

## CHAPTER 1 Iona Subdivision Ordinance

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10-1-1: **TITLE.** This chapter shall be known as the Iona Subdivision Ordinance.  
(Ord. 225-10-18; 10/20/2018).

10-1-2: **PURPOSE.** The purpose of this chapter is to:

- (A) Promote the public health, safety and welfare;
- (B) Provide guidance for future development and growth to the City in accordance with the comprehensive plan;
- (C) Integrate existing streets and highways with proposed transportation plans and other related development of the City;
- (D) Assure safe and adequate transportation systems, water, sewers, storm drains, parks, school sites, and other public uses and facilities;
- (E) Establish reasonable standards of design and uniform procedures for the subdivision and re-subdivision of land;
- (F) Provide for orderly layout, monumenting and legal description of subdivided lands; and
- (G) Provide for an orderly and expeditious method of processing applications for subdivisions and re-subdivisions.

(Ord. 225-10-18; 10/20/2018).

10-1-3: **DEFINITIONS.**

(A) The following definitions shall apply to terms used in this chapter.

- (1) **ALLEY:** A Public Way, without a sidewalk, designed to serve as secondary access to the side or rear of Lots having principal access on some other Street.
- (2) **AGRICULTURAL LAND:** Land used strictly for the cultivation of crops or for animal husbandry and which is held in tracts or parcels no smaller than ten acres.
- (3) **APPLICANT:** A person who submits any Application.
- (4) **APPLICATION:** A Subdivision Application for approval of a Plat, as described in Section 10-1-6.
- (5) **APPLICATION, COMPLETED:** An Application that is fully filled out and is submitted with five copies of the Plat for

which approval is requested (although the City Engineer may require a reasonable number of additional copies of the Plat, if necessary) and all other required contents, attachments, copies, or documentation.

- (6) BLOCK: A tract of land bounded by Streets, Alleys, parks, cemeteries, rights of way, or other public boundary lines.
- (7) BUILDING: Any structure built for the protection, shelter, or enclosure of persons, animals, chattels, or property of any kind.
- (8) BUILDING SITE: An area upon which the Developer proposes to erect or construct a Building or make any Improvement to render the property suitable for the erection of a building, together with the surrounding land that is intended to be used in conjunction with such Building or Improvements.
- (9) CITY: The City of Iona.
- (10) CITY ENGINEER: The City Engineer duly appointed by the Council.
- (11) COMMISSION: The Planning and Zoning Commission of the City as it presently exists or as may be adopted or amended hereafter.
- (12) COMPREHENSIVE PLAN: The Comprehensive Plan of the City.
- (13) CUL-DE-SAC: A local street with only one outlet and having a circuit for traffic reversal that is determined to be safe and convenient by the City Engineer.
- (14) DEDICATION: The setting apart, acceptance, and confirmation by the Council of land or an interest in land for use by the public.
- (15) DEVELOPER: A person who subdivides or proposes to subdivide land, whether as an owner or an agent of an owner.

- (16) DEVELOPMENT: The land that is subdivided or proposed for subdivision by a Developer.
- (17) EASEMENT: The use of a designated part of property, authorized by the owner, for another, in perpetuity.
- (18) FRONTAGE: That side of a Lot abutting on a Street from which primary pedestrian access to the Street is made.
- (19) GRADE: The slope of a road or street expressed as a percentage amount.
- (20) IMPROVEMENT: Any alteration to, or construction upon real property, which increases the value or utility of the land.
- (21) INDIVIDUAL SEWAGE DISPOSAL SYSTEM: A septic tank, seepage tile sewage disposal system, or any other sewage treatment device not connected or intended to serve more than one Building or connected to any other public or private sewage system.
- (22) LOT: A tract, plot, or portion of a Subdivision or other parcel of land of sufficient dimension and area to meet the applicable zoning requirements for lot size.
- (23) LOT, CORNER: A Lot situated at the intersection of two Streets.
- (24) OPEN SPACE: An area open to the sky that is exclusive of Streets, Buildings, or other covered structures.
- (25) OWNER: Any person, group of persons, partnership, corporation, limited liability company, or other legal entity having legal title to, or an interest in, the land proposed to be subdivided.
- (26) PLAT A term referring to an Amended Plat, Final Plat, Preliminary Plat, and/or Sketch Plat.
- (27) PLAT, AMENDED: A change in the Final Plat of an approved or recorded Development that affects the layout of any Street or area reserved for public use or creates any additional Lots.

- (28) PLAT, FINAL: The final drawing of the Development, including all dedications, certificates, and acknowledgments thereon, which conforms to the provisions of this chapter.
- (29) PLAT, PRELIMINARY: The preliminary drawing or drawings, indicating the proposed manner or layout of the Development, including street layout and design, lots, blocks and proposed zoning, which conforms to the provisions of this chapter.
- (30) PLAT, SKETCH: A sketch prior to the preparation of a Preliminary Plat and/or Final Plat with no dedication, used for the purpose of generally discussing the proposed Subdivision and any applicable requirements.
- (31) PUBLIC IMPROVEMENT: Any drainage system, road, curb, sidewalk, off-street parking area, sewer system, water system, or any other facility for which the City may assume responsibility, or which may affect Improvements that are presently the responsibility of the City.
- (32) PUBLIC WAY: A Right-of-Way for use of motor vehicles, including any sidewalks, that has been dedicated to the public for public use and accepted by the Council. Dedication shall be evidenced by a Final Plat approved by the Council in accordance with the provisions of this chapter or by a public dedication accompanied by a written resolution of the Council accepting such dedication.
- (33) RECORDING: The act of filing and recording a document with the Bonneville County Recorder and submitting a full-size and complete copy of the recorded document to the City Clerk.
- (34) REPLAT or RE-SUBDIVIDE: The creation or submission of an Amended Plat.
- (35) RIGHT-OF-WAY: A strip of land, being the entire width between the boundary lines (i.e., measured from property line to property line), occupied or intended to be occupied by a Public Way,

- sidewalk, railroad, public utility, public easement, or other public use.
- (36) SALE or LEASE: Any immediate or future transfer of ownership or any reversionary interest in land, including a contract of sale, whether by deed, contract, plat, or other agreement.
- (37) SETBACK: The minimum horizontal distance between any property line of a Lot and the foundation or wall of the Building, excluding uncovered steps. Uncovered steps or a deck may not extend into the Setback more than one-third of the Setback.
- (38) STANDARD SPECIFICATIONS: The Idaho Standards for Public Works Construction, 2017 Edition
- (39) STREET: A Public Way that is not an Alley, but including any adjacent sidewalk.
- (40) STREET, DEAD-END: A Street or portion thereof, with only one point of ingress and egress.
- (41) SUBDIVIDE (or SUBDIVISION): The division of land into five or more lots, for the purpose of sale, lease, or development, including any replat of land.
- (42) SUBDIVISION AGREEMENT: A legal document or contract between the Developer and the City that sets forth the rights, duties, and obligations of all parties regarding each specific Subdivision or Development.
- (43) SUBDIVISION DIRECTIVES: The written regulations, procedures, and specifications established by the City Engineer, consistent with this chapter, to more particularly set forth the information required to be submitted in the Application and the particular manner in which the Sketch Plat, Preliminary Plat, and/or Final Plat shall be drawn.
- (44) SUBDIVISION POLICY: The procedures and policies for administering and processing a Subdivision application, as may be adopted by ordinance or resolution of the Council, which policy implements the provisions of this chapter.

(45) VARIANCE: A modification of the strict application of this chapter.

(Ord. 182-05-14; 08/19/14); (Ord. 225-10-18; 10/20/2018).

10-1-4: **PLATTING REQUIREMENT.**

- (A) **Platting Required.** No person shall Subdivide or Re-Subdivide any piece, parcel, or tract of land situated within the City or within one mile outside the City limits or Re-Subdivide, sell, lease, or convey any Development or portion thereof, within said area, without first recording a Final Plat approved by the City in conformity with the requirements of this Iona Subdivision Ordinance. Notwithstanding the foregoing, any Development situated within an officially designated area of City impact as provided for in Section 67-6526, Idaho Code, shall be subject to the terms and provisions of any area of impact agreement between the City and Bonneville County, Idaho.
- (B) **Exclusions.** Notwithstanding Subsection 10-1-4(A), above, no Final Plat must be recorded in the following circumstances:
- (1) A bona fide Sale, division, or partition of land intended strictly for use thereafter as Agricultural Land. The intent to construct, as evidenced by a request for a building permit, a residence, apartment, commercial, or industrial Building or other nonagricultural Building or Buildings upon such tract of land shall be deemed sufficient evidence that the land described in the application for a building permit is no longer agricultural and shall immediately subject such land to the requirements of this Iona Subdivision Ordinance.
  - (2) An allocation of land in settlement of an estate of a decedent or a court decree for the distribution of property.
  - (3) An involuntary sale of land as result of legal condemnation as defined and allowed in the Idaho Code.
  - (4) A widening of any existing Right-of-Way to conform to the comprehensive plan or by authority of the City.
  - (5) The acquisition of a Right-of-Way by a public agency in conformity with the Comprehensive Plan.
  - (6) An exchange of land for the sole purpose of straightening property boundaries or enlarging any existing Lot, and which does not create additional Lots.
- (C) **Amended Plat or Replat.** Whenever a Developer proposes to Subdivide or Re-Subdivide and platting is required pursuant to this section, the Developer shall file an Application, which shall be processed in the manner set forth in this Iona Subdivision Ordinance.

(Ord. 182-05-14; 08/19/14); (Ord. 225-10-18; 10/20/2018).

10-1-5:       **GENERAL PLAT REQUIREMENTS.**

- (A)   **Plat Specifications.** All Plats shall comply with Idaho Code Section 50-1304, this Iona Subdivision Ordinance, and the Subdivision Directives.
- (B)   **Subdivision Directives.** Consistent with the provisions of the City Code, the City Engineer may establish Subdivision Directives that describe the information required to be submitted in or with any Plat or Application or are reasonably necessary to assure legibility, permanency, clarity, reproducibility, accuracy, uniformity, and neatness of the Plat. The City Engineer shall, upon request, make available a written copy of the Subdivision Directives.
- (C)   **Scale.** The map drawings on any Plat shall be at a scale of one inch equals up to one hundred feet (1" = 100').
- (D)   **Standards.** All Plats shall be drawn in accordance with generally accepted engineering standards and practices and shall be drawn in such a manner as will assure legibility, clarity, reproducibility, accuracy, uniformity and neatness of the Plat.

(Ord. 225-10-18, 10/20/2018); (Ord. 234-12-19, 12/17/2019).

10-1-6:       **APPLICATION FOR SUBDIVISION APPROVAL.**

- (A)   **Application Required.** Whenever a Developer requests approval of any Plat, the Developer shall submit a Completed Application. No Plat shall be recorded until a Completed Application has been filed with the City Clerk and approved by the Council in accordance with the provisions of this Iona Subdivision Ordinance.
- (B)   **Form of Application.** The City Clerk shall prepare one or more form Applications, which shall require sufficient information to determine if the Plat complies with the provisions of this Iona Subdivision Ordinance and the City Code. The City Clerk shall, upon request, make available a written copy of any blank Application.
- (C)   **Contents.** Each Completed Application shall accurately and fairly describe and depict all improvements, structures, boundary lines, lot configurations, area to be developed, existing and proposed land use and zoning, grades, land contour, recreational and public use area, utilities(including water works), topography, streets, alleys, easements, and shall contain such other information as may be necessary to determine if the proposed Development complies with the requirements of this Iona Subdivision Ordinance
- (D)   **Payment of Fees Required for Submission.** An Application shall be deemed to be filed with the City Clerk's office upon payment of all fees required by this Iona Subdivision Ordinance and receipt of a Completed Application using the appropriate form prepared by the City Clerk.



- (E) **Submission Date.** Every Application shall be filed with the City Clerk at least twenty-five days before the meeting date of the Commission or Council at which the Applicant desires such Application to be considered.

(Ord. 225-10-18; 10/20/2018).

10-1-7: **PRELIMINARY PLAT APPROVAL PROCESS.**

- (A) **Action by City Clerk.** Once the appropriate Completed Application for approval of a Preliminary Plat and required fees have been submitted, the City Clerk shall:
- (1) Cause the consideration of such Completed Application to be placed on the agenda of the Commission's next meeting that is at least twenty-five days after the date of submission, unless otherwise requested by the Applicant;
  - (2) Cause the consideration of such Completed Application to be placed on the agenda of the Council's next meeting after the meeting at which the Commission will consider such Completed Application; and
  - (3) Cause arrangements to be made to provide notice, in the manner required by law, of (a) the meeting relating to the consideration of such Completed Application before the Commission and (b) the public hearing relating to the consideration of such Completed Application before the Council.
  - (4) Forward copies of the Completed Application to the Mayor, each member of the Council, each member of the Commission, the City Public Works Director, the City Engineer, the City Attorney, and other City staff as the Mayor shall direct.
- (B) **Commission Consideration.** At the meeting at which the Commission considers such Completed Application, the Commission shall review the Completed Application—including the Preliminary Plat—to determine its compliance with this Iona Subdivision Ordinance; the Comprehensive Plan; and all applicable federal, state, or local laws. The Applicant, Developer, and/or Owner may (but is not required to) address the Commission to present additional evidence, answer questions from the Commission members, or make any other statement relevant to the Completed Application under consideration. The Commission may (but is not required to) allow interested persons to address the Commission in relation to the Completed Application under consideration. The Commission shall prepare a written recommendation on such Completed Application and cause its written recommendation to be forwarded to the Council before the meeting at which the Council considers the Completed Application.
- (C) **Council Consideration.** The Council shall conduct a public hearing in which interested persons shall have an opportunity to be heard in relation to the Completed Application. At the meeting at which the Council considers such Completed Application, the Council shall consider the Commission's written recommendation and review the Completed Application—including the Preliminary Plat—to determine its compliance with this Iona

Subdivision Ordinance; the Comprehensive Plan; and all applicable federal, state, or local laws.

(D) **Council Action.** Within 60 days after the date of the Council meeting at which the Completed Application was first submitted, the Council shall complete its consideration and review and shall either (a) approve, (b) conditionally approve, or (c) disapprove of the Preliminary Plat and Completed Application.

(1) If the Preliminary Plat is approved, the Council shall advise the Developer in writing of the Council's approval.

(2) If the Preliminary Plat is conditionally approved, the Council shall advise the Developer in writing of the conditions under which the approval is to be granted and, upon Developer's complete compliance with those conditions and the Developer's written certification of such compliance, the Preliminary Plat shall be deemed approved.

(3) If the Preliminary Plat is disapproved, the Council shall advise the Developer, in writing, of the reasons for denial of the Application.

(E) **Expiration of Approval.**

(1) Approval of a Preliminary Plat shall expire at such time as the Council may specify or, if no other time is specified by the Council, one year after such Preliminary Plat is approved.

(2) Provided, in the event a Final Plat relating to the same Development depicted on such Preliminary Plat has been approved by the Council before the expiration of the approval of the Preliminary Plat, the approval of the Preliminary Plat as to any area of the Development not included within the Final Plat shall be deemed renewed for one year after such Final Plat is approved unless otherwise specified by the Council.

(3) Notwithstanding the above provisions, the Council may specify another expiration date for its approval of any Preliminary Plat, but the Council may not set the expiration of such approval any later than one year after the approval of the Preliminary Plat or approval of a Final Plat. Upon request of the Developer, the Council may extend its approval for a period of not to exceed one year from the date of the initial approval of the Preliminary Plat or Final Plat, as the case may be.

(4) The Council shall advise the Developer of the expiration date of the Preliminary Plat at the time it approves any request for sectionalization.

(Ord. 225-10-18; 10/20/2018); (Ord. 248-12-20; 12/15/2020).

10-1-8: **FINAL PLAT APPROVAL PROCESS.**

- (A) **Additional Application Requirements for Approval of a Final Plat.** Following the approval of the Preliminary Plat, as the case may be, the Developer may file with the City Clerk an Application for approval of a Final Plat. Such Completed Application shall, in addition to all general requirements of a Completed Application, contain the following:
- (1) A Completed Application requesting approval of the final plat in the appropriate form prepared by the City Clerk, including a request for annexation or zoning, if appropriate;
  - (2) Proof of current ownership of the real property included in the proposed Final Plat;
  - (3) Development street and utility improvement drawings prepared in accordance with generally accepted engineering practices, the requirements of this Iona Subdivision Ordinance, the Subdivision Directives, and any Subdivision Policy adopted by the Council;
  - (4) A copy of a proposed Subdivision Agreement;
  - (5) Copies of any easements or other covenants which run with the land;
  - (6) Proof of payment of all fees prescribed by City ordinance; and
  - (7) Any other maps, data, or information deemed necessary by the City Engineer to determine compliance with the provisions of this chapter.
- (B) **Action by City Clerk.** Once the appropriate Completed Application for approval of a Final Plat and required fees have been submitted, the City Clerk shall:
- (1) Cause the consideration of such Completed Application to be placed on the agenda of the Commission's next meeting that is at least twenty-five days after the date of submission, unless otherwise requested by the Applicant;
  - (2) Cause the consideration of such Completed Application to be placed on the agenda of the Council's next meeting after the meeting at which the Commission will consider such Completed Application; and
  - (3) Cause arrangements to be made to provide notice, in the manner required by law, of (a) the meeting relating to the consideration of such Completed Application, including any request for annexation or zoning, before the Commission and (b) the public hearing relating to the consideration of such Completed Application, including any request for annexation or zoning, before the Council.
  - (4) Forward copies of the Completed Application to the Mayor, each member of the Council, each member of the Commission, the City Public Works Director, the City Engineer, the City Attorney, and other City staff as the Mayor shall direct.
- (C) **Commission Consideration.** At the meeting at which the Commission considers such Completed Application, the Commission shall review the Completed Application—

including the Final Plat—to determine its compliance with this Iona Subdivision Ordinance; the Comprehensive Plan; and all applicable federal, state, or local laws. The Applicant, Developer, and/or Owner may (but is not required to) address the Commission to present additional evidence, answer questions from the Commission members, or make any other statement relevant to the Completed Application under consideration. The Commission may (but is not required to) allow interested persons to address the Commission in relation to the Completed Application under consideration. The Commission shall prepare a written recommendation on such Completed Application and cause its written recommendation to be forwarded to the Council before the meeting at which the Council considers the Completed Application.

- (D) **City Engineer’s Consideration.** The City Engineer shall, with the assistance of a surveyor as necessary, review the Completed Application—including the Final Plat—to determine its compliance with this Iona Subdivision Ordinance; the Comprehensive Plan; and all applicable federal, state, or local laws. The City Engineer shall prepare a written recommendation on such Completed Application and cause its written recommendation to be forwarded to the Council before the meeting at which the Council considers the Completed Application.
- (E) **Council Consideration.** The Council shall conduct a public hearing in which interested persons shall have an opportunity to be heard in relation to the Completed Application. At the meeting at which the Council considers such Completed Application, the Council shall consider the Commission’s written recommendation, the City Engineer’s written recommendation, and review the Completed Application—including the Final Plat—to determine its compliance with this Iona Subdivision Ordinance; the Comprehensive Plan; and all applicable federal, state, or local laws. The Council may, in accordance with the public notice provided as required by law, simultaneously consider a request for annexation, zoning, rezoning, and/or amendment of the Comprehensive Plan relating to the same property.
- (F) **Council Action.** Within 60 days after the date of the Council meeting at which the Completed Application was first submitted, the Council shall complete its consideration and review and shall either (a) approve or (b) disapprove of the Final Plat and Completed Application; provided, however, that the Developer may request that the matter be recessed, and in such event, the 60-day period shall not commence running until the matter is again considered by the Council.
- (1) If the Final Plat conforms to the provisions of this Iona Subdivision Ordinance and all other applicable federal, state, or local laws, the Council shall approve the Final Plat and authorize the Mayor and City Clerk to sign the original Final Plat. If the Final Plat is approved, the Council shall advise the Developer in writing of the Council’s approval.
  - (2) If the Final Plat is disapproved, the Council shall specify, in writing, the ordinances and standards used in evaluating the Completed Application, and its reasons for

denial thereof and the actions, if any, that the Applicant may take to obtain their approval.

- (G) **Recording of Final Plat.** All Final Plats shall be recorded within 90 days after approval by the Council, unless an extension of time is granted by the Council. If the Final Plat is not recorded within the specified time because of the Developer's failure to meet the requirements specified herein, the Council may rescind its approval of the Final Plat.

(Ord. 225-10-18; 10/20/2018); (Ord. 248-12-20; 12/15/2020).

10-1-9: **SMALL SUBDIVISION PROCESS.** [Reserved].

(Ord. 225-10-18; 10/20/2018).

10-1-10: **THIRD PARTIES.** Any person, other than an Applicant, may request notice and service of any decision made by the Council under this Iona Subdivision Ordinance by submitting a written request for such notice to the City Clerk and any such notice and service shall be provided electronically by e-mail to an email address provided by such person.

(Ord. 225-10-18; 10/20/2018).

10-1-11: **POST-DECISION REMEDIES.** Any person who parks.

(A) **Reconsideration.**

- (1) Any person denied a permit or aggrieved by a decision may, within 14 days after the Council has issued a decision under this Iona Subdivision Ordinance, seek reconsideration of such decision by submitting a written request for reconsideration, which shall explain all the reasons (legal, factual, or otherwise) why the person asks the Council to reconsider its decision.
- (2) The Council shall hear the request for reconsideration at the next possible Council meeting before which sufficient public notice can be provided, as required by law.
- (3) Within 14 days after the date of the Council meeting at which the request for reconsideration is considered, the Council shall, in writing, notify the Applicant and any person who requested reconsideration that the Council is either (a) upholding its prior decision or (b) altering its prior decision in a manner specified.

(B) **Appeal.** Any person denied a permit or aggrieved by a decision may, within 28 days after all remedies have been exhausted under this Iona Subdivision Ordinance, seek judicial review pursuant to the procedures set forth in Section 67-6521, Idaho Code, as amended.

(Ord. 225-10-18; 10/20/2018).

10-1-12: **VARIANCES.** The Council may grant a Variance to the terms and provisions of this Iona Subdivision Ordinance. A Variance may be granted only upon an express finding that all of the following conditions exist.

- (A) There are special circumstances or conditions affecting the property such that a strict application of this Iona Subdivision Ordinance would clearly be impracticable or unreasonable;
- (B) Strict compliance with this Iona Subdivision Ordinance would result in extraordinary hardship, as distinguished from mere inconvenience, to the Developer because of the particular physical surroundings, shape, or unusual topography of the Developer's property, and will substantially preclude development of the property;
- (C) The circumstances for which the variance is sought are unique to the property and are not applicable to other properties similarly situated;
- (D) The variance is the least deviation from this chapter necessary to mitigate the hardship;
- (E) The granting of the variance will not be substantially detrimental to the public safety, health, welfare or will not substantially injure other property adjoining the property for which the variance is sought;
- (F) The variance is not otherwise contrary to law; and
- (G) The conditions necessitating the variance were not caused by or in any way arise from the actions of the Developer.

(Ord. 225-10-18; 10/20/2018).

10-1-13: **SUBDIVISION APPLICATION FEES.** The following fees are hereby established relative to the processing of Applications.

- (A) **Application Fee for Consideration of Preliminary Plat.** Any Applicant submitting a Completed Application seeking approval of a Preliminary Plat shall pay to the City Clerk a fee of \$500.00.
- (B) **Application Fee for Consideration of Final Plat.** Any Applicant submitting a Completed Application seeking approval of a Final Plat shall pay to the City Clerk a fee as follows:

<u>Number of Lots</u>	<u>Amount of Fee</u>
1 to 10 lots	\$ 2,120.00
11 to 50 lots	\$ 6,600.00
51 lots or more	\$ 12,200.00

- (C) **Fee for Consideration of Development Improvement Plans and for Infrastructure Inspection.** Any person who requests acceptance by the City of any street, utility line, or other public improvement within a Development shall submit improvement plans, profiles, and specifications for such improvements to the City Clerk. Substantial construction of said public improvements shall not be commenced until the City Engineer has reviewed and approved such plans and the Applicant has paid a fee as follows:

<u>Number of Lots</u>	<u>Amount of Fee</u>
1 to 10 lots	\$ 3,200.00
11 to 50 lots	\$ 12,800.00
51 lots or more	\$ 24,800.00

- (1) If such improvement plans comply with all state and local laws and ordinances and any Subdivision Agreement executed or to be executed between the City and such Developer, the City Engineer shall endorse his approval upon the improvement plans and shall cause a notice to be imprinted upon the applicable Plat stating that the City will not accept ownership or maintenance of such public improvements until a professional engineer licensed in the State of Idaho has inspected the construction of such public improvements and has delivered his written certification to the City Engineer that such inspection was made and that construction of such improvements meets or exceeds the minimum standards set forth in the Standard Specifications.
- (2) “As-built” drawings of such public improvements shall also be prepared by such engineer and delivered to the City Engineer immediately upon completion of all public improvements shown on the plans, or upon completion of any portion thereof as required by the City.

- (D) **Rebate Upon Filing of “As-Built” Drawings.** Upon delivery of the “as-built” drawings, together with the certification of the professional engineer within 90 days after the completion of all public improvements shown on the plans or any portion thereof as required or permitted by the City, the City Engineer shall then cause a “Notice of Public Acceptance of Street and Utilities” to be recorded in the Bonneville County Recorder's office for those public improvements which have been accepted by the City. The City Engineer shall also cause the following portion of the above-referenced fees to be rebated to the developer or other person who paid the same, according to the following schedule:

<u>1 to 10 lots</u>	<u>Amount of Rebate</u>
Final Plat	\$1,060.00
Subdivision Improvement Plans and Street & Utility Construction Inspection	\$1,600.00

<u>11 to 50 lots</u>	<u>Amount of Rebate</u>
Final Plat	\$3,300.00
Subdivision Improvement Plans and Street & Utility Construction Inspection	\$6,400.00
<u>51 lots or more</u>	<u>Amount of Rebate</u>
Final Plat	\$6,100.00
Subdivision Improvement Plans and Street & Utility Construction Inspection	\$12,400.00

- (1) In the event the Developer or Owner fails to file such “as-built” drawings and deliver such certification within 90 days after the completion of all public improvements shown on the plans or any portion thereof as required or permitted by the City, then the developer or owner shall forfeit all right to such rebate. The City Engineer shall cause the Development and any public improvements to be inspected and, once satisfied that they have been completed per the approved Final Plat and improvements plans, the City Engineer shall then cause a “Notice of Public Acceptance of Street and Utilities” to be recorded in the Bonneville County Recorder's office for those public improvements which have been accepted by the City.

(Ord. 225-10-18; 10/20/2018).

10-1-14: **SUBDIVISION STANDARDS.** All improvements located upon land which is subdivided shall be designed and constructed in compliance with the following laws, rules and regulations, and standards:

- (A) **Local Ordinances.** The City Code, as applicable, including the Zoning Ordinance of the City of Iona, the Uniform Building Code (as adopted and/or amended by the City), the Uniform Fire Code (as adopted and/or amended by the City), and the Uniform Plumbing Code (as adopted and/or amended by the City).
- (B) **State Laws.** All applicable laws of the State including Sections 50-1304 through 50-1310, Idaho Code, and all rules and regulations, having the force and effect of law, promulgated by the Idaho Department of Transportation, Idaho Department of Health and Welfare, Idaho Department of Environmental Quality, or other agency of the State of Idaho.
- (C) The Standard Specifications.

In the event of any irreconcilable inconsistency between the Standard Specifications and this Chapter, the provisions of this Chapter shall prevail.



(Ord. 225-10-18; 10/20/2018).

**10-1-15: SURVEYING AND MONUMENTS.**

- (A) All linear dimensions shown on a Plat shall be calculated to the nearest one-hundredth (0.01) of a foot and all bearings shall be calculated to one second (1") of arc. All curves shall be defined by the radius, central angle, tangent, arc, and chord distances. The description and location of all monuments shall be shown. Monuments conforming to the requirements of the Idaho Code shall be set at centerline tangent points, centerline points of curve, centerline points of intersection of streets, and any subdivision boundary points that fall in the paved area of the streets and shall be existing at the time of the City's final acceptance of the street improvements. All points on the exterior boundary of the subdivision where the boundary changes direction shall be marked with monuments conforming to the requirements of the Idaho Code, consisting of iron or steel rods not less than five-eighths inch (5/8") in diameter and twenty-four inches (24") long. Points shall be plainly and permanently marked upon monuments so that measurements may be taken to them to one-tenth (0.1) of a foot. All lot corners shall be marked with monuments meeting the requirements of the Idaho Code, consisting of iron or steel rods, not less than one-half inch (1/2") in diameter and twenty-four inches (24") long. These points shall be marked prior to final acceptance by the City of the Public Improvements in the Development. No Plat showing a plus or minus distance will be accepted unless agreed to by the City Engineer. The survey for any Plat shall be conducted in such a manner as to produce an unadjusted mathematical error of closure of each area bounded by property lines within the survey of not more than one (1) part in five thousand (5,000).
- (B) All bearings shall conform to the 2004 Idaho Falls datum. All points requiring monuments shall, if directed by the City Engineer, have coordinates based on the State plane coordinate system shown on the Plat. A definite tie between not less than two prominent points shall be shown between the exterior boundary of the subdivision and the section corner and quarter corner system as established by the United States Government and supplemented by the City and Bonneville County, and shall be indicated by bearing and distance and coordinates if directed by the City Engineer.
- (C) The Final Plat shall be submitted to the City Clerk along with a computation sheet bearing coordinates on all points, based on the State plane coordinate system, and upon the 2004 Idaho Falls datum.

(Ord. 225-10-18; 10/20/2018).

**10-1-16: LOT IMPROVEMENTS.**

- (A) All lots shall be arranged so that each lot meets all qualifications necessary to secure a building permit.

- (B) Lot dimensions shall conform to the minimum standards in the Zoning Ordinance of the City of Iona. All lots shall have at least 85 feet of frontage upon a dedicated street. Frontage for lots located on a cul-de-sac shall be measured at the front set-back line.
- (C) No Plat shall be approved where the area between the property line of any unplatted property owned by the Owner and any other property owned by another, is of insufficient size or is of an irregular configuration such that the area cannot reasonably be used to develop lots that will conform to the provisions of this Iona Subdivision Ordinance and the Zoning Ordinance of the City of Iona.
- (D) All lots shall have full frontage on, and access to, a Street or shall have access to a Street through a private access road approved in accordance with the provisions of Section 11-11-26 of this Code.
- (E) Adequate provisions shall be made for soil preservation, drainage patterns, and debris and waste disposal and collection.
- (F) Side lines of lots shall be at, or near, right angles or radial to the street lines. All corner lots shall have a minimum radius of 20 feet on the property line.
- (G) All property within the Development shall be included within a lot or an area dedicated for public use.
- (H) All residentially zoned corner lots shall be a minimum of 10 percent larger in area than the average area of all similarly zoned lots in the Plat or Development under consideration, unless such average lot area is greater than 25,000 square feet. If less than 10 lots are shown in the subdivision or plat under consideration, then the City Engineer may use other Plats or Developments within the surrounding area to calculate the average area of all similarly zoned lots within the vicinity of the property under consideration.

(Ord. 182-05-14; 08/19/14); (Ord. 225-10-18; 10/20/2018).

10-1-17: **REQUIREMENTS FOR PUBLIC WAYS.**

- (A) All Public Ways within the Development shall be dedicated for public use.
- (B) **Alignment.**
  - (1) All major Streets in the Development must conform to the major street plan of the City, as may be adopted by the City or as set forth in the Comprehensive Plan.
  - (2) The alignment and width of previously platted Public Ways shall be preserved unless topographical conditions or existing buildings or structures require otherwise.
  - (3) Public Ways shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at less than 80° or greater than 100°. Notwithstanding the foregoing, the City Engineer may allow an angle of

intersection less than 80° or greater than 100° for a Public Way if circumstances so warrant.

- (4) All permanent dead-end streets shall be cul-de-sacs that are not longer than 400 feet and are provided at the closed end with a turn-around having a street property line diameter of at least 90 feet. Streets that temporarily dead-end may be permitted with a distance of greater than 400 feet in length, provided the Developer files or has already filed a Preliminary Plat of an adjoining Development depicting a through Street connecting to such temporary dead-end street that is not a dead-end street, and provided further the Council may order the Developer to file a Final Plat for such Preliminary Plat, at any time at the expiration of three years after the date the Plat showing the temporary dead-end street was approved.
- (5) Public Ways in new Developments shall continue the alignment of existing Public Ways in adjoining Developments, or their proper projections when adjoining property is not subdivided. All Rights-of-Way (Streets, Alleys, utility lines, etc.) shall be arranged in a manner that will, insofar as possible, facilitate convenient extension and connection thereof to future Public Ways that may be developed by the owners of adjoining property.
- (6) In determining the appropriate angle of intersection of two or more Public Ways or other issues with regard to the alignment of Public Ways, the City Engineer may take into consideration the following factors:
  - (a) Zoning and land usage of the area in which the street is located.
  - (b) Anticipated traffic volume and character of traffic use.
  - (c) Character or function of the street.
  - (d) Vehicular and pedestrian safety.
  - (e) Anticipated future growth in the area served by the street.
  - (f) Population density in the area served by the street.

**(C) Width.**

- (1) The minimum width of all Streets shall be 70 feet. Notwithstanding the foregoing, the City Engineer may require a wider width for a Street if circumstances so warrant.
- (2) All Alleys shall be at least 20 feet in width. Notwithstanding the foregoing, the City Engineer may require a wider width for an Alley if circumstances so warrant.
- (3) In determining the appropriate width for any Public Way or the appropriate angle of intersection of two or more Public Ways, the City Engineer may take into consideration the following factors:
  - (a) Zoning and land usage of the area in which the street is located.

- (b) Anticipated traffic volume and character of traffic use.
  - (c) Character or function of the street.
  - (d) Vehicular and pedestrian safety.
  - (e) Anticipated future growth in the area served by the street.
  - (f) Population density in the area served by the street.
- (4) The dedication of half streets in any Development is prohibited except where essential to the reasonable development of the Development in conformity with other requirements of this Iona Subdivision Ordinance and where it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Wherever a half street is situated adjacent to a tract to be subdivided, the other half shall be platted within such tract.

**(D) Grading and Hydrologic Considerations.**

- (1) All Public Ways other than sidewalks shall have a minimum vertical (longitudinal) grade of 0.4 percent, with the maximum grade being 7 percent for major Streets and 10 percent for Alleys or local/minor Streets. Swales in the Development shall be utilized in a manner that will prevent flooding in the lower elevations of the Development during rain or snow melt on frozen ground events.
- (2) Hydrologic calculations are to be used to demonstrate success of the grading plan. 1.3 inches multiplied by the contributing area will be sufficient to calculate volume of stormwater to be captured in the swales underground.
- (3) Infiltration trenches may be used at periodic low points created with adverse longitudinal grading in the Public Way profiles to ensure flooding does not occur at the lower elevations of the Development. Driveways across swales shall be graded or have culverts installed so as to avoid impeding the flow of surface waters.
- (4) Hydrologic design for curb-and-gutter Public Ways may be completed with the use of accepted engineering principles and the Subdivision Directives.

**(E) Construction.**

- (1) All Streets shall conform to the Standard Specifications for sub-grade, sub-base, crushed gravel, pavement, asphalt and chip seal, and sidewalk. The construction of each Street section shall also be in accordance with the methods and procedures set forth in the Standard Specifications. The street cross section shall be constructed in accordance with the Subdivision Directives.
- (2) All streets and driveway approaches shall be constructed in accordance with the Standard Specifications for a rural street section. No residential driveway approach, excluding any transition slope, shall exceed 30 feet in width across any portion thereof.

- (3) Half-circle driveways may be constructed in any residential zone, provided the inside diameter of such driveway shall be no greater than 50 percent of the length of the frontage of the lot upon the street on which such accesses are located, or in the case of a corner lot having driveway accesses upon two streets, then the combined length of the street frontage encompassed within such driveway exits shall be no greater than 25 percent of the combined frontage of the lots on both streets.
- (4) All sidewalks throughout the Development shall be five feet wide and constructed per the standards required by the Americans with Disabilities Act and all rules and/or regulations associated therewith, including connecting sidewalks through the drainage swales in each direction at each street corner. Sidewalks must be placed over the minimum base requirements given in the Standard Specifications. Sidewalk concrete shall be properly cured by Developer using any method allowed by the Standard Specifications.
- (5) Curbs at street intersections shall be rounded with curves having a minimum radius of 25 feet.
- (F) Where street lines within a block deflect from each other at any one point more than 10°, there shall be a connecting curve. The radius of the curve for the inner street line shall be not less than 700 feet for a major street, 250 feet for a collector or secondary street, and 50 feet for local or minor streets.
- (G) Street name signs shall be erected by the developer at the corner of each intersection located within the Development. Such signs shall conform to the Manual on Uniform Traffic Control Devices (2009 Edition, including Revision 1 and 2, both dated May 2012), as published by the United States Federal Highway Administration and most recently supplemented by the State of Idaho (the “MUTCD”), and the Standard Specifications to the extent not specified in the MUTCD. Sign posts shall be made of steel square tubing with the one-piece anchor post per SD(Standard Drawing)-1130 of the Standard Specifications. Street name signs are to be white lettering on green signage to match existing City name signs and may be installed on the same sign post as any stop sign.

(Ord. 225-10-18; 10/20/2018).

#### 10-1-18: ALLEYS AND EASEMENTS.

- (A) The minimum width of any Alley shall be 20 feet. Alleys may be required along the rear line of business property and in the rear of all lots fronting major Streets.
- (B) Where Alleys are not provided, easements of not less than eight feet in width shall be dedicated on each side of all rear lot lines and six feet on side lot lines, where necessary, for poles, wires, conduits, storm or sanitary sewers, and gas and water lines. Easements of

greater width may be required along lines across lots or along boundaries where necessary for surface drainage or for the extension of main sewers or other utilities.

- (C) Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be of sufficient radius to permit safe vehicular movement.
- (D) Dead-end alleys shall be avoided where possible, but if unavoidable, such alleys shall be provided with adequate turn-around facilities at the dead-end.

(Ord. 225-10-18; 10/20/2018).

10-1-19:       **BLOCKS.**

- (A) Blocks shall be designed in accordance with sound engineering practices and standards, taking into consideration such factors as access, circulation, traffic safety and control, topography, utilities, and service easements.
- (B) Residential block lengths shall not exceed 1,300 feet nor be less than 400 feet. The City Engineer may require dedication and construction of hard-surfaced pedestrian ways, not less than five feet wide, where necessary, to provide safe and convenient circulation or access to school, playgrounds, shopping areas, transportation, or any other community facilities.

(Ord. 225-10-18; 10/20/2018).

10-1-20:       **FLOOD PLAIN AREAS.** The City may prohibit the subdivision of any portion of land which lies within the flood plain of any body of water as designated by the U.S. Department of Housing and Urban Development for the public health, safety, and welfare if it is determined that construction of such Development could create a potential hazard to the health or safety of the occupants of the Development.

(Ord. 225-10-18; 10/20/2018).

10-1-21:       **DOMESTIC WATER SYSTEM WORKS.**

- (A) **Mainline Pipe.** All mainline water pipe shall be AWWA C-900 (DR18) Polyvinyl Chloride (PVC) bell and spigot pipe with rubber gasket joints. All fittings are to be ductile iron. All PVC pipe shall be installed per the requirements of the Standard Specifications and American Water Works Association C-605 Underground Installation of Polyvinyl Chloride Pressure Pipe for Water. Flexible couplings for use with pipe shall be as specified in ISPWC.

- (B) **Pipe Lay and Testing.** Developer shall trench, lay, backfill, pressure test, and disinfect all pipelines in accordance with the Standard Specifications and all applicable American Water Works Association requirements.
- (C) **Trace Wire.** No. 12 AWG insulated copper wire (the “Wire”) shall be placed over the top of all mainline pipe, hydrant runs, and service lines from the mainline to each water meter box. The Wire shall be accessible at the surface at all mainline gate valves and hydrants and meter boxes.
- (D) **Hydrants.** Hydrants shall be installed as specified in the Standard Specifications and as required by the City. At each hydrant location, the hydrant shall be centered two feet from the back of sidewalk within the utility easement and the hydrant valve shall be located in the Public Way. Each hydrant shall be a Mueller Centurian, Clow Medallion, or Waterous Pacer. Each hydrant shall be supplied to accommodate a bury depth of six feet and be painted yellow.
- (E) **Gate Valves.** Mainline resilient seated gate valves as per the Standard Specifications shall be installed. Any valve larger than a 12-inch valve may be the butterfly type.
- (F) **Flush Hydrants.** Developer shall provide and install flush hydrants, as specified by the City Engineer, at the end of all permanent and temporary dead-end mainlines. All flush hydrants shall be placed two feet from the back of the sidewalk, within the utility easement.
- (G) **Service Lines.** Residential service lines shall be iron pipe size, one-inch diameter, 250 psi rated polyethylene (“PE”) pipe per American Water Works Association C-901, as specified in the Standard Specifications. Each service line connection to the mainline shall utilize a service saddle and corporation stop as per the Standard Specifications for use with PE pipe.
- (H) **Meters.** For each Lot in a Development, the size of the Lot shall determine the required size of the meter. For each Lot that is less than ½ acre in size, a ¾-inch meter shall be required. For each Lot that is ½ acre in size or larger, a 1-inch meter shall be required.
- (I) **Meter Boxes.** All meter boxes in the Development shall be 18-inch diameter, 72-inch deep Mueller Thermal-Coil type meter boxes, or an acceptable equivalent meter box, for use with the required meter. Each meter box shall be complete with a side locking cast iron lid, an angle dual check valve, insulation pad, and one-inch lock wing full port ball valve to be used as a shutoff.
- (J) **Meter Box Placement.** Each water meter box, with meter, shall be centered two feet from the back of sidewalk within the utility easement in the middle of each lot, while maintaining a horizontal separation of at least 10 feet from the sewer service line. In all cases where the meter/meter box assembly is placed on private property, an easement must be provided with the Final Plat that will allow City access to the meter/meter box assembly.
- (K) **Meter Box Grading and Initiation of Service.** The meter lid is to be set at or within one inch above finished grade level, which is defined as the same elevation as the back of the sidewalk in most cases. The City may place a lock in the closed position of each ball valve

after the meter/meter box assembly is installed. Any such lock will remain in place until the water account has been established with the City and the meter box installation is approved and accepted by the City.

- (L) **Backflow Prevention.** Backflow prevention devices shall be installed on each Lot served by the City's water system, as required by and in accordance with Title 8, Chapter 2 of this Code (including the specific requirements of Section 8-2-43), and the Idaho Department of Environmental Quality requirements, including IDAPA 58.01.08. Backflow prevention devices for residential lawn sprinkler systems shall be approved for use in Idaho.
- (M) **Pressure Testing and Bacteriological Testing of Water Lines.** All materials testing (frequency, test standards, etc.) shall be in accordance with the Standard Specifications and conducted by an independent testing firm. Developer's independent testing firm will report all test results to the City Public Works Department (in writing, by email to [publicworks@cityofiona.org](mailto:publicworks@cityofiona.org)) on a weekly basis throughout construction. A Professional Engineer, employed by Developer, shall witness each pressure test segment and monitor each segment proven bacteriologically safe. Developer and/or Project Engineer shall notify the City's Public Works Department (in writing, by email to [publicworks@cityofiona.org](mailto:publicworks@cityofiona.org)) 24 hours in advance of each water pressure test so that a representative of the City may, at the City's election, also be present during each test.

(Ord. 225-10-18; 10/20/2018).

#### 10-1-22: **WATER AND SEWAGE FACILITIES.**

- (A) The developer shall design and construct all utility improvements and extensions in a manner which ensures sufficient sanitary sewage disposal; storm drainage; and water quality, quantity, and pressure for domestic use and fire protection. All water, sewage, and storm drainage utility systems shall be designed in accordance with sound engineering standards and the rules and regulations of the Idaho Department of Environmental Quality. No construction on such utility systems may be commenced until the City Engineer and the Idaho Department of Environmental Quality have approved the design of such system in writing.
- (B) Individual sewage systems or treatment plants may be used if such systems are not otherwise prohibited by this Code and the design thereof is approved by the Idaho Department of Environmental Quality, the Idaho Department of Health and Welfare, and the City Engineer. In considering such systems, the City Engineer shall consider:
  - (1) The size of the Lot seeking to utilize an individual system;
  - (2) Whether there is a significant distance from sewer line;
  - (3) The proximity of the system to other water sources, land uses, and Lots; and
  - (4) Whether connecting to another sewage system is an economical or viable option.



- (C) No Plat shall be accepted by the City or recorded unless the plat bears the necessary water and sanitary certificates required by Idaho Code Sections 50-1326, 50-1334, and 31-3805, as amended.

(Ord. 225-10-18; 10/20/2018).

10-1-23:       **ELECTRICAL UTILITIES.**

- (A) All electrical distribution and service lines located outside the original townsite shall be buried underground.
- (B) The Developer of a Development shall depict the location of all street lights on the Development improvement plans, which shall be approved by the City. After approval of the Final Plat (including the improvement plans), the City shall coordinate with the applicable electric utility provider to install, own, and maintain the street lights—utilizing (as possible and recommended by the applicable electric utility provider) 33-foot wood poles, LED type bulbs in cobra head lights, mounted on standard metal extension arms—and other necessary related infrastructure. City shall cooperate with Developer to coordinate with the applicable electric utility provider regarding the installation of the street lights at a time appropriate and convenient to Developer’s construction. Developer shall pay all costs associated with the installation of the street lights and other necessary related infrastructure. Developer shall also pay all costs associated with the ownership, maintenance, and operation of the street lights by the applicable electric utility provider, until the City accepts the public improvements on the Development.

(Ord. 225-10-18; 10/20/2018).