or surface water that may exist at the time of subdivision or be reasonably expected to be created by development or use of the area to be subdivided.

Any required storm sewers including foundation drain collector lines shall be separate from any required sanitary sewers and shall be installed at the subdivider's expense and subject to requirements of the City and shall be adequate to serve all lots or parcels of land within the area to be subdivided.

The storm sewer system shall be designed with due regard to the present and reasonably foreseeable needs of the area to be subdivided and to the location and capacity of existing storm sewers and other storm water management measures available to serve existing and reasonably anticipated development or use of areas abutting the area to be subdivided.

Any such storm sewers may become the property of the City, upon the City's approval and acceptance of such sewers, after the subdivider pays to the City any costs associated with services provided by the City.

Storm water management design shall include grading, facilities or improvements or some combination thereof, set forth in the Design and Improvement Standards for the City.

17.80.818 Soil Erosion and Sediment Control: A subdivider shall grade any portion of the area to be subdivided only in conformity with an approved grading plan, including an approved erosion and sedimentation plan for the entire area.

The subdivider shall provide assurances satisfactory to the Development Department and Public Works Department that the grading improvements have been completed in accordance with City, State, and Federal specifications and regulations.

CHAPTER 71

TRAFFIC CONTROL DEVICES

71.01 Traffic Control Devices
71.02 Installation
71.03 Compliance
71.04 Crosswalks
71.05 Traffic Lanes
71.06 Necessity of Signs
71.07 Temporary Traffic Control Devices
71.08 Standards

71.01 TRAFFIC CONTROL DEVICES. The Council shall establish by resolution, and cause to be placed and maintained, appropriate traffic control devices to indicate parking spaces and zones, no parking zones, limited parking zones, reserved parking zones, loading zones, safety zones, school zones, hospital zones, quiet zones, traffic zones other than the above, truck routes, school stops, stop intersections, yield right-of-way intersections, one-way streets, streets to be laned for traffic and play streets. The Council shall also have the power to designate and indicate by resolution intersections at which traffic shall be controlled by traffic signals; intersections at which left turns, right turns and U-turns shall be prohibited; and intersections at which markers, buttons or other indications shall be placed to indicate the course to be traveled by vehicles traversing or turning at such intersections.

71.02 INSTALLATION. The City Manager shall cause to be placed and maintained traffic control devices to carry out the provisions of the Traffic Code of the City under State law or to regulate, guide or warn traffic. The City shall keep a record of all such traffic control devices.

(Code of Iowa, Sec. 321.254 & 321.255)

71.03 COMPLIANCE. No driver of a vehicle shall disobey the instructions of any official traffic control device placed in accordance with the provisions of this chapter, unless at the time otherwise directed by a peace officer, subject to the exceptions granted the driver of an authorized emergency vehicle under Section 321.231 of the Code of Iowa.

(Code of Iowa, Sec. 321.256)

71.04 CROSSWALKS. The City Manager is hereby authorized to designate and maintain crosswalks by appropriate traffic control devices at intersections where, due to traffic conditions, there is particular danger to pedestrians crossing the street or road-way, and at such other places as traffic conditions require.

(Code of Iowa, Sec. 372.13[4] & 321.255)

71.05 TRAFFIC LANES. Where traffic lanes have been marked on street pavements at such places as traffic conditions require, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

(Code of Iowa, Sec. 372.13[4] & 321.255)

71.06 NECESSITY OF SIGNS. No provision of this Traffic Code for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not in a viewable position and sufficiently legible to an ordinarily observant person.

71.07 TEMPORARY TRAFFIC CONTROL DEVICES. The City Manager may cause to be placed and maintained temporary traffic control devices to regulate traffic for up to six (6) months. If the Council wishes to retain any such traffic control device after the six-month period, it must be established by resolution. The City Manager shall keep a record of all such traffic control devices.

71.08 STANDARDS. Traffic control devices shall comply with standards established by *The Manual of Uniform Traffic Control Devices for Streets and Highways*.

(Code of Iowa, Sec. 321.255)

CHAPTER 77

PEDESTRIANS

77.01 Walking in Street
77.02 Hitchhiking
77.03 Pedestrian Crossing

77.01 WALKING IN STREET. Pedestrians shall at all times, when walking on or along a street, walk on the left side of the street.

(Code of Iowa, Sec. 321.326)

77.02 HITCHHIKING. No person shall stand in the traveled portion of a street for the purpose of soliciting a ride from the driver of any private vehicle.

(Code of Iowa, Sec. 321.331)

77.03 PEDESTRIAN CROSSING. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(Code of Iowa, Sec. 321.328)

CHAPTER 82

BICYCLE REGULATIONS

82.01 Scope of Regulations
82.02 Traffic Code Applies
82.03 Double Riding Restricted
82.04 Group Riding
82.05 Bicycle Paths
82.06 Speed
82.07 Emerging from Alley or Driveway
82.08 Carrying Articles
82.09 Riding on Sidewalks
82.10 Towing
82.11 Improper Riding
82.12 Parking
82.13 Equipment Requirements
82.14 Special Penalty

82.01 SCOPE OF REGULATIONS. These regulations shall apply whenever a bicycle is operated upon any street or upon any public path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

(Code of Iowa, Sec. 321.236 [10])

82.02 TRAFFIC CODE APPLIES. Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of the State declaring rules of the road applicable to vehicles or by the traffic code of the City applicable to the driver of a vehicle, except as to those provisions which by their nature can have no application. Whenever such person dismounts from a bicycle the person shall be subject to all regulations applicable to pedestrians.

(Code of Iowa, Sec. 321.234)

82.03 DOUBLE RIDING RESTRICTED. A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(Code of Iowa, Sec. 321.234 [3 and 4])

82.04 GROUP RIDING. Bicycles must be ridden single file in the Business District, on sidewalks where permitted and may be ridden not more than two abreast elsewhere. Persons operating bicycles in the streets must stay as near to the right curb as is reasonably possible.

(Code of Iowa, Sec. 321.236 [10])

82.05 BICYCLE PATHS. Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

(Code of Iowa, Sec. 321.236 [10])

82.06 SPEED. No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

(Code of Iowa, Sec. 321.236 [10])

82.07 EMERGING FROM ALLEY OR DRIVEWAY. The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

(Code of Iowa, Sec. 321.236 [10])

82.08 CARRYING ARTICLES. No person operating a bicycle shall carry any package, bundle or article which prevents the rider from keeping at least one hand upon the handle bars.

(Code of Iowa, Sec. 321.236 [10])

82.09 RIDING ON SIDEWALKS. The following shall apply to riding bicycles on sidewalks:

1. Business District. No person shall ride a bicycle upon a sidewalk within the Business District, as defined in Section 70.02(1) of this Code of Ordinances.

(Code of Iowa, Sec. 321.236 [10])

2. Other Locations. Bicycles may be operated on the sidewalks in residential districts, but not on sidewalks adjoining any school premises, except as permitted by the Police Chief. No bicycle may be operated on any of the sidewalks in the City parks except in the areas designated for that purpose by the Director of Parks and Recreation.

(Code of Iowa, Sec. 321.236 [10])

3. Yield Right-of-way. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing.

(Code of Iowa, Sec. 321.236 [10])

82.10 TOWING. It is unlawful for any person riding a bicycle to be towed or to tow any other vehicle upon the streets of the City unless the vehicle is manufactured for such use.

82.11 IMPROPER RIDING. No person shall ride a bicycle in an irregular or reckless manner such as zigzagging, stunting, speeding or otherwise so as to disregard the safety of the operator or others.

82.12 PARKING. No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such a manner as to afford the least obstruction to pedestrian traffic.

(Code of Iowa, Sec. 321.236 [10])

82.13 EQUIPMENT REQUIREMENTS. Every person riding a bicycle shall be responsible for providing and using equipment as provided herein:

1. Lamps Required. Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least three hundred (300) feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of three hundred (300) feet to the rear except that a red reflector on the rear, of a type which shall be visible from all distances from fifty (50) feet to three hundred (300) feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle, may be used in lieu of a rear light.

(Code of Iowa, Sec. 321.397)

2. Brakes Required. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

(Code of Iowa, Sec. 321.236 [10])

82.14 SPECIAL PENALTY. Any person violating the provisions of this chapter may, in lieu of the scheduled fine for bicyclists or standard penalty provided for violations of the Code of Ordinances, allow the person's bicycle to be impounded by the City for not less than two (2) days for the first offense, ten (10) days for a second offense and thirty (30) days for the third and subsequent offenses.

CHAPTER 85

BICYCLE REGULATIONS

85.01 Scope of Regulations
85.02 Traffic Code Applies
85.03 Double Riding Restricted
85.04 Two Abreast Limit
85.05 Bicycle Paths
85.06 Speed
85.07 Emerging from Alley or Driveway
85.08 Carrying Articles
85.09 Riding on Sidewalks
85.10 Towing
85.11 Improper Riding
85.12 Parking
85.13 Equipment Requirements
85.14 Special Penalty

85.01 SCOPE OF REGULATIONS. These regulations shall apply whenever a bicycle is operated upon any street or upon any public path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

(Code of Iowa, Sec. 321.236[10])

85.02 TRAFFIC CODE APPLIES. Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of the State declaring rules of the road applicable to vehicles or by the Traffic Code of the City applicable to the driver of a vehicle, except as to those provisions that by their nature can have no application. Whenever such person dismounts from a bicycle, the person shall be subject to all regulations applicable to pedestrians.

(Code of Iowa, Sec. 321.234)

85.03 DOUBLE RIDING RESTRICTED. A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(Code of Iowa, Sec. 321.234[3 and 4])

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85.04 TWO ABREAST LIMIT. Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. All bicycles ridden on the roadway shall be kept to the right and shall be operated as near as practicable to the right-hand edge of the roadway.

(Code of Iowa, Sec. 321.236[10])

85.05 BICYCLE PATHS. Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

(Code of Iowa, Sec. 321.236[10])

85.06 SPEED. No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

(Code of Iowa, Sec. 321.236[10])

85.07 EMERGING FROM ALLEY OR DRIVEWAY. The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

(Code of Iowa, Sec. 321.236[10])

85.08 CARRYING ARTICLES. No person operating a bicycle shall carry any package, bundle or article that prevents the rider from keeping at least one hand upon the handlebars.

(Code of Iowa, Sec. 321.236[10])

85.09 RIDING ON SIDEWALKS. The following provisions apply to riding bicycles on sidewalks:

1. Business District. No person shall ride a bicycle upon a sidewalk within the Business District, as defined in Section 60.02(1) of this Code of Ordinances.

(Code of Iowa, Sec. 321.236[10])

2. Other Locations. When signs are erected on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person, no person shall disobey the signs.

(Code of Iowa, Sec. 321.236[10])

3. Yield Right-of-Way. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing.

(Code of Iowa, Sec. 321.236[10])

85.10 TOWING. It is unlawful for any person riding a bicycle to be towed or to tow any other vehicle upon the streets of the City unless the vehicle is manufactured for such use.

85.11 IMPROPER RIDING. No person shall ride a bicycle in an irregular or reckless manner such as zigzagging, stunting, speeding, or otherwise so as to disregard the safety of the operator or others.

85.12 PARKING. No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such a manner as to afford the least obstruction to pedestrian traffic.

(Code of Iowa, Sec. 321.236[10])

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85.13 EQUIPMENT REQUIREMENTS. Every person riding a bicycle shall be responsible for providing and using equipment as provided herein:

1. Lamps Required. Every bicycle when in use at nighttime shall be equipped with a lamp on the front emitting a white light visible from a distance of at least three hundred (300) feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of 300 feet to the rear, except that a red reflector on the rear, of a type that is visible from all distances from fifty (50) feet to 300 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle, may be used in lieu of a rear light.

(Code of Iowa, Sec. 321.397)

2. Brakes Required. Every bicycle shall be equipped with a brake that will enable the operator to make the braked wheel skid on dry, level, clean pavement.

(Code of Iowa, Sec. 321.236[10])

85.14 SPECIAL PENALTY. Any person violating the provisions of this chapter may, in lieu of the scheduled fine for bicyclists or standard penalty provided for violations of this Code of Ordinances, allow the person's bicycle to be impounded by the City for not less than five (5) days for the first offense, ten (10) days for a second offense and thirty (30) days for a third offense.

CHAPTER 86

BICYCLE LICENSING

86.01 Licensing
86.02 License Transfer
86.03 Lost License
86.04 Removal or Alteration
86.05 Maintenance of License Records

86.01 LICENSING. Each person living within the City who owns a bicycle may cause the ownership thereof to be registered with the Clerk. Upon registration, the Clerk shall issue a license tag which may be kept permanently attached to the bicycle.

86.02 LICENSE TRANSFER. In the event a licensed bicycle is sold or transferred, the license tag shall pass to the new owner or transferee. The sale or transfer of the bicycle may be reported to the Clerk by the former owner within five (5) days after the sale or transfer of the bicycle. The Clerk shall keep a record of the transfer.

86.03 LOST LICENSE. In the event a license tag is lost, destroyed or stolen, the Clerk may then issue a new license tag.

86.04 REMOVAL OR ALTERATION. No person shall remove or alter a license tag from a bicycle during the period for which issued unless said bicycle is dismantled and no longer operated upon any street in the City.

86.05 MAINTENANCE OF LICENSE RECORDS. The Clerk shall keep a record of the number of each license tag, the date issued, the name and address of the person to whom issued, and the number on the frame of the bicycle for which issued.

(Code of Iowa, Sec. 372.13[4])

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CHAPTER 135

STREET USE AND MAINTENANCE

135.01 Removal of Warning Devices
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135.10 Maintenance of Parking or Terrace
135.11 Failure to Maintain Parking or Terrace
135.12 Dumping of Snow
135.13 Driveway Culverts

135.01 REMOVAL OF WARNING DEVICES. It is unlawful for a person to willfully remove, throw down, destroy or carry away from any street or alley any lamp, obstruction, guard or other article or things, or extinguish any lamp or other light, erected or placed thereupon for the purpose of guarding or enclosing unsafe or dangerous places in said street or alley without the consent of the person in control thereof.

(Code of Iowa, Sec. 716.1)

135.02 OBSTRUCTING OR DEFACING. It is unlawful for any person to obstruct, deface or injure any street or alley in any manner.

(Code of Iowa, Sec. 716.1)

135.03 PLACING DEBRIS ON. It is unlawful for any person to throw or deposit on any street or alley any glass, glass bottle, nails, tacks, wire, cans, trash, garbage, rubbish, litter, offal, leaves, grass or any other debris likely to be washed into the storm sewer and clog the storm sewer, or any substance likely to injure any person, animal or vehicle.

(Code of Iowa, Sec. 321.369)

135.04 PLAYING IN. It is unlawful for any person to coast, sled, or play games on streets or alleys, except in the areas blocked off by the City for such purposes.

(Code of Iowa, Sec. 364.12[2])

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135.05 TRAVELING ON BARRICADED STREET OR ALLEY. It is unlawful for any person to travel or operate any vehicle on any street or alley temporarily closed by barricades, lights, signs, or flares placed thereon by the authority or permission of any City official, police officer or member of the Fire Department.

135.06 USE FOR BUSINESS PURPOSES. It is unlawful to park, store or place, temporarily or permanently, any machinery or junk or any other goods, wares, and merchandise of any kind upon any street or alley for the purpose of storage, exhibition, sale or offering same for sale, without permission of the Council.

135.07 WASHING VEHICLES. It is unlawful for any person to use any public sidewalk, street, or alley for the purpose of washing or cleaning any automobile, truck equipment, or any vehicle of any kind when such work is done for hire or as a business. This does not prevent any person from washing or cleaning his or her own vehicle or equipment when it is lawfully parked in the street or alley.

135.08 BURNING PROHIBITED. No person shall burn any trash, leaves, rubbish, or other combustible material in any curb and gutter or on any paved or surfaced street or alley.

135.09 EXCAVATIONS. No person shall dig, excavate, or in any manner disturb any street, parking or alley except in accordance with the following:

1. Permit Required. No excavation shall be commenced without first obtaining a permit therefor. A written application for such permit shall be filed with the City and shall contain the following:

   A. An exact description of the property, by lot and street number, in front of or along which it is desired to excavate;

   B. A statement of the purpose, for whom and by whom the excavation is to be made;

   C. The person responsible for the refilling of said excavation and restoration of the street or alley surface; and

   D. Date of commencement of the work and estimated completion date.

2. Public Convenience. Streets and alleys shall be opened in the manner that will cause the least inconvenience to the public and admit the uninterrupted passage of water along the gutter on the street.

3. Barricades, Fencing and Lighting. Adequate barricades, fencing and warning lights meeting standards specified by the City shall be so placed as to protect the public from hazard. Any costs incurred by the City in providing or maintaining adequate barricades, fencing or warning lights shall be paid to the City by the permit holder/property owner.

4. Restoration of Public Property. Streets, sidewalks, alleys and other public property disturbed in the course of the work shall be restored to the condition of the property prior to the commencement of the work, or in a manner satisfactory to the City, at the expense of the permit holder/property owner.

5. Inspection. All work shall be subject to inspection by the City. Backfill shall not be deemed completed, and no resurfacing of any improved street or alley surface shall begin, until such backfill is inspected and approved by the City. The permit holder/property owner shall provide the City with notice at least twenty-four (24) hours prior to the time when inspection of backfill is desired.

6. Completion by the City. Should any excavation in any street or alley be discontinued or left open and unfinished for a period of twenty-four (24) hours after the approved completion date, or in the event the work is improperly done, the City has the right to finish or correct the excavation work and charge any expenses therefor to the permit holder/property owner.

7. Responsibility for Costs. All costs and expenses incident to the excavation shall be borne by the permit holder and/or property owner. The permit holder and owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by such excavation.

8. Notification. At least forty-eight (48) hours prior to the commencement of the excavation, excluding Saturdays, Sundays and legal holidays, the person performing the excavation shall contact the Statewide Notification Center and provide the center with the information required under Section 480.4 of the *Code of Iowa*.

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9. Permit Issued. Upon approval of the application, a permit shall be issued. A separate permit shall be required for each excavation.

10. Permit Exemption. Utility companies are exempt from the permit application requirement of this section. They shall, however, comply with all other pertinent provisions.

135.10 MAINTENANCE OF PARKING OR TERRACE. It shall be the responsibility of the abutting property owner to maintain all property outside the lot and property lines and inside the curb lines upon the public streets, except that the abutting property owner shall not be required to remove diseased trees or dead wood on the publicly owned property or right-of-way. Maintenance includes timely mowing, trimming trees and shrubs, and picking up litter.

(Code of Iowa, Sec. 364.12[2c])

135.11 FAILURE TO MAINTAIN PARKING OR TERRACE. If the abutting property owner does not perform an action required under the above section within a reasonable time, the City may perform the required action and assess the cost against the abutting property for collection in the same manner as a property tax.

(Code of Iowa, Sec. 364.12[2e])

135.12 DUMPING OF SNOW. It is unlawful for any person to throw, push, or place or cause to be thrown, pushed or placed, any ice or snow from private property, sidewalks, or driveways onto the traveled way of a street or alley so as to obstruct gutters, or impede the passage of vehicles upon the street or alley or to create a hazardous condition therein; except where, in the cleaning of large commercial drives in the business district it is absolutely necessary to move the snow onto the street or alley temporarily, such accumulation shall be removed promptly by the property owner or agent. Arrangements for the prompt removal of such accumulations shall be made prior to moving the snow.

(Code of Iowa, Sec. 364.12[2])

135.13 DRIVEWAY CULVERTS. The property owner shall, at the owner's expense, install any culvert deemed necessary under any driveway or any other access to the owner's property, and before installing a culvert, permission must first be obtained from the City. In the event repairs are needed at any time with respect to culverts, it shall be the responsibility of the property owner to make such repairs, and, in the event the owner fails to do so, the City shall have the right to make the repairs. If the property owner fails to reimburse the City for the cost of said repairs, the cost shall be certified to the County Treasurer and specially assessed against the property as by law provided.

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CHAPTER 136

SIDEWALK REGULATIONS

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136.22 Notice of Assessment
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136.24 Billing and Certifying to the County

136.01 PURPOSE. The purpose of this chapter is to enhance safe passage by citizens on sidewalks, to place the responsibility for the maintenance, repair, replacement, or reconstruction of sidewalks upon the abutting property owner and to minimize the liability of the City.

136.02 DEFINITIONS. For use in this chapter the following terms are defined:

1. "Broom finish" means a sidewalk finish that is made by sweeping the sidewalk when it is hardening.

2. "Defective sidewalk" means any public sidewalk exhibiting one or more of the following characteristics:

A. Vertical separations equal to one (1) inch or more.

B. Horizontal separations equal to one and one-half (1½) inches or more.

C. Holes or depressions equal to an area of two (2) square inches or more and a depth of one (1) inch or more.

D. Spalling over fifty percent (50%) of the surface of a single square of the sidewalk with one or more depressions equal to one-half (½) inch or more.

E. A single square of sidewalk cracked in such a manner that no part thereof has a piece greater than one (1) square foot.

F. A sidewalk with any part thereof missing to the depth of the sidewalk.

G. A sidewalk cross slope in excess of one (1) inch per foot.

H. A slope no greater than 1:20 along the entire distance of the sidewalk if the sidewalk is inside of street right-of-way which is part of an accessible route, as delineated in the State Building Code, Administrative Section, Chapter 16.704(4).

I. Vegetation growing on or above the sidewalk creating a safety or passage problem.

3. "Established grade" means that grade established by the City for the particular area in which a sidewalk is to be constructed.

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4. "One-course construction" means that the full thickness of the concrete is placed at one time, using the same mixture throughout.

5. "Owner" means the person owning the fee title to property abutting any sidewalk and includes any contract purchaser for purposes of notification required herein. For all other purposes, "owner" includes the lessee, if any.

6. "Portland cement" means any type of cement except bituminous cement.

7. "Sidewalk" means all permanent public walks in business, residential or suburban areas.

8. "Sidewalk improvements" means the construction, reconstruction, repair, replacement, or removal, of a public sidewalk and/or the excavating, filling or depositing of material in the public right-of-way in connection therewith.

9. "Wood float finish" means a sidewalk finish that is made by smoothing the surface of the sidewalk with a wooden trowel.

136.03 STANDARD SIDEWALK SPECIFICATIONS. Specifications for the construction and repair of sidewalks, hereinafter called "City Sidewalk Specifications," shall be kept on file in the office of the Clerk and the office of the Building Inspector. All sidewalk improvements on public property, whether performed by the owner of the abutting property, a contractor, or by the City, shall be performed in accordance with the City Sidewalk Specifications.

136.04 FAILURE TO COMPLY; REMEDIES. Whenever sidewalk improvements are made that do not conform to the provisions of this chapter and with the City Sidewalk Specifications, the City shall have the work redone to specifications with the costs assessed to the property owner as provided by Sections 364.12 and 384.37 through 384.77, *Code of Iowa*, as amended.

136.05 BARRICADES AND WARNING LIGHTS. Proper warning lights and barricades shall be placed to protect persons from materials, equipment, and dangerous conditions. Placement and maintenance of adequate warnings are the responsibility of the contractor, the owner and/or the lessee of the property.

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136.06 REMOVAL OF SNOW, ICE, AND ACCUMULATIONS. It is the responsibility of the abutting property owners to remove snow, ice, and accumulations promptly from sidewalks. If a property owner does not remove snow, ice, or accumulations within 48 hours, the City may do so and assess the costs against the property owner for collection in the same manner as a property tax.

(Code of Iowa, Sec. 364.12[2b & e])

136.07 OBSTRUCTION OF SIDEWALKS. There shall be no parking of any vehicle, boat, camper, motorcycle, bicycle, children's toys or any other similar items on any public sidewalk.

136.08 RESPONSIBILITY FOR MAINTENANCE. It is the responsibility of the abutting property owners to repair, replace or reconstruct, or cause to be repaired, replaced or reconstructed, all broken or defective sidewalks and to maintain in a safe and hazard-free condition any sidewalk outside the lot and property lines and inside the curb lines or traveled portion of the public street.

(Code of Iowa, Sec. 364.12[2c])

136.09 CITY MAY ORDER REPAIRS. If the abutting property owner does not maintain sidewalks as required, the Council may serve notice on such owner, by certified mail, requiring the owner to repair, replace or reconstruct sidewalks within a reasonable time and if such action is not completed within the time stated in the notice, the Council may require the work to be done and assess the costs against the abutting property for collection in the same manner as a property tax.

(Code of Iowa, Sec. 364.12[2d & e])

136.10 SIDEWALK CONSTRUCTION ORDERED. The Council may order the construction of permanent sidewalks upon any street or court in the City and may specially assess the cost of such improvement to abutting property owners in accordance with the provisions of Chapter 384 of the *Code of Iowa.*

(Code of Iowa, Sec. 384.38)

136.11 PERMIT REQUIRED. No person shall remove, reconstruct, or install a sidewalk unless such person has obtained a permit from the City and has agreed in writing that said removal, reconstruction, or installation will comply with all ordinances and requirements of the City for such work.

136.12 FAILURE TO REPAIR OR BARRICADE. It is the duty of the owner of the property abutting the sidewalk, or the owner's contractor or agent, to notify the City immediately in the event of failure or inability to make necessary sidewalk improvements or to install or erect necessary barricades as required by this chapter. The Council will then determine the future course of action.

136.13 INTERFERENCE WITH SIDEWALK IMPROVEMENTS. No person shall knowingly or willfully drive any vehicle upon any portion of any sidewalk or approach thereto while in the process of being improved or upon any portion of any completed sidewalk or approach thereto, or shall remove or destroy any part or all of any sidewalk or approach thereto, or shall remove, destroy, mar or deface any sidewalk at any time or destroy, mar, remove or deface any notice provided by this chapter.

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136.14 AWNINGS. It is unlawful for a person to erect or maintain any awning over any sidewalk unless all parts of the awning are elevated at least eight (8) feet above the surface of the sidewalk and the roof or covering is made of duck, canvas or other suitable material supported by iron frames or brackets securely fastened to the building, without any posts or other device that will obstruct the sidewalk or hinder or interfere with the free passage of pedestrians.

136.15 ENCROACHING STEPS. It is unlawful for a person to erect or maintain any stairs or steps to any building upon any part of any sidewalk without permission by resolution of the Council.

136.16 OPENINGS AND ENCLOSURES. It is unlawful for a person to:

1. Stairs and Railings. Construct or build a stairway or passageway to any cellar or basement by occupying any part of the sidewalk, or to enclose any portion of a sidewalk with a railing without permission by resolution of the Council.

2. Openings. Keep open any cellar door, grating, or cover to any vault on any sidewalk except while in actual use with adequate guards to protect the public.

3. Protect Openings. Neglect to properly protect or barricade all openings on or within six (6) feet of any sidewalk.

136.17 FIRES OR FUEL ON SIDEWALKS. It is unlawful for a person to make a fire of any kind on any sidewalk or to place or allow any fuel to remain upon any sidewalk.

136.18 DEFACING. It is unlawful for a person to scatter or place any paste, paint, or writing on any sidewalk.

(Code of Iowa, Sec. 716.1)

136.19 DEBRIS ON SIDEWALKS. It is unlawful for a person to throw or deposit on any sidewalk any glass, nails, glass bottle, tacks, wire, cans, trash, garbage, rubbish, litter, offal, or any other debris, or any substance likely to injure any person, animal, or vehicle.

(Code of Iowa, Sec. 364.12[2])

136.20 MERCHANDISE DISPLAY. It is unlawful for a person to place upon or above any sidewalk, any goods or merchandise for sale or for display in such a manner as to interfere with the free and uninterrupted passage of pedestrians on the sidewalk; in no case shall more than three (3) feet of the sidewalk next to the building be occupied for such purposes.

136.21 SALES STANDS. It is unlawful for a person to erect or keep any vending machine or stand for the sale of fruit, vegetables or other substances or commodities on any sidewalk without first obtaining a written permit from the Council.

136.22 NOTICE OF ASSESSMENT. When a bill is submitted for sidewalk improvements or for removal of accumulations as provided in this chapter, the Clerk shall send a notice of such facts to the owner of the abutting property. The notice may be given either by personal service or by certified mail to the last known address of the owner. The notice shall contain a statement of the work performed, the cost of the work that is being assessed, any and all related charges such as administrative costs, legal, publishing fees, etc., a description of the property affected, and the fact that the person may pay the amount assessed by a certain date without interest or penalty. The notice also shall indicate that the person may object to such assessment and give the time at which the Council will hear such objections. The time set for hearing shall be within fifteen (15) days after the service or mailing of the notice.

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136.23 HEARING AND ASSESSMENT. At the time and place designated in the notice, the Council shall consider all objections to the assessment, correct all errors or omissions, and adopt a corrected list as the amounts to be assessed against the property.

136.24 BILLING AND CERTIFYING TO THE COUNTY. Thirty (30) days after issuance of the original notice or 30 days after the Council's decision, whichever is later, the Clerk shall certify any unpaid amounts to the County Treasurer. The unpaid assessments shall constitute a lien against the property and shall be collected by the County Treasurer in the same manner as other taxes. Any assessment that exceeds $100.00 may be paid in installments as set by the Council, not exceeding ten (10), in the same manner and at the interest rate as for special assessments under Chapter 384 of the *Code of Iowa*. No interest shall be charged for assessments, or parts thereof, paid within 30 days of the time the Council determined the final amounts.

CHAPTER 170

SUBDIVISION REGULATIONS

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170.01 STATEMENT OF PURPOSE. The purpose of these regulations is:

1. To provide a means for review by which the City may balance the rights of land owners and the public interest concerning land use and the division and subdivision of land.

2. To provide, through a uniform platting process, accurate descriptions of real estate, in order to prevent title and boundary disputes.

3. To provide a balance between the land use rights of landowners and the economic, social and environmental concerns of the public.

4. To provide uniform guidelines for platting lands within the community and within the authority of the City and its Planning and zoning Commission.

5. To encourage orderly community development with regulated control of extension of public improvements, services and utilities, consistent with the approved Comprehensive Plan for the City.

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170.02 JURISDICTION. The rules, standards, and conditions governing plats and subdivision of land and requirements for approval of the same contained in this chapter shall apply to all land within the City and, in accordance with Section 354.9 of the *Code of Iowa*, to all land located within two (2) miles of the municipal boundaries of the City which is not within the boundaries of another municipality. In the event of overlapping jurisdiction within such two-mile limit, jurisdiction and review herein shall not extend to land, plats or subdivision approval within the exclusive jurisdiction of another city pursuant to a valid agreement established between the City and such other city under Chapter 28E of the *Code of Iowa*.

170.03 DEFINITIONS. For the purpose of this chapter, the following terms are defined[1]:

1. "Alley" or "service drive" means a passage or way affording generally a secondary means of vehicular access to abutting properties.

2. "Building Inspector" means the Building Inspector of the City of West Burlington.

3. "City Engineer" means the engineer for the City.

4. "Collector street" means a street serving as a connection between a thoroughfare and minor or local street.

5. "Commission" means the Planning and Zoning Commission of the City.

6. "Comprehensive Plan" means the adopted plan for the orderly development of the City.

7. "Final plat" means a final platting of the proposed subdivision, prepared in accordance with this regulation by a registered Iowa land surveyor.

8. "Improvements" means the streets, sanitary and storm drainage, water supply and other public utilities required before development of a subdivision can begin.

9. "Lot" means a parcel of land intended for transfer of ownership or building development, whether immediate or future. A lot shall have frontage on a public street.

10. "Lot of record" means a lot which is a part of a subdivision, the plat of which has been recorded.

11. "Official Plan" or "City Plan" or "Comprehensive Plan" means the adopted plan for orderly growth of the City.

12. "Planning Secretary" means the Secretary of the Planning and Zoning Commission.

13. "Preliminary plat" means a properly prepared drawing, of the layout of a proposed subdivision, prepared in accordance with this regulation or an engineering or planning service approved by the Planning and Zoning Commission.

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14. "Streets" means passages or ways providing primary means of travel through the community.

A. Arterial Streets. Major thoroughfares providing through traffic patterns for vehicular traffic in the community.

B. Collector Streets. A street serving as a connection between an arterial street and minor or local streets.

C. Cul-de-Sac. A minor residential street ending in a turn-around.

D. Local or Minor Street. A street intended to provide access and to serve neighborhoods and sub-neighborhoods.

15. "Subdivision" means the division or re-subdivision of a tract or parcel of land into two (2) or more lots, plots, sites or other divisions of land; or the consolidation of parcels, for the purpose, whether immediate or future, of transfer of ownership or

[1] See also Section 165.02.

building development. A re-subdivision of land or lots shall also be considered a subdivision.

170.04 COMPLIANCE REQUIRED. Within the territorial limits of the subdivision regulations, no person shall change, re-subdivide or rearrange the boundary or division line of any lot or parcel of land, or divide the same by any means into lots for any purpose, nor shall any such person begin with any construction work in a proposed subdivision, including grading, without complying with the provisions of this chapter before obtaining the approval of the preliminary plat and final construction plans of the proposed subdivision as hereinafter provided in this chapter. Unless approved as a final plat as provided herein, no subdivision shall be entitled to be recorded in the County Recorder's office or have any validity; the Building Inspector shall not issue building or repair permits; and the Council shall not accept any public improvements or provide services in such subdivision.

170.05 ENFORCEMENT OF PROVISIONS. These regulations shall be enforced within the City limits. On land located within two miles of the City limits and in jurisdiction of the West Burlington Planning Authority, enforcement of regulations shall be made through mutual agreement between Des Moines County and the City.

170.06 VIOLATION; PENALTY; REPORT OF VIOLATIONS. Any person who violates, omits, neglects or refuses to comply with or resists the enforcement of any of the provisions of the regulations set out in this chapter shall be fined not less than $50.00 and not more than $200.00 for each offense; and each day that a violation is permitted to exist shall constitute a separate offense. All such violations will be reported through the office of the Building Inspector, and enforcement carried out by appropriate jurisdiction.

170.07 ADMINISTRATIVE PROCEDURE (PRELIMINARY PLAT). In planning and developing a subdivision, the general principles and requirements set forth in this chapter shall be observed and in every case the following procedure shall be pursued:

1. Submittal of Sketch Plan. The subdivider or subdivider's engineer (or registered land surveyor) shall submit a plat in sketch form to a Plat Review Board consisting of representatives of the City Engineer, the Commission, the Council, and the Planning Secretary to assure that the proposed subdivision will conform to the regulations in this chapter and to provide the subdivider with the necessary information to develop a preliminary plat, construction plans and final plats. Record of the review meeting shall become a part of the preliminary plat review.

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2. Preparation of Preliminary Plat. The subdivider, after submitting the plat in sketch form to the Plat Review Board, shall prepare a preliminary plat of the proposed subdivision and preliminary construction plans for improvements adequate to determine that sewer, water, drainage and street construction can be installed conforming with the requirements set forth in this chapter and the City codes. The subdivider shall show on the preliminary plat that written approval of the plat has been given by the gas and electric utilities, the appropriate telephone company, West Burlington City utilities, police, Building Inspector, Fire Department, and where their jurisdiction is required, the County Soil and water Conservation District, the County Engineer and the County Health Unit. The subdivider shall file with the Planning Secretary an application in writing seeking the approval of the plat and preliminary construction plans, accompanied by five black-line or blue-line prints (six prints if the subdivision lies outside City limits but within area of jurisdiction). The application

shall be submitted at least one week prior to a regularly scheduled meeting of the Commission.

170.08 REQUIREMENTS OF THE PRELIMINARY PLAT. The preliminary plat of a subdivision shall abide by the following requirements:

1. Vicinity Sketch. A vicinity sketch at a scale of 2,000 feet or less per inch shall be drawn on or shall accompany the preliminary plat. The plat or the sketch shall show all adjacent existing subdivisions and their names, the tract lines of acreage parcels of land together with the names of record owners of such parcels, and all street and alley lines immediately adjoining the proposed subdivision and between it and the nearest existing highways or thoroughfares.

2. Scale. The horizontal scale of the preliminary plat shall be 100 feet or less to the inch.

3. The preliminary plat should show clearly and include the following features and information:

A. The proposed name of the subdivision, which shall not duplicate nor closely approximate the name of any other subdivision in the City of West Burlington.

B. An accurate description of the property involved according to real estate records of Des Moines County, or according to recent land survey.

C. The names and addresses of owners of record, the subdivider and the preparer of the plat.

D. The names of adjoining subdivisions and the names of record owners of adjoining parcels of land.

E. The boundary lines, accurate in scale, of the tract to be subdivided.

F. The location, widths and names of all existing or platted streets within or immediately adjacent to the tract, corporation lines, section and quarter-section lines, and other important features such as existing permanent buildings, water courses, railroad lines, etc.

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G. Existing and proposed sewers, water mains, culverts, other underground structures and other public utilities, showing any easement of record, sizes and grades of the facilities.

H. Contour lines, with intervals of two (2) feet referenced to U.S. Geological Survey north American Datum-Mean Sea Level Datum.

I. The layout, proposed names and widths of proposed streets, alleys, and easements; the location and approximate sizes of proposed catch basins, culverts and other drainage structures and features; the layout, numbers and approximate dimensions of proposed lots.

J. Proposed front yard setback lines and other setback lines.

K. The width and approximate dimensions of all parcels of land intended to be dedicated or reserved for public use, or to be reserved in the deeds for the common use of property owners in the subdivision, with the purpose, conditions of maintenance, or limitations of such dedication or reservation indicated.

L. North point, scale and date.

M. Copies of any proposed easements, showing locations, dimensions, purposes and limitations.

N. Notation stating "PRELIMINARY PLAT, NOT FOR RECORD."

O. A legend, showing definition of pertinent symbols appearing on the plat.

P. Any covenants pertaining to special considerations or limitations within the subdivision.

170.09 PRELIMINARY CONSTRUCTION DRAWINGS. The subdivider's engineer shall prepare preliminary plans for all proposed improvements in such form as to enable the City Engineer to determine that sewers, water, drainage and streets may be constructed according to City codes.

170.10 COMMISSION REVIEW. The Planning and Zoning Commission upon receipt of the application and copies of the preliminary plat may request the City Engineer to review the plat and preliminary construction plans for any proposed improvements. Upon receipt of the engineer's advice and recommendations, the Commission shall check the plat for its conformity with the City Plan and ordinances and the principles, standards and requirements set forth in these regulations. Within 45 days of receipt of the plat, the Commission shall forward its report and recommendation regarding the plat to the Council. Its recommendation shall be:

1. Approval of the plat as presented;

2. Approval of the plat with modifications, the reasons for which shall be set forth in writing to the Council with a copy of the report and recommendations sent to the applicant; or

3. Disapproval of the plat, with reasons in writing to the Council and applicant.

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170.11 COUNCIL APPROVAL OF PRELIMINARY PLAT.

1. The Council shall examine the plat, the report of the City Engineer, the report of the Commission, and such other information as it deems necessary or desirable. Upon such examination, the Council shall ascertain whether the plat conforms to the ordinances and standards of the City, and will be conducive to the orderly growth and development of the City, in order to protect the public health, safety and welfare. Following such examination, the Council may approve, approve subject to conditions, or disapprove the plat. If the decision of the Council is to disapprove the plat, or to approve the plat subject to conditions, the reasons therefor shall be set forth in writing in the official records of the Council, and such decisions shall be provided to the subdivider. Action on the preliminary plat by the Council shall be taken within sixty (60) days of the receipt of the plat by the Council, unless such time period is extended by agreement between the subdivider and the City.

2. Upon approval, or conditional approval, of the preliminary plat, one copy of the approved or conditionally approved plat shall be returned to the subdivider within ten (10) days following Council action, one copy of the approved plat transmitted to the Superintendent of the Independent School District of West Burlington, and one to the City Engineer, and the final copy retained in the Planning and Zoning

Commission's files. Where the subdivision lies outside the corporate limits but within the limits of jurisdiction, a copy of the plat will be transmitted to the County Engineer.

170.12 ADMINISTRATIVE PROCEDURE (CONSTRUCTION OF IMPROVEMENTS). The subdivider, after approval of the preliminary plat, may secure approval from the City Engineer of the final construction plans and specifications for streets, storm and sanitary sewers, drainage, water supply and other public utilities, and construct improvements according to plans, or in lieu thereof, shall, to insure the satisfactory installation of the improvements in accordance with the Commission's regulations, post with the City a surety bond, in form prescribed by the Council, sufficient to cover the full cost of the improvements, based upon estimate prepared by the subdivider's engineer and approved by the City Engineer. Where the subdivision lies outside the corporate limits but within limits of jurisdiction, the subdivider shall obtain permits and approval of final construction drawings from the County Engineer or, to insure satisfactory installation of the improvements, shall provide the County Engineer a surety bond in conformance with this chapter. Improvements shall be installed in accordance with final construction plans and specifications and the requirements of the City codes, unless a surety bond is filed prior to request for approval of the final plat.

170.13 CONSTRUCTION SPECIFICATIONS; COMPLETION AGREEMENT.

1. All of the improvements required under this chapter shall be constructed in accordance with construction plans and specifications approved by the City Engineer in respect to construction details and proper site observation of the improvements to be installed. Improvements shall be completed prior to the filing with the Commission of the final or record plat and request for final approval. The subdivider's engineer shall furnish the City with a statement that all improvements have been constructed in practical conformance with the plans and specifications. A copy of all tests performed, as required by the plans or specifications, shall be furnished to the City Engineer.

2. In lieu of completing all the improvements as required in subsection 1 above, the subdivider shall furnish the Commission with a surety bond, sufficient to cover the cost of any or all of the improvements required to be installed by the subdivider, based on estimates approved by the City Engineer, thereby to secure the actual construction and installation of such improvements within one year after the approval of the final plat, subject to extension by the Commission. In the event the subdivider has not completed the sidewalks required by the regulations, then in that event the subdivider shall furnish the Commission with a separate surety bond sufficient to cover the cost of the installation of said sidewalks required to be installed by the subdivider based on estimate approved by the City Engineer thereby to secure the actual construction and installation of such sidewalks.

3. All plans for improvements shall be referenced to the United States Geological Survey datum.

4. Approval of other agencies having jurisdiction shall be obtained prior to improvements being installed. Example: State Department of Natural Resources.

5. Construction plans and specifications shall be prepared and certified by a registered Iowa Professional Engineer.

6. Plans for streets, drainage facilities, sanitary sewers and water distribution system shall be drawn at a horizontal scale of 50 feet or less per inch and a vertical scale of 5 feet or less per inch.

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170.14 ADMINISTRATIVE PROCEDURE (FINAL PLAT). After improvements have been installed, or a surety bond filed, in accordance with this chapter, six black-line or blue-line prints (seven if outside city limits but within area of jurisdiction), and also two reproducible copies on film or other permanent material of the final or record plat of the subdivision or of any part of a larger subdivision, shall be submitted to the Commission with a formal request for approval. The final plat shall be drawn at the scale of 100 feet or less to the inch, and shall clearly show the following features and information:

1. The subdivider, upon completion of all improvements required by this chapter, or upon posting of a bond, shall file with the Commission the final or record plat for approval. The plat must conform in every respect with the requirements specified in this chapter. The subdivider shall submit the final plat not later than one year after approval of the preliminary plat. A final or record plat may be a portion of a larger subdivision for which a preliminary plat had been previously approved. However, improvements shall be made for all parts of the subdivision to be submitted for final approval or, in lieu thereof, a surety bond has been posted.

2. The subdivider shall file with the Commission six black-line or blue-line prints, (seven copies when the subdivision is outside the City limits), plus two reproducible copies on film or other permanent material, of the final or record plat, and a formal request for approval, along with two copies of all covenants or restrictions pertaining to the plat.

3. Requirements of the Final Plat. The final plat shall be drawn to a scale of 100 feet or less to the inch and shall clearly show the following features and information:

A. Legal description of the property, including reference to two section corners within the United States public land survey system.

B. All plat boundary lines with lengths of courses to hundredths of a foot and bearings or angles based on an accurate survey in the field.

C. The exact locations and the widths along the property lines of all existing or recorded streets or roads intersecting or paralleling the boundaries of the tract.

D. Bearings and distances to the nearest established survey lines or other official monuments, which monuments shall be located or accurately described on the plat.

E. The accurate location and material of all permanent reference monuments. Such monuments shall be reinforced concrete cylinders or rectangular prisms, not less than 4 inches in diameter or square, and 24 inches long, located at each corner of the subdivision. Other markers shall be steel rods, not less than one-half inch in diameter and 24 inches in length, located at all street corners, lot corners, at all points where street lines intersect the plat boundary lines, and at angle points and points of curve in each street. Any pins disturbed by construction or grading shall be accurately reset.

F. The exact layout including:

(1) Street and alley lines – their names, bearings, angles of intersection and widths (including widths along the line of any obliquely intersecting street);

(2) The lengths and curve data of all arcs, radii, points of curvature and tangent bearings;

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(3) All easements and purposes of easements or rights-of-way, when provided for or owned by the city of public utilities (with the limitation of the easement rights definitely stated on the plat);

(4) All lot lines with dimensions in feet and hundredths, length of all arcs for each lot, lengths and bearings of all chords for each lot, and enough angles, bearings and dimensions to provide a mathematical closure of each lot.

G. Lots numbered in numerical order, blocks numbered in numerical order; parks, open areas, school property, other areas of public use, or areas within the plat set aside for future development shall be assigned a progressive letter, with the proposed use clearly designated.

H. The accurate outline of all property which is offered for dedication for public use, and of all property that may be reserved by covenant in the deeds for the common use of the property owners in the subdivisions with the purpose indicated thereon.

I. Front yard setback lines as established by zoning regulations need not be shown. Lines of future streets or roads as shown on the adopted transportation plan and those setback lines stipulated in deed restriction shall be shown on the adopted transportation plan and those setback lines stipulated in deed restrictions shall be shown.

J. Private restrictions, if any;

(1) Boundaries of each type of use restriction;

(2) Other private restrictions for each restricted section of the subdivision.

K. Name of the subdivision and name or number of the largest subdivision or tract of which the tract being subdivided forms a part.

L. Names and locations of adjoining subdivisions.

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M. Names and addresses of the owner or owners of record, the subdivider, and of the registered Iowa Land Surveyor who prepared the plat.

N. North point, scale and date.

O. Certification by a Registered Iowa Land Surveyor, who prepared the plat to the effect that the plat represents a survey made by that person, that all monuments indicated thereon actually exist and that their location, size and material are correctly shown.

P. All certificates required by law, including certificate of title showing ownership of the tract of land included in the subdivision and certification by the County Treasurer that all taxes have been paid.

Q. A legend showing definition of pertinent symbols appearing on the plat.

4. The City Engineer or a registered engineer approved by the Commission and Council will review the final plat and plans and specifications for improvements. The Engineer shall report to the Commission that the improvements have been made in accordance with approved plans and specifications and that the final plat meets the requirements of the regulations, or the engineer shall specify any errors or short-

comings of the plat. When no improvements are involved and the requirements of the regulations have obviously been met, the Commission may have the option of review of the plat, without engineering review.

5. The City Engineer will check the final plat and plats and specifications for improvements. If found satisfactory, one reproducible copy shall be forwarded to the Commission, with a certificate showing that:

A. The technical details of the plat itself have been checked and found satisfactory;

B. All required improvements have been satisfactorily completed or, in lieu thereof, a surety bond has been posted, assuring their installation.

170.15 APPROVAL OF FINAL PLAT.

1. After receiving notification from the City Engineer that improvements are in order, and after being satisfied that the final plat is in conformity with the approved preliminary plat and the regulations, the Commission shall approve and certify the final plat and forward it to the Council for appropriate action. The Commission and the Council shall have sixty (60) days from the date of submission in which to take action on the final plat.

2. After approval of the final plat by the Council, five (or six if subdivision is outside City limits) approved prints, and one reproducible copy of the final plat shall be returned to the Planning Secretary. The Secretary shall transmit one copy of the approved plat to the City Engineer, one to the Superintendent of the Independent School District of West Burlington, one to the Building Inspector, and retain one for the files, along with a reproducible copy (one copy to the County Engineer if outside the City limits). One signed copy shall be transmitted to the subdivider for recording with the Des Moines County Recorder.

170.16 MAINTENANCE BOND. The subdivider must post a maintenance bond covering any improvement to be accepted for maintenance by the City prior to approval of final plat by the Council. Such bond shall be held by the Clerk and shall become effective upon acceptance of the final plat by the Council, unless otherwise stipulated. Maintenance bonds shall run for four (4) years on street paving and two (2) years on sewer and water improvements.

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170.17 EXCEPTIONS AND MODIFICATIONS.

1. The general principles of design and minimum requirements for the layout of subdivisions as set forth herein may be varied by the Planning and Zoning Commission in the case of a subdivision large enough to constitute a more or less self-contained neighborhood which is to be developed in accordance with the Planned Unit Development requirements of the zoning regulations, and which in the judgment of the Commission makes adequate provision for all essential community requirements; provided, however, no modification shall be granted which would conflict with the proposals of the Transportation Plan, the Community Facilities Plan or the adopted Comprehensive City Plan.

2. In any particular case where the subdivider can show that by reason of exceptional topographic or other physical conditions, strict compliance with any requirements of the regulations could cause practical difficulty or exceptional or undue hardship, or in subdivisions lying in the two-mile jurisdiction outside the City limits, where the purpose of subdivision does not involve housing development or

other intensive land use, the Planning and Zoning Commission may relax such requirement to the extent deemed just and proper, so as to relieve such. difficulty or hardship; provided such relief may be granted without detriment to the public good and without impairing the intent and purposes of the regulations or the desirable general development of the City in accordance with the adopted Planning and Zoning Regulations of the City. Any modification thus granted shall be entered in the minutes of the Commission, setting forth the reasons which, in the opinion of the Commission, justified the modification.

3. In the case of a subdivision of less than five (5) lots and where the lots can be adequately served by existing streets, situated in a locality, where conditions are well defined, the Commission may exempt the subdivider from complying with some of the requirements stipulated in this section pertaining to the preparation of the preliminary plat.

4. The realignment, combining or dividing of lots in an approved subdivision may be carried out by simple replatting, in final plat form, provided all modifications conform with requirements of current zoning and subdivision regulations, with approval of the Commission and the City Council.

5. Subdivisions lying within the two-mile jurisdiction of the City shall follow the above procedures with the following exceptions:

A. Requirement for topographic survey data with two-foot intervals may be waived if:

(1) It is a simple division required for estate settlement, with no proposed use of the land for further development purposes;

(2) If a single lot is being delineated for residential purposes and the remaining portion will not be subdivided for development purposes.

B. Setback requirements shall follow regulations for A-1 Agriculture Districts in the zoning regulations.

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C. Lot sizes shall not be less than 20,000 square feet in areas not served by sanitary sewers.

D. Street frontages shall follow minimum standards set forth in R-2 Residential Districts of the zoning regulations.

170.18 FEES FOR CITY SERVICES.

1. At the time of filing of the plat or replat for approval, the subdivider shall pay to the Clerk a fee as set by resolution of the Council.

A. A preliminary plat fee shall be paid upon presentation of the preliminary plat or preliminary replat to the Commission. No approval of any such preliminary platting shall be given unless said fees have been paid in full.

B. A final plat fee shall be paid upon presentation of the final plat, or final replat to the Commission. No final approval shall be given any such final platting unless said fees have been paid in full.

2. All fees shall be deposited in the General Fund of the City.

3. In the case of exceptions granted under this chapter, the minimum fee shall be $25.00. Additional fees may be in an amount sufficient to cover actual expenses of the Commission and City, but the maximum additional fee shall not exceed $300.00.

170.19 AS-BUILT CONSTRUCTION DRAWINGS. Where the construction as performed varies from the plans filed and approved as hereinabove required, as-built construction plans shall be filed with the Council in the form of a reproducible copy on film or other permanent material. If such construction does not vary from the plans, an affidavit executed by a registered Iowa Professional Engineer so certifying shall be filed prior to acceptance of a final plat or acceptance of improvements for maintenance.

170.20 GENERAL DESIGN REQUIREMENTS. In laying out a subdivision, the subdivider shall comply with the general principles and requirements set forth in this chapter.

170.21 CONFORMITY OF DESIGN STANDARDS TO CITY PLANS AND REQUIREMENTS.

1. The layout must conform to the transportation plan, other parts of the adopted Comprehensive City Plan and other adopted regulations of the City.

A. Whenever a tract to be subdivided embraces any part of a primary or secondary thoroughfare or collector street, so designated on the City plan, such a part of such public way must be platted by the subdivider in the location and at the width indicated on the plan.

B. Where a proposed park, playground or other recreational area, proposed school site or other public ground, shown on the adopted community facilities plan or other adopted part of the City plan, is located in whole or in part within the proposed subdivision, such proposed public ground or part, if not dedicated to the City, Board of Education or other public agency, must be reserved and no action taken on the subdivision for a period of not less than ninety (90) days to allow the City or other public agency the opportunity to consider and take action toward acquisition of such public ground or part by purchase or other means. If the responsible agency does not take action to acquire such land, the subdivider may then use the land for any purpose permitted in that particular zoning district.

2. Where considered desirable by the subdivider and held appropriate by the Commission, open spaces suitably located and of adequate size for parks, playgrounds or other recreational purposes for local or neighborhood use may be provided for in the design of the proposed subdivision, and if not dedicated to the public and accepted by the appropriate public body, may be reserved for the common use of all property owners in the proposed subdivision by covenant in the deeds.

3. In proposed subdivisions of 20 or more lots, the developer shall provide an open space equivalent in area of, at least, the average area of the lots of the subdivision, in a suitable location for park, playground or recreational purposes for the neighborhood and/or the community. Such area may be dedicated for public use or may be reserved for the common use of all property owners in the proposed subdivision by covenant in their deeds.

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170.22 STREET AND BLOCK LAYOUT.

1. The street layout of the subdivision shall be in general conformity with a plan for the most advantageous development of adjoining and nearby areas.

A. Where appropriate to the design, proposed streets shall be continuous and in alignment with existing, planned or platted streets with which they are to connect.

B. Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical condition, or unless, in the opinion of the Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision with existing layouts or the most advantageous future development of adjacent tracts. Cul-de-sacs of reasonable length will be approved where topography necessitates or where they are appropriate for the type of development contemplated, and where adequate fire protection can be assured.

C. Proposed streets shall intersect one another as nearly at right angles as topography and other limiting factors of good design permit.

D. Wherever there exists adjoining the tract to be subdivided a dedicated or platted and recorded half width street or alley, the other half-width of such street or alley shall be platted.

E. Alleys shall be platted:

(1) In the rear of all lots to be used for business; and

(2) In the rear of residential lots fronting on primary thoroughfares (unless service roads are provided in front thereof) as a means of safe access to such lots.

2. Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth, at least 100 feet, unless, in the opinion of the Commission, prevented by exceptional topography or other physical conditions.

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A. The lengths of blocks shall be such as are appropriate, in the opinion of the Commission, for the locality and the type of development contemplated, but shall not exceed 1,200 feet.

B. In any block over 700 feet in length, the Commission may require that a crosswalk or pedestrian way, not less than 10 feet wide, be provided near the center and entirely across such block.

C. Cul-de-sacs shall not exceed 500 feet in length, measured along the centerline from the intersection at origin through the end of the circle to the end of the right-of-way in subdivisions protected by a fire hydrant system.

In areas outside the City limits and within jurisdiction of the Commission, cul-de-sac dimensions shall be reasonable with regard to access for utilities, fire control and maintenance.

3. Block layout in nontraditional subdivisions of those laid out in random manner shall be coordinated with zoning regulation R-2 Residential.

170.23 RIGHT-OF-WAY WIDTHS AND EASEMENTS. Minimum right-of-way widths of streets, alleys, and easements for utilities shall be:

1. Primary thoroughfares, as designated on the transportation plan, but not less than 80 feet wide in any case.

2. Secondary thoroughfares, as designated on the transportation plan, but not less than 60 feet wide in any case.

3. Collector or local streets, 50 feet wide.

4. Minor streets and cul-de-sacs, 50 feet wide.

5. All dead-end streets shall terminate in a circular turnaround having a minimum right-of-way diameter of 120 feet. Illustrations of the methods of street termination are on file for public use in the office of the Clerk.

6. Alleys and service drives, 16 feet wide.

7. Easements for utilities, where required, should be at least 10 feet wide, centered on rear or side lot lines.

170.24 PAVEMENT WIDTHS. The portion of the pavement required to be installed as the subdivider's responsibility shall be as follows:

1. As designated on the transportation plan:

A. Primary arterial thoroughfares shall be 39 feet wide, back to back of curbs;

B. Secondary arterial thoroughfares shall be 29 feet wide, back to back of curbs;

C. Collector streets shall be 29 feet wide, back to back of curbs;

D. Local or minor streets shall be 24 feet wide, back to back of curbs.

Overall pavement widths shall be as designated by the transportation plan, and the differences, if any, between the cost of the portion to be provided at the expense of the subdivider and that of the total width designated by the transportation plan shall be borne by the City, unless it is determined by the Commission that such greater width will benefit the subdivider in proportion to its cost; provided, however, the cost of curb and gutter should be borne by the subdivider in any case. The pavement of a turning circle at the end of a cul-de-sac shall have a minimum outside diameter of 100 feet. A "T" or "Y" shaped paved space, when approved by the Commission, may be used as a temporary measure at the end of a dead-end street until such time as the street is continued.

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2. Alleys and service drives: minimum pavement 4 feet less than dedicated right-of-way.

170.25 STREET GRADES, CURVES AND SIGHT DISTANCES.

1. The grades of streets shall not be less than 0.5 percent, or exceed the following:

A. Primary and secondary thoroughfares, designated as such on the transportation plan, five percent unless prevented by topography;

B. Collector, minor and local streets, service drives, and alleys, ten percent.

C. Pedestrian ways or crosswalks: Not to vary more than three percent from adjoining roadway, unless acceptably designed steps are to be provided.

2. All changes in street grades above one percent shall be connected by vertical curves of a minimum length equal to 30 times the algebraic difference in the rate of grade for thoroughfares and one-half of this minimum for all other streets.

3. The radii of curvature on the centerline shall not be less than the following:

A. Thoroughfares, 350 feet;

B. Local streets, minor streets, service drives and alleys, 150 feet.

170.26 INTERSECTIONS.

1. Curb returns at street intersections shall be rounded by radii of at least 25 feet.

2. Streets shall intersect as close to a 90 degree angle as possible. The above minimum radii shall be increased where the angle of intersection is less than 90 degrees.

170.27 LOTS.

1. The size, shape, and orientation of lots shall be appropriate for the location of the proposed subdivision and for the type of development contemplated, and shall follow guidelines of the zoning regulations.

2. Excessive depth in relation to width ordinarily shall be avoided.

3. Every lot shall abut on a public right-of-way dedicated for street purposes. In subdivisions utilizing privately maintained drives, such drives shall be designed to meet right-of-way widths for minor streets and shall be maintained with durable and dust-free surfaces.

4. Lots for residence purposes, other than cul-de-sacs, shall be at least 50 feet wide at the front lot line in order to permit compliance with the side yard requirements of the Zoning Ordinance and still be adequate for a building of practicable width. Those lots fronting cul-de-sacs shall be at least 37½ feet wide.

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5. Lots larger than the minimum called for by the Zoning Regulations may be required where topographic or other considerations may limit the buildable or usable portion of such lots. This is especially applicable where a septic system is required for sewage disposal.

6. Corner lots for residential use ordinarily should be platted a minimum of 15 feet wider than interior lots in order to permit conformance with the setback required by the Zoning Ordinance on the side street.

7. Residential lots fronting on highways, primary and secondary thoroughfares and parkways should have extra depth to permit deep setbacks for the buildings.

8. Double-frontage lots and reversed-frontage lots ordinarily should be avoided.

9. Side lot lines shall be approximately at right angles to the right-of-way line of the street on which the lot fronts. If other than a right angle, lots should be wider, in order to provide adequate side yard setbacks for buildings that could be constructed on lots at right angles to the front property line.

10. Front lot lines on curved streets shall be radial to the right-of-way line of the street on which the lot fronts.

170.28 STREETS, SIDEWALKS AND ALLEYS.

1. Construction plans for improvements to be installed shall be prepared by a registered Iowa Professional Engineer, whose seal shall appear thereon, and a reproducible copy on film or other permanent material, plus two prints furnished, in accordance with specifications approved by the City Engineer, and shall be revised as may be necessary and receive approval of the City Engineer and other agencies having jurisdiction before improvements are installed. Construction plans shall be furnished, as follows, at a minimum:

A. Plan and profile of each street with grades indicated and horizontal and vertical curve data furnished;

B. Typical cross-section of each proposed street, at a horizontal and vertical scale of 5 feet or less to the inch, showing the width of pavement, the location and width of any sidewalks, and the location of utility mains. Cross-sections for each street shall be furnished at hundred-foot intervals or less. These sections shall be at a horizontal scale of 10 feet or less per inch and a vertical scale of 5 feet or less per inch.

2. Streets shall be graded to full right-of-way width. The surfacing in residential areas of collector, minor, or local streets shall be 7 inches of Portland cement concrete or equivalent as approved by the City Engineer. Surfacing of collector, minor and local streets in business areas shall be 8 inches of Portland cement concrete or equivalent as approved by the City Engineer. Surfacing of all streets in industrial areas shall be not less than 9 inches of Portland cement concrete. Surfacing of primary and secondary arterial streets shall be not less than 8 inches of Portland cement concrete. Surfacing of local streets R-2 Residential Districts shall be made in accordance with zoning regulations for those districts, with approval of the City Engineer.

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3. Sidewalks shall be constructed of Portland cement concrete not less than 4 inches thick and not less than 4 feet in width, on both sides of every street in accordance with standards and specifications approved by the Planning and Zoning Commission and City Engineer. Sidewalks may be waived by the Council upon recommendation of the Commission in residential subdivisions where the majority of lots exceed 20,000 square feet in area and with an average lot width of 100 feet or more at the front setback line, and in business and industrial areas where pedestrian traffic is not occurring nor will result from anticipated development.

4. Alleys and service drives shall be graded to the full width of the right-of-way, and shall be provided with an all-weather surface satisfactory to the City Engineer. Such paved width shall be 4 feet less than the dedicated right-of-way unless otherwise specified.

170.29 WATER DISTRIBUTION SYSTEM. Every subdivision shall be provided with a complete water distribution system adequate to serve the area being platted, including a service connection to within one foot of a lot line of each lot and appropriately spaced fire hydrants, the entire water system designed to meet the approval of the City Engineer and the State Department of Natural Resources. Plans showing location of water distribution system,

pipe sizes and location of valves and hydrants, along with calculations on anticipated fire-flow capacities, shall be provided.

170.30 SANITARY SEWAGE DISPOSAL. In every subdivision, provision shall be made for the satisfactory disposal of sanitary sewage:

1. Where a public sanitary sewer main is reasonably accessible, in the opinion of the Commission, the subdivision shall be provided with a complete sanitary sewer system connected with such sewer main, including a service connection to within one foot of a lot line of each lot. Such system shall be approved by the City Engineer and the Iowa Department of Natural Resources.

2. Where a public sanitary sewer main is not reasonably accessible, in the opinion of the Commission, proper provisions shall be made for the disposal of sanitary waste, subject to approval of the City Engineer. If individual disposal systems are provided, they shall be located on each lot. The absorption of the soil, surface drainage and topography shall be the criteria for determining whether or not the installation of individual septic tank disposal systems are feasible. Feasibility shall be ascertained by the subdivider whenever individual systems are proposed. At least two percolation tests shall be made on each lot at the approximate location of the septic system absorption field. Such tests shall be performed in accord with the requirements of the Commission, City Engineer and the County Health Department. The results of these tests shall be certified by a registered Iowa Professional Engineer and made known to the City Engineer, the Commission, and the County Health Department.

3. Wherever excavation for storm sewer, sanitary sewer, and/or water mains and appurtenances thereto may lie beneath existing or proposed pavement, sidewalk or drive area, such excavation shall be backfilled by a method and with material of a type approved by the City Engineer.

170.31 UTILITIES. Poles or underground conduits for electric lights, telephone lines or other utilities shall be placed in easements provided along rear or side lot lines, wherever this is practicable.

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170.32 STORM SEWERS AND DRAINAGE.

1. Every subdivision shall be provided with a storm water sewer or drainage system adequate to serve the area being platted for a five-year design storm, or otherwise meeting the approval of the City Engineer:

A. Storm sewers shall have grade and size indicated;

B. A complete grading/drainage plan;

C. Drainage calculations shall be submitted for review.

D. Drainage easements shall be furnished wherever any stream or surface watercourse is located in an area being subdivided.

2. The developer shall provide sufficient plans and site improvements to insure that surface water drainage from subdivisions will have no greater impact on downstream properties when fully developed than before platting.

CHAPTER 71

TRAFFIC CONTROL DEVICES

71.01.000 Installation
71.02.255 Crosswalks
71.03.255 Traffic Lanes
71.04.255 Standards
71.05.256 Compliance
71.06 Temporary Traffic Control

71.01.000 INSTALLATION. The Council shall cause to be placed and maintained traffic control devices when and as required under this Traffic Code or under State law or emergency or temporary traffic control devices for the duration of an emergency or temporary condition as traffic conditions may require to regulate, guide or warn traffic. The Council shall keep a record of all such traffic control devices.

(Code of Iowa, Sec. 321.255)

71.02.255 CROSSWALKS. The City Administrator is hereby authorized, subject to approval of the Council by resolution, to designate and maintain crosswalks by appropriate traffic control devices at intersections where, due to traffic conditions, there is particular danger to pedestrians crossing the street or roadway, and at such other places as traffic conditions require.

(Code of Iowa, Sec. 372.13[4] & 321.255)

71.03.255 TRAFFIC LANES. The City Administrator is hereby authorized to mark lanes for traffic on street pavements at such places as traffic conditions require, consistent with this Traffic Code. Where such traffic lanes have been marked, it is unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

(Code of Iowa, Sec. 372.13[4] & 321.255)

71.04.255 STANDARDS. Traffic control devices shall comply with standards established by *The Manual of Uniform Traffic Control Devices for Streets and Highways.*

(Code of Iowa, Sec. 321.255)

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71.05.256 COMPLIANCE. No driver of a vehicle shall disobey the instructions of any official traffic control device placed in accordance with the provisions of this chapter, unless at the time otherwise directed by a peace officer, subject to the exceptions granted the driver of an authorized emergency vehicle under Section 321.231 of the *Code of Iowa.*

(Code of Iowa, Sec. 321.256)

71.06 TEMPORARY TRAFFIC CONTROL. The City Administrator is hereby authorized to install and operate temporary traffic control devices, including yield and stop signs and traffic signals, for a period not to exceed ninety (90) days at any location where said official has determined such devices are necessary to protect the public safety.

CHAPTER 77

PEDESTRIANS

77.01.326 Walking in Street
77.02.331 Hitchhiking
77.03.328 Pedestrian Crossing
77.04.000 Use of Sidewalks

77.01.326 WALKING IN STREET. Pedestrians shall at all times when walking on or along a street, walk on the left side of the street.

(Code of Iowa, Sec. 321.326)

77.02.331 HITCHHIKING. No person shall stand in the traveled portion of a street for the purpose of soliciting a ride from the driver of any private vehicle.

(Code of Iowa, Sec. 321.331)

77.03.328 PEDESTRIAN CROSSING. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(Code of Iowa, Sec. 321.328)

77.04.000 USE OF SIDEWALKS. Where sidewalks are provided it is unlawful for any pedestrian to walk along and upon an adjacent street.

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