

**SUBDIVISION REGULATIONS
CITY OF MADISON, INDIANA
JUNE 1997**

SUBDIVISION REGULATIONS

FOR

MADISON, INDIANA

ALBERT G. HUNTINGTON, MAYOR

COMMON COUNCIL

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David Goebel
Don Joslin
Benji Peak**

**Irene Ritter
Tad Callis
Bob May**

PLAN COMMISSION

**David Adams
David Goebel
Ed Cooper
James Demaree
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Marlene Joslin, Secretary**

**Darrell Henderson
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Dan Hobbs, Plan Commission
Atty.**

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ORDINANCE NO. _____

PREAMBLE

AN ORDINANCE ESTABLISHING SUBDIVISION REGULATIONS FOR THE CITY OF MADISON, INDIANA, PRESCRIBING MINIMUM REQUIREMENTS WITH RESPECT TO SUBDIVISION, PROVIDING FOR THE PROCEDURE FOR SUBDIVIDING; DESIGN STANDARDS OF STREETS, BLOCKS, LOTS, EASEMENTS, PUBLIC UTILITIES, AND IMPROVEMENTS; THE FIXING OF FEES FOR PROCESSING; AND PROVIDING FOR THE ENFORCEMENT OF THE PROVISIONS OF THIS ORDINANCE.

WHEREAS, land subdivision is the first step in the process of community expansion, and

WHEREAS, once land has been divided into streets, blocks, lots, and open spaces, a pattern has been established which usually determines how well community needs for residence, business, and industry will be met, and

WHEREAS, land subdivision determines to a great extent how well the community will be able to deal with traffic circulation problems, drainage problems, and the demand for home sites, and how efficiently it will be able to provide the many services demanded of it, and

WHEREAS, subdivided land areas soon become a public responsibility in that roads, streets, drainage and public utilities must be maintained and various public services customary to urban areas must be provided, and

WHEREAS, the guidance of land development in harmony with community objectives is a matter of serious public concern and community welfare, and

WHEREAS, it is the interest of the public, the developer, and future land owners that subdivisions be conceived, designed, and developed in accordance with sound minimum standards, and

WHEREAS, Indiana law empowers the City to enact a subdivision regulations ordinance and to provide for its administration, enforcement, and amendment, and

WHEREAS, the City Council deems it necessary for the purpose of providing for the harmonious development and coordinated layout for the subdivided area; for the proper arrangement of streets; for adequate and convenient open spaces for traffic, utilities, recreation, light, air and access of fire-fighting equipment; for avoidance of population congestion through requirements for minimum lot widths and lot area; for adequate sanitary facilities; and for reducing flood damage potentials to the greatest extent possible.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MADISON, INDIANA:

ARTICLE I
GENERAL PROVISIONS

SECTION A - TITLE

These regulations shall be known and cited as the Subdivision Regulations of the City of Madison, Indiana.

SECTION B - PURPOSE

1. The purpose of these regulations are to protect and promote the public health, safety, and general welfare, and to provide for:
 - a. Guidance for future growth and development in accordance with the comprehensive planning process.
 - b. Adequate air, light, and privacy, and to prevent overcrowding of the land and undue congestion.
 - c. Protection of the character and the social and economic stability of all parts of the area, and to encourage the orderly and beneficial development of all parts.
 - d. Protection and conservation of the value of land, buildings, and other improvements upon the land, and to minimize the conflicts among the uses of land and buildings.
 - e. Guidance of public and private policy and action in order to assure adequate and efficient transportation, water, sewerage, schools, parks, drainage, and other public requirements and facilities.
 - f. Avoidance of scattered and uncontrolled subdivision of land that would result in the unnecessary imposition of an excessive expenditure of public funds for the supply of services that are a part of community infrastructure.
 - g. Establishment of reasonable standards of design and minimum requirements for the creation, installation, and improvement of physical facilities which are, or will be, maintained for the benefit of general public.
 - h. Establishment of reasonable standards and procedures for subdivisions and resubdivisions, in order to further the orderly layout and use of land, and to insure proper legal descriptions and monumenting of subdivided land.

Prevention of the pollution of air and water; provision of drainage facilities and the safeguarding of the water table; and the encouragement of wise use and management of natural resources in order to preserve the integrity, stability, natural beauty and topography, and the value of land.

- j. Administration of these regulations by defining the powers and duties of approval authorities; and the manner and form of making, filing, and processing of any plat.

SECTION C - AUTHORITY AND JURISDICTION

1. This ordinance which was enacted pursuant to Indiana home rule and planning enabling legislation (Indiana Code, titles 36-1-3-4 and the 36-7-4-700 series, as amended) authorizes the Madison Plan Commission to review and approve or disapprove plats for subdivision within the jurisdiction of the City which show lots, blocks, or sites with or without new streets or highways. With regard to this ordinance, jurisdiction shall include the corporate limits and two mile planning limits of the City of Madison, Indiana, as may be amended by subsequent annexation. This authority extends to the development or redevelopment of undeveloped portions of previously recorded plats.
2. No improvement location permit, building permit or certificate of occupancy shall be issued for any parcel or plat of land which was created by subdivision after the effective date of, and not in conformity with, the provisions of these subdivision regulations, and no excavation of land or construction of any public or private improvements shall take place or be commenced except in conformance of the regulations contained herein and including the Construction Standards adopted by the City of Madison.
3. With respect to any subdivision development outside the city limits of the City of Madison, the Applicant shall be bound and governed by the more restrictive or stringent of either the City of Madison subdivision Construction Standards or the Jefferson County subdivision Construction Standards.

SECTION D - INTERPRETATION, CONFLICT, AND SEPARABILITY

1. In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.
2. Conflict with Public and Private Provisions

- a. Public Provisions

The regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

b. Private Provisions.

The regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant, or private agreement or restriction impose duties and obligations more restrictive, or higher standards than the requirements of these regulations, or the determinations of the Commission in approving a subdivision or in enforcing these regulations, and such private provisions are not inconsistent with these regulations or determinations thereunder, then such private provisions shall be operative and supplemental to these regulations and determinations made thereunder.

3. Separability

If any part or provision of these regulations or applicant thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations or the application therefor to other persons or circumstances. The City hereby declares that it would have enacted the remainder of these regulations even without any such part, provision or application.

SECTION E - SAVING PROVISION

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the City under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation, by lawful action of the City except as shall be expressly provided for in these regulations.

SECTION F - REPEALER

Upon adoption of this Ordinance No. _____ according to law, the Subdivision Regulations ordinance of the City of Madison adopted June 30, 1970, as amended are hereby repealed, except for such sections expressly retained herein.

SECTION G - AMENDMENTS

For the purpose of protecting and promoting public health, safety, and general welfare, the Plan Commission may from time to time amend the provisions imposed by these regulations. Public hearings on all proposed amendments shall be held by the Plan Commission in the manner prescribed by law.

SECTION H - RESUBDIVISION OF LAND

1. Procedure for Resubdivision

For any change in a map of an approved or recorded subdivision plat, if such change affects any street layout shown on such map, or area reserved thereon for public use, or any lot line, or if it affects any map or plan legally reached prior to the adoption of any regulations controlling subdivisions, such parcel shall be approved by the Commission by the same procedure, rules, and regulations as for a subdivision.

2. Procedure for Subdivisions Where Future Resubdivision is Indicated

Whenever a parcel of land is subdivided and the subdivision plat shows one or more lots containing more than one acre of land and there are indications that such lots will eventually be resubdivided into smaller building sites, the Commission may require that such parcel of land allow for the future opening of streets and the ultimate extension of adjacent streets. Easements providing for the future opening and extension of such streets

SECTION I - VACATION

1. Any recorded plat or part thereof may be vacated only in accordance with I.C. 36-7-3 as amended.
2. Power is given to the City to vacate by proper ordinance any such existing plat and addition to the City or such part or parts thereof as such City may deem advantageous and best for its interests, and the power granted shall be exercised by the City upon the petition of the owner or all of the owners of lots or lands in such plat or addition.
3. Such ordinance vacating such plat or addition shall specify whether, and, if any, what public highways, streets, alleys, and public grounds thereof are to be retained by the City; otherwise such ways, streets, and public grounds shall upon such vacation revert to the owner or owners of lots or lands abutting the same in proportion to the respective ownerships of such lots or grounds. In case of total or partial vacation of such plat or addition, the ordinance providing therefore shall be, at the cost of the owner or owners, certified to the office of the County Recorder and be there recorded by the owner or owners. Whereupon said officer shall note such total or partial vacation of such plat or

addition by writing in plain and legible letters upon such plat or portion thereof so vacated the word "vacated," and also make on the same, reference to the volume and page in which said ordinance of vacation is recorded; and the owner or owners of the lots and lands in a plat so vacated shall cause the same and the proportionate part of the abutting highway, streets, alleys, and public grounds so vacated to be replatted and numbered by the City or County Surveyor. When such replat so executed is acknowledged by such owner or owners and is recorded in the office of the County Recorder of such county such property so replatted may be conveyed and assessed by the numbers given in such replat.

SECTION J - VARIANCES

1. Where the Plan Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the Plan Commission shall not approve variances unless it shall make findings based upon the evidence presented to it in each specific case that:
 - a. The granting of the variance will not be detrimental to the public safety, health, or welfare, or injurious to other property.
 - b. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.
 - c. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out.
 - d. The variance will not in any manner vary the provisions of the Zoning Ordinance or Comprehensive Plan as interpreted by the Commission or their agents.
 - e. Where the variance impacts on design and construction of public facilities, all appropriate public agencies have been given ample time to comment in writing to the Commission.
2. In approving variances, the Plan Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these regulations.

3. A petition for any such variance shall be submitted in writing by the subdivider at the time when the sketch plat is filed for the consideration of the Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.
4. Financial disadvantage to the property owner is not proof of hardship within the purpose of this Ordinance.
5. A comprehensive group housing, commercial, or industrial development, including the large-scale construction of housing commercial or industrial units together with necessary drives and ways of access, may be approved by the Plan Commission although the design of the project does not include standard street, lot, and subdivision arrangements, provided that departure from the standards of these regulations can be made without destroying their intent and is in accordance with the provisions of the zoning ordinance relating to planned development.

SECTION K - ENFORCEMENT, VIOLATION, AND PENALTIES

1. General

- a. It shall be the duty of the Plan Commission to enforce these regulations and to bring any violations or lack of compliance to the attention of the City Attorney.
- b. No owner, or agent of the owner, of any parcel of land located in a proposed subdivision shall transfer or sell any such parcel before a plat of such subdivision has been approved by the Commission, in accordance with the provisions of these regulations, and filed with the County Recorder.

The division of any lot or any parcel of land into a subdivision, as defined in this ordinance, by the use of metes and bounds description for the purpose of sale, or transfer, or lease resulting in the creation of one or more new building sites shall not be permitted. All such described divisions shall be subject to all of the appropriate requirements of this ordinance.

- d. No Improvement Location Permit or Building Permit required under the Uniform Building Code, the Zoning Ordinance or this ordinance shall be issued on any property subject to this ordinance until the provisions of this ordinance have been complied with.

2. Violations and Penalties

Any person who violates a provision of this ordinance or any regulations herein contained, shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars (\$10.00) and not more than three hundred dollars (\$300.00) for each day in violation.

3. Restraining Provisions

- a. Any land within the participating jurisdictions subdivided in violation of the terms of this ordinance after the effective date hereof, is hereby declared to be a common nuisance, which may be restrained, enjoined or abated in any appropriate action or proceeding.
- b. The Commission may institute an injunction suit requesting an individual or governmental unit be directed to remove a structure erected in violation of this ordinance, or to make the same comply with its terms. If the Commission is successful in its suit, the respondent shall bear the costs of the action.
- c. The Commission may institute a suit for mandatory injunction requesting an individual or governmental unit be directed, where such individual or governmental unit has violated any provisions of this ordinance, to comply with the provisions of this ordinance. If the Commission is successful in its suit, the respondent shall pay the Commission's reasonable attorney fees and all costs related to the enforcement of this Ordinance.

SECTION L - APPEALS

Any decision or requirement of the Plan Commission made under the authority of this ordinance is subject to the right of appeal and review by certiorari provided written appeal is taken no more than thirty (30) days from such Commission action.

ARTICLE II

DEFINITIONS AND TERMS

SECTION A - GENERAL

1. For the purpose of these regulations, certain numbers, abbreviations, terms and words used herein shall be used, interpreted, and defined as set forth in this section.
2. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word "herein" means "in these regulations"; the word "regulations" means "these regulations".
3. A "person" includes a corporation, a partnership, and an incorporated association of persons such as a club; "shall" is always mandatory; "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied".

SECTION B - DEFINITIONS

ALLEY - A public or private vehicular right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.

APPLICANT - The owner of land proposed to be subdivided or his representative. Consent shall be required from the legal owner of the premises.

ARTERIAL - Either a Primary Arterial or a Secondary Arterial as defined in this section.

BLOCK - A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or boundary lines of municipalities.

BOND - Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Plan Commission. All bonds shall be approved by the Commission wherever a bond is required by these regulations.

BUILDING - Any roofed structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind.

BUILDING CODE - That City ordinance or group of ordinances establishing and controlling the standards for constructing buildings, utilities, mechanical equipment and all forms of structures and permanent installations and related matters, within the City. Also referred to herein as the City Building Code.

BUILDING SITE - An area proposed or provided and improved by grading, filling, excavation, or other means for erecting pads or foundations for buildings.

CAPITAL IMPROVEMENTS PROGRAM - A proposed schedule for all future projects in order of construction priority together with cost estimates and the anticipated means of financing each project. All major projects requiring the expenditure of public funds, over and above the annual local governments operating expenses, for the purchase, construction, or replacement of the physical assets for the community are included.

CENTRAL SEWERAGE SYSTEM - A community sewer system including collection and treatment facilities established by the developer to serve a new subdivision in an outlying or generally rural area.

CENTRAL WATER SYSTEM - A private water company formed by a developer to serve a new community development in an outlying or generally rural area. It includes water treatment and distribution facilities.

CHANNEL - A natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water.

CITY ATTORNEY - The licensed attorney designated by the legally authorized body to furnish legal assistance for the administration of these regulations in lieu of the Commission having its own attorney.

CITY ENGINEER - The licensed engineer designated by the City to furnish engineering assistance in the administration of these regulations.

CLASSIFICATION OF STREETS - For the purpose of providing for the development of the streets, highways, roads, and right-of-way in the governmental unit, and for their future improvement, reconstruction, realignment, and necessary widening, including provision for curbs and sidewalks, each existing street, highway, road, and right-of-way and those located on approved and filed plats, have been designated in the Transportation Plan within the Comprehensive Plan and classified therein. The classification of each street, highway, road, and right-of-way is based upon its location in the respective zoning districts and its present and estimated future traffic volume and its relative importance and function as specified in the Comprehensive Plan of Madison. The required improvements shall be measured as set forth for each street classification in the Transportation Plan.

Functional Classification is defined as the process by which streets and roads are grouped into classes, or systems, according to the character of service they are intended to provide.

Functional classification can be applied in planning street and road system development, determining the jurisdictional responsibility for particular systems, and in fiscal planning. Three main classes are generally accepted under the functional classification scheme: arterials, collectors, and locals.

COLLECTOR STREET - A street intended to move traffic from local streets to secondary arterials. (A collector street serves a neighborhood or large subdivision and should be designed so that no residential properties face onto it and no driveway access to it is permitted unless the property is to be in multifamily use for four (4) or more dwelling units.)

COMMISSION - The Plan Commission, appointed in accordance with I.C. 18-7-5.

COMPREHENSIVE PLAN - Inclusive physical, social, and economic plans and policies in graphic and verbal statement forms for the development of the City prepared and adopted by the Commission pursuant to the State Acts, and including any part of such plan and/or policies separately adopted and any amendment to such plan and/or policies, or parts thereof.

CONDOMINIUM - An estate consisting of an undivided interest in common in real property, in an interest or interests in real property, or in any combination thereof; together with a separate interest in real property, in an interest or interests in real property, or in any combination thereof.

CONSTRUCTION PLAN - The maps, drawings, and textual descriptions accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Commission as a condition of the approval of the plat.

CONSTRUCTION STANDARDS - The City of Madison Construction Standards for Development and Public Improvements as adopted and amended.

COUNCIL - The City Council.

COVENANT - A written promise or pledge.

CUL-DE-SAC - A local street with only one (1) outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement including public safety vehicles.

CULVERT - A drain that channels water under a bridge, street, or driveway.

DEAD-END STREET - A street or a portion of a street with only one (1) vehicular traffic outlet, and no turnaround at the terminal end.

DEDICATION - The setting apart of land or interests in land for use by the public by ordinance, resolution, or entry in the official minutes as by the recording of a plat.

DEVELOPER - Authorized agent(s) of a subdivider or the subdivider himself. The developer may be the owner of land proposed to be subdivided or his representative, the subdivider.

DRIVES, PRIVATE - Vehicular streets and driveways, paved or unpaved, which are wholly within private property except where they intersect with other streets within public rights-of-way.

EASEMENT - An authorization grant by a property owner for the use by another of any

designated part of his property for a clearly specified purpose(s).

ESCROW - A deposit of cash with the Commission in lieu of an amount required and still in force on a performance or maintenance bond. Such escrow funds shall be held by the City Clerk.

FINAL PLAT APPROVAL - The stage of application for formal Plan Commission approval of a final plat of a subdivision the construction of which has been completed or substantially completed which, if approved and signed by the designated officials may be submitted to the County Recorder for filing.

FLEXIBLE ZONING - Zoning which permits uses of land and density of buildings and structures different from those which are allowed within the zoning district in which the land is situated. Flexible zoning applications shall include, but not be limited to, all special permits and special uses, group housing projects, and planned unit development.

FLOOD PLAIN - The relatively flat area or low land adjoining the channel of a river or stream which has been or may be covered by flood water. The flood plain includes the channel, floodway, and floodway fringe.

FLOOD PROTECTION GRADE - The elevation of the lowest point around the perimeter of a building at which flood waters may enter the interior of the building.

FLOODWAY - (See Regulatory Floodway)

FOUNDATION - The supporting member of a wall or structure.

FRONTAGE - The length along the street right-of-way line of a single lot, tract, or development area between the side lot lines of the property. It is that side of a lot abutting a street and ordinarily regarded as the front of the lot.

GRADE - The slope of road, street, or other public way, specified in terms of percentage (%).

HEALTH DEPARTMENT AND HEALTH OFFICER - The agency and person designated by the City to administer the health regulations within the City's jurisdiction.

IMPROVEMENT - Any alteration to the land or other physical constructions associated with subdivision and building site development.

IMPROVEMENT, LOT - Any building, structure, place, work of art, or other object, or improvement of the land on which they are situated constituting a physical betterment of real property, or any part of such betterment. Certain lot improvements shall be properly bonded as provided in these regulations.

IMPROVEMENT, PUBLIC - Any drainage ditch, roadway, sidewalk, tree, lawn, off-street parking area, lot improvement, or other facility for which the local or state government may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local or state government responsibility is established. All such improvements shall be properly bonded.

IMPROVEMENT, TEMPORARY - Improvements built and maintained by a subdivider during construction of the subdivision and prior to release of the performance bond.

INDIANA CODE - The *Burns Indiana Statutes Code Edition*, which codifies all Indiana statutes for reference purposes. The latest edition with any amending supplements must be referred to for the laws currently in force and applicable. (Usually abbreviated as I.C. herein).

INDIVIDUAL SEWAGE DISPOSAL SYSTEM - A septic tank, seepage tile sewage disposal system, or any other approved sewage treatment device.

INFRASTRUCTURE - The fixed public works and facilities necessary in a community, such as sewers, water systems, storm and drainage systems, and streets.

INTERESTED PARTIES - Those parties who are the owners of properties adjoining or adjacent to the proposed subdivision as shown on the sketch plan.

JURISDICTION - Jurisdiction of local government means all land within its boundaries and any land outside its boundaries over which it is authorized to exercise powers under these regulations.

LAND - The earth, water, and air, above, below or on the surface, and includes any improvements or structures customarily regarded as land.

LAND USE - The development existing on land.

LOCAL STREET - A street intended to provide access to other streets from individual properties and to provide right-of-way beneath it for sewer, water, and storm drainage pipes.

LOT - A tract, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development. The lot shall be of suitable size as required in this ordinance and the existing zoning ordinance.

MODEL HOME - A dwelling unit used initially for display purposes which typifies the type of units that will be constructed in the subdivision. Such dwelling units may be erected, at the discretion of the Planning Commission, by permitting a portion of a major subdivision involving no more than three (3) lots to be created according to the procedures for minor subdivision, as set in these regulations.

MONUMENT - Any permanent marker either of concrete, galvanized iron pipe, or iron or steel rods, used to identify any tract, parcel, lot, or street lines.

NONRESIDENTIAL SUBDIVISION - A subdivision whose intended use is other than residential, such as commercial or industrial.

OFF-SITE - Any premises not located within the area of the property to be subdivided, whether or not in the same ownership of the applicant for subdivision approval.

ORDINANCE - Any legislative action, however denominated, of a local government which has the force of law, including any amendment or repeal of any ordinance.

OWNER - Any person, firm, association, syndicate, partnership, corporation, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.

PARCEL - A part or portion of land having a legal description formally set forth in a conveyance together with the boundaries thereof, in order to make possible its easy identification.

PLAN COMMISSION - The City's plan body as established in accordance with Indiana law, often referred to herein simply as the Commission.

PLANNED UNIT DEVELOPMENT - Planned unit development is a means of land regulations which permits large scale, unified land development in a configuration and possibly a mix of uses not otherwise permitted "as the right" under the City ordinance but requiring under that ordinance or a special ordinance a special review and approval process.

PLAT - The drawing, map, or plan of a subdivision or other tract of land or a replat of such including certification, descriptions, and approval.

PLAT, FINAL - The final and formal presentation of the map, plan, or record of a subdivision and any accompanying material, as described in these regulations.

PLAT, PRELIMINARY - The preliminary drawing or drawings, described in these regulations, indicating the proposed manner or layout of the subdivision to be submitted to the Commission for approval.

PLAT, SKETCH - A sketch preparatory to the preparation of the preliminary plat (or final plat in the case of minor subdivisions) to enable the subdivider to save time and expense in reaching general agreement with the Commission as to the form of the plat and the objectives of these regulations.

PRELIMINARY PLAT APPROVAL - An approval (or approval with conditions imposed) granted to a subdivision by the Commission after having determined in a public hearing that the subdivision complies with the standards prescribed in this Ordinance (per I.C. § 36-7-700 series: Subdivision Control).

PRIMARY ARTERIAL - A street intended to move through-traffic to and from such major

attractors as central business districts, regional shopping centers, colleges and/or universities, military installations, major industrial areas, and similar traffic generators within the City a major thoroughfare.

REGISTERED LAND SURVEYOR - A land surveyor properly licensed and registered or through reciprocity permitted to practice in the State of Indiana.

REGISTERED PROFESSIONAL ENGINEER - An engineer properly licensed and registered in the State of Indiana or permitted to practice in Indiana through reciprocity.

REGULATORY FLOOD - That flood having a peak discharge which can be equaled or exceeded on the average of once in a one hundred (100) year period, as calculated by a method and procedure which is acceptable to and approved by the Indiana Natural Resources Commission; this flood is equivalent to a flood having a probability of occurrence of one percent (1%) in any given year.

REGULATORY FLOOD ELEVATION - The maximum elevation, as established by the Indiana Department of Natural Resources, reached by the Regulatory Flood at the locations in question relevant to approval of a given subdivision under consideration.

REGULATORY FLOODWAY - The channel of a river or stream and those portions of the Flood Plains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flow of the Regulatory Flood of any river or stream shown on the Floodway-Flood Boundary Maps of the Federal Emergency Management Agency.

RESERVE STRIP - A strip of land between a partial street and adjacent property, which is reserved or held in public ownership for future street extension or widening.

RESUBDIVISION (REPLAT) - A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

RIGHT-OF-WAY - A strip of land occupied or intended to be occupied by transportation facilities, public utilities, or other special public uses. Rights-of-way intended for any use involving maintenance by a public agency shall be dedicated to the public use by the maker of the plat on which such right-of-way is established.

SALE OR LEASE - Any immediate or future transfer of ownership, or any possessory interest in land, including contract of sale, lease, devise, interstate succession, or transfer, of an interest in a subdivision or part thereof, whether by deed, metes and bounds, contract, or other written instrument.

SECONDARY ARTERIAL - A street intended to collect and distribute traffic in a manner

similar to primary arterials, except that these streets service minor traffic generating areas such as community-commercial areas, primary and secondary educational plants, hospitals, major recreational areas, churches, and offices, and/or designed to carry traffic from collector streets to the system of primary arterials.

SETBACK - A line parallel to the relevant lot line (front, back, side) between which no buildings or structures may be erected as prescribed in the City Zoning Ordinance.

STATE - The State of Indiana.

STREET RIGHT-OF-WAY WIDTH - The distance between property lines measured at right angles to the center line of the street.

STRUCTURE - Anything constructed or erected that requires location on or in the ground or is attached to something having a location on or in the ground.

SUBDIVIDER - A subdivider shall be deemed to be the individual, firm, corporation, partnership, association, syndicate, trust, or other legal entity that executes the application and initiates proceedings for the subdivision of land in accordance with the provisions of this ordinance. The subdivider need not be the owner of the property; however, he shall be an agent of the owner or have sufficient proprietary rights in the property to represent the owner.

SUBDIVISION - Any land, vacant, or improved, which is divided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or interests for the purpose of offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions, including resubdivision. Subdivision includes the division or development of residential and nonresidential zoned land, whether by deed, metes and bounds description, or other recorded instrument. However, this ordinance shall not apply to any of the following:

- a. An adjustment of lot lines as shown on a recorded plat which does not reduce the area, frontage, width, depth, or building setback lines of each building site below the minimum zoning requirements, and does not change the original number of lots in any block of the recorded plat.
- b. An allocation of land in the settlement of an estate or a decedent or a court decree for the distribution of property.
- c. The unwilling sale of land as a result of legal condemnation as defined and allowed in the Indiana State Law.
- d. Widening of existing streets to conform to the Comprehensive Plan.
- e. The acquisition of street rights-of-way by a public agency in conformance with the Comprehensive Plan.
- f. The exchange of land for the purpose of straightening property boundaries which

does not result in the change of the present land usage.

SUBDIVISION, MAJOR - All subdivisions not classified as minor subdivisions, including but not limited to subdivisions of four (4) or more lots, or any size subdivision requiring any new street or extension of the local governmental facilities, or the creation of any public improvements.

SUBDIVISION, MINOR - Any subdivision containing not more than three (3) lots fronting on an existing street, not involving any new street or road, or the extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Comprehensive Plan, Thoroughfare Plan, Zoning Ordinance, or these regulations.

SUBDIVISION REGULATIONS OR SUBDIVISION CONTROL ORDINANCE - An ordinance for ensuring the orderly development of land by requiring coordination of new public facilities with existing facilities; and providing standards for lot layout, street design, utilities, and easements to assure compatibility with long-range Comprehensive Plan.

TEMPORARY IMPROVEMENT - Improvements built and maintained by a subdivider during construction of the subdivision and intended to be replaced by a permanent improvement prior to release of the performance bond or turnaround improvements at the ends of stub streets intended to be replaced when the adjoining area is developed and the through street connection made.

TERRAIN CLASSIFICATION - For purposes of these regulations and to guide the application of geometric design criteria, terrain has been classified as follows:

LEVEL - That condition where street sight distances, as governed by both horizontal and vertical restrictions, are generally long or could be made to be so without construction difficulty or major expense.

ROLLING - that condition where the natural slopes consistently rise above and fall below the street grade line and where occasional steep slopes offer some restriction to normal street horizontal and vertical alignment.

HILLY - that condition where longitudinal and transverse changes in the elevation of the ground with respect to a street are abrupt and where the roadbed is obtained by fragment benching or side hill excavation.

UTILITIES - Installations for transmission of water, sewage, gas, electricity, telecommunications, and storm water: and similar facilities providing service to and used by the public.

VARIANCE - A modification of the strict terms of the relevant regulations of this ordinance where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of this ordinance would result in unnecessary and undue hardship.

YARD - A space on the same lot with a principal building, such space being open, unoccupied and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings are expressly permitted.

ZONING ORDINANCE - The 1981 Zoning Ordinance of the City of Madison, Indiana, as amended.

NOTE: Whenever any words and phrases herein are not defined herein but are defined in the Zoning Ordinance, any such definition therein shall be deemed to apply to such words and phrases used herein.

ARTICLE III

PROCEDURE FOR SUBMISSION OF PLATS

The procedure for review and approval of a subdivision or Planned Unit Development (PUD) plat shall consist of four separate steps, in sequence: an informal discussion meeting with the Plan Commission, preparation and submission of a preliminary plat of the proposed subdivision, preparation and submission of construction plans of the proposed subdivision, and preparation and submission of a final plat of the subdivision.

SECTION A - GENERAL

1. No person proposing a subdivision shall proceed with any grading and improvements for streets or installation of public utilities until the preliminary plat and construction plans of the proposed subdivision is approved by the Plan Commission.
2. No person proposing a subdivision shall sell, agree to sell, transfer, lease, or otherwise convey any lot, parcel, or tract in a subdivision, or construct or commence the construction of any building in a subdivision until the final plat of the proposed subdivision is approved by the Commission and recorded in accordance with the provisions hereof.

SECTION B - ADVISORY MEETING WITH PLAN COMMISSION

Whenever the owner of any tract or parcel of land in the planning or corporate limits of the City intends to make a subdivision or PUD, the subdivider shall, before preparing a preliminary plat, meet and consult informally with the Plan Commission for the purpose of ascertaining the locations of proposed major streets, parks, playgrounds, school sites, and other planned projects which may affect the property being considered for the subdivision. At this meeting, the Plan Commission will identify the proposed site on the Madison Environmental Grid Map and discuss potential problems of the site with the developer. In order to assist the Commission in evaluating the proposed development, the subdivider shall submit a sketch plan to the Commission at the advisory meeting. This sketch plan shall include, as a minimum, the proposed lot layout, street layout with street names, location of adjoinment with existing streets and public utilities, and proposed subdivision name. The information provided with the sketch plan will also help the Commission ascertain which other review agencies, if any, need to be involved in the subdivision review and approval process. At the same meeting, the subdivider should review with the Plan Commission the minimum standards of subdivision design set forth in Article IV and as required by the City of Madison Construction Standards. This informal review should prevent unnecessary and costly revisions in the layout and development of the subdivision.

SECTION C - PRELIMINARY PLAT APPROVAL

After meeting informally with the Plan Commission, the subdivider shall cause to be prepared a preliminary plat as required herein.

1. Procedure

- a. Three (3) copies of the preliminary plat and required supplemental material shall be filed with the Executive Secretary of the Plan Commission, unless otherwise provided for by ordinance. Such filing shall take place at least thirty (30) days prior to a regularly scheduled meeting of the Plan Commission at which time the preliminary plat is to be considered.
- b. Preliminary plats shall generally comply with the reviewed sketch plan and specifically include any terms and conditions established at the advisory meeting.
- c. The plat shall be accompanied by an "Application for Preliminary Plat" available at City Hall and a filing fee of thirty dollars (\$30) plus twenty-five ~~cents (\$0.25)~~ ^{\$25.00} for each lot. Such fee will be utilized to cover the cost of checking and verifying the proposed plat.

Upon receipt of the application, the Plan Commission shall schedule a public hearing on the preliminary plat. Notice of such public hearing shall be advertised in one (1) local newspaper of general circulation ten (10) days prior to the hearing as required by and in accordance with I.C. 5-3-1. The applicant shall be responsible for notifying, by certified mail, all interested parties as to the date, time, place and purpose of the public hearing as required by Sections 11.37 and 11.38 of the "City of Madison Zoning Ordinance". The applicant shall file with the Commission at the time of the public hearing an affidavit so testifying along with the certified mail receipts provided by the post office.

- e. Following the public hearing and upon due consideration of the preliminary plat, the Plan Commission shall approve, disapprove or modify the proposed plat and shall impose those requirements or grant those variances in conformance with this ordinance deemed necessary and appropriate for final approval.
- f. Approval of the preliminary plat by the Plan Commission shall not constitute approval to begin improvements. Such approval shall be given only on submittal and approval of construction plans.
- * g. Where a proposed subdivision would contain no more than five (5) lots and no new streets, the procedure of preparing a preliminary plat may be waived by the Plan Commission. Adherence to the "City of Madison Construction Standards" shall still be required.

- h. The approval of the preliminary plat shall lapse unless a final plat based thereon is submitted within two (2) years from the date of such approval. An extension of time may be applied for by the subdivider and granted by the Plan Commission.
- 1. One (1) copy of the preliminary plat shall be returned to the applicant with the date of approval, conditional approval, or disapproval and, when requested by the applicant, the reasons therefore accompanying the plat within thirty (30) days following the public hearing.

2. Preliminary Plat Data

Accompanying the preliminary plat, the developer will complete the form entitled "Site Environmental Assessment." This form will provide information as to the environmental grid, soil suitability, and proposed site treatment techniques.

The preliminary plat shall meet the standards of design as set forth in Article IV and shall show the following information:

- a. Scale of fifty (50) feet to one (1) inch or larger.
- b. Name of subdivision, names and addresses of the owners, the engineer or surveyor, and the owners of adjacent property.
- c. A vicinity sketch at a scale of two hundred (200) feet to one (1) inch or less.
- d. Date, approximate north point, and graphic scale.
- e. Acreage of land to be subdivided.
- f. Existing contours at an interval of not greater than two (2) feet or at a lesser interval if deemed necessary by the Plan Commission.
- g. Existing streams, gullies, wooded areas, buildings, and other natural or man-made features.
- h. Boundary lines of area to be subdivided and their bearings and distances.
- 1. Existing and proposed easements and their locations, widths, and distances.
- j. Existing and proposed zoning on and adjacent to the tract. Existing and proposed platting of adjacent property.
- k. Existing or proposed streets on and adjacent to the tract and their names, right-of-way widths, approximate grades, and other dimensions as may be required.
- l. Lot lines with dimensions and lot numbers.

Sites and their acreages, if any, to be reserved or dedicated for parks, playgrounds, schools, or other public uses.

- n. Sites, if any, for semi-public, commercial, industrial, or multi-family use. Proposed building location and internal circulation should be shown, especially the location and number of entrances onto public streets.
- o. Minimum building setback lines.
- p. Approximate locations of "ten year" and "one hundred year" flood elevations along all streams or drainage ways.

Whenever part of a tract is proposed to be subdivided and it is intended to subdivide additional parts of the tract in the future, a sketch plan for the entire tract shall be submitted to the Plan Commission at the same time the preliminary plat for the first part of the tract to be platted is submitted.

SECTION D - APPROVAL OF CONSTRUCTION PLANS

Subdivision construction plans shall be developed and submitted to the Plan Commission in accordance with the "City of Madison Construction Standards" and as specified herein.

1. Procedure

- a. Following the approval of the Preliminary Plat and prior to submission of the Final Plat, the applicant, if he wishes to proceed with the subdivision, shall file with the Plan Commission before starting any work or improvements four (4) sets of the detailed plans and specifications thereof for approval.
- b. The Commission shall have these plans reviewed by an engineer who is licensed in the State of Indiana and refer these plans to the appropriate local agencies for review and comment. Once these agencies indicate their approval of the construction plans or fourteen (14) working days have elapsed without a written response, the commission shall stamp the plans approved and return one (1) set to the applicant. Revisions and resubmittals of the construction plans as required by review comments shall be at the expense of the applicant.
- c. In no event shall final plat approval be given prior to approval of the construction plans.
- d. It shall be the responsibility of the subdivider to submit all necessary documents, plans and specifications and filing fees to State and County regulatory agencies for consideration of approval as prescribed by their laws and regulations. Such agencies could, but not necessarily, include the Indiana Department of Environmental Management, the Indiana Department of Natural Resources, the

Indiana Department of Transportation, the Administrative Building Council and County Health Department. The commission reserves the right to withhold final acceptance of the subdivision contingent upon receiving approvals from these agencies where applicable.

- e. The installation of improvements shall be in accordance with the approved construction plans and shall be inspected by the designated City official. Such inspections are required in all instances regardless of whether the work is performed before or after final plat approval. Failure to request inspection or to proceed without proper notification to the designated official may be cause for denial of final plat approval.

2. Construction Plans Data

- a. The construction plans and specifications shall consist of all cross sections, profiles, details, material specifications, installation requirements and other engineering data necessary for the proper design and construction of the proposed improvements. The plans shall include, as a minimum, the following information.

- 1. Streets

- Geometrics including curve data, road widths, existing and proposed contours, etc; profiles including all utility crossings and elevations; and typical cross sections of roadbeds and curbs including materials and dimensions.

- 2. Sanitary Sewers

- Sewer plan and profiles with contours including pipe sizes and lateral locations, manhole details, lift stations (where applicable), pipe bedding details, connections to existing utilities, and material specifications.

- 3. Storm Sewers

- Sewer plan and profiles with contours, drainage ditch cross sections, drainage structure details and material specifications.

- 4. Water Mains

- Plan layouts of all water lines including meter, valve and hydrant locations, connections to existing utilities, typical details and material specifications.

- 5. Site Grading

Topographic contour mapping showing both existing and proposed grade, minimum building pad elevations and all necessary spot elevations such as ditch grades, break points, elevations between building pads, etc. Site grading plan to be at a scale of 1"=50' or larger with 2' maximum contour intervals.

6. Design Summary

A summary for basis of design in selection of water and sewer mains; storm sewer and culvert sizing including drainage area runoff calculations for the watershed area, and other pertinent design information.

- b. Construction plans and specifications shall be certified and stamped by a professional engineer and/or land surveyor holding current registration in the State of Indiana.

SECTION E - FINAL PLAT APPROVAL

The final plat shall conform substantially to the preliminary plat and construction plans as approved, and may constitute only a portion of the preliminary plat which the subdivider proposed to record and develop.

1. Procedure

- a. Following approval or conditional approval of the preliminary plat and construction plans, the applicant, if he wishes to proceed with the subdivision shall file with the Commission a request for final plat approval. The application shall be filed on forms available at the office of the Plan Commission. Such filing shall take place at least ten (10) days prior to the meeting of the Plan Commission at which it is to be considered.
- b. ~~Three (3) black line or blue line prints and one (1) reproducible print~~ of the final plat and the required supplementary material shall be submitted with the application.
- c. One copy of the final plat shall be transmitted to the City Engineer who will check said plat as to computations, certifications, monuments, etc., and that all the required improvements have been completed to the satisfaction of the City officials having jurisdiction, or, in the case a security bond or certified check has been posted, such is sufficient to cover the cost of the required improvements. If found satisfactory, he will return the copy of the final plat to the Plan Commission with his approval certified within ten (10) days of receipt thereof.
- d. A security (performance) bond or certified check in sufficient amount to assure such completion of any and all remaining improvements shall be submitted to the

Plan Commission with the application for final plat approval. The scheduled time of completion of improvements and installations shall be specified. It shall also be specified that upon completion, but prior to acceptance, a three year maintenance bond shall be provided for street, utility and drainage improvements to the Madison Board of Public Works and Safety.

- e. The Plan Commission shall study the said final plat to see if it conforms with the minimum standards and requirements as provided in this ordinance. If the plat meets all requirements of the subdivision regulations, and all recommendations made at the time of preliminary plat and construction plan approval have been carried out, the Plan Commission shall give final approval.
- f. Should it be determined by the Plan Commission that the final plat does not conform to the approved preliminary plat and/or the requirements of this ordinance, the subdivision shall be resubmitted to the Commission at a public hearing for final approval. Notification and advertising procedures shall be followed as previously outlined in Section C.1.d of this Article.
- g. With the exceptions of those improvements required by **Article IV**, no work shall be done on the subdivision and no lots shall be sold before the final plat is accepted and recorded.
- h. If the subdivider elects to install all improvements before application for final plat approval and it is shown that the conditions of the ordinance have been met, and if the final plat completely conforms to the approved preliminary plat, the Commission shall have no recourse but to grant final plat approval.

2. Sectionalizing Plats

- a. Prior to granting final plat approval, the Commission may permit the plat to be divided into two (2) or more sections and may impose such conditions upon the filing of the sections as it may deem necessary to assure the orderly development of the plat. The Commission may require that the performance bond be in an amount proportional to the section or sections of the plat to be filed and may defer the balance of the bond principal amount until the remaining sections of the plat are offered for filing. Such sections must contain at least twenty (20) lots or ten percent (10%) of the total number of lots contained in the approved plat, whichever is less. The approval of all remaining sections not filed with the Commission shall automatically expire two (2) years from the date of the preliminary plat approval date unless such date is formally extended.

3. Final Plat Data

- a. The plat shall be at a scale of fifty (50) feet to one (1) inch or larger.
- b. Date, title, name, and location of subdivision, graphic scale, and north arrow.

- c. All dimensions, angles, bearings, and similar data on the plat shall be tied to primary control points. Locations and descriptions of said control points shall be given, except where deemed clearly unreasonable or infeasible by the Plan Commission.
- d. Tract boundary lines, right-of-way lines of streets, easements, and other right-of-way, and property lines of residential lots with accurate dimensions to the nearest one hundredth of a foot; bearings of deflection angles, radii, arcs, and central angles of all curves with dimensions to the nearest 30".
- e. Name and right-of-way width of each street, easement, or other right-of-way.
- f. Lot numbers, lot lines, and frontage dimensions.
- g. Purpose for which sites other than residential lots are dedicated or reserved.
- h. Minimum building setback lines.
- i. Location and description of monuments.
- j. Location and description of utility and drainage easements.
- k. Location of the "ten year" and "one hundred year" flood elevations along any streams or drainage ways.
- l. Names and locations of adjoining subdivisions and streets, the location of adjoining unplatted properties, and the names and addresses of the owners of adjoining unplatted properties.
- m. Certification on plat of title showing that the applicant is the owner, that the making of the plat receives his consent and is in accordance with his desires, and a statement by such owner dedicating streets, rights-of-way, and any other sites for public use. (Form 1 as found in the Appendix.)
- n. Certification on plat by registered engineer or land surveyor as to the accuracy of survey and plat. (Form 2.)
- o. Certification by the Jefferson County Board of Health when individual sewerage disposal or water systems are to be installed. (Form 3.)
- p. Protective covenants and deed restrictions shall either be placed directly on the final plat or attached thereto in form for recording. Deviations to the plat plan shall be submitted to Plan Commission - developer shall get approval for any plat changes - developer shall submit "as built" drawings upon completion.

4. Recording of the Final Plat

- a. Upon approval of the final plat, the President and Secretary of the Commission shall sign the certificate which shall be part of the reproducible mylar of the subdivision, plus two prints of same. The two prints shall be returned to the subdivider for recording and Subdivider's copy.
- b. It shall be the responsibility of the Subdivider to file with the County Recorder one copy of the approved final plat within thirty (30) days of the final plat signature date. Failure to file within this time shall constitute a violation of this ordinance.

ARTICLE IV

GENERAL REQUIREMENTS AND MINIMUM STANDARDS FOR IMPROVEMENTS

SECTION A - GENERAL IMPROVEMENTS

1. In addition to the requirements established herein, all subdivision plats and improvements shall comply with the following laws, rules, and regulations:
 - a. all applicable federal, state, and local statutory provisions.
 - b. the City of Madison Zoning Ordinance, Building and Housing Codes, and all other applicable laws and ordinances of the appropriate jurisdictions.
 - c. the City of Madison Construction Standards.
 - d. all applicable rules and regulations of the County Health Department.
 - e. the rules and regulations of the Indiana Department of Transportation if the subdivision or any lot contained therein abut a state highway or state frontage road.
 - f. all pertinent standards contained within current planning guides published by the County or City Plan Commission.

SECTION B - PLATS CROSSING MUNICIPAL BOUNDARIES

Whenever access to the subdivision is required across land in another jurisdiction, the Commission may request assurance from the City Attorney that such access is legally established, and from the County Engineer that the access road is adequately improved, or that a performance bond has been duly executed and is of sufficient amount to insure the construction of such access road. Lot lines shall be laid out so as not to cross municipal boundary lines.

SECTION C - SUBDIVISION NAME

The proposed name of the subdivision shall not duplicate or too closely approximate phonetically the name of any other subdivision in the area covered by these regulations. The Commission shall have final authority to approve or otherwise designate the name of the subdivision which shall be determined at time of preliminary plat approval.

SECTION D - SUITABILITY OF THE LAND FOR SUBDIVISION DEVELOPMENT

1. If the Plan Commission finds that land proposed to be subdivided is unsuitable for subdivision development due to flooding, poor drainage, steep slopes, rock formations, and other such conditions as may increase the danger of health, life, or property or aggravate erosion or flood hazards; and, if from adequate investigations, conducted by all the public agencies concerned, it has been determined that in the best interest of the public the land should not be platted and developed for the purpose proposed, the Plan Commission shall not approve the land for subdivision unless adequate methods are formulated by the subdivider for meeting the problems that will be created by the subdivision and development of the land.
2. The Plan Commission may refuse to approve what it considers to be scattered or premature subdivision of land which would involve danger or injury to the public health, safety, welfare, or prosperity by reason of lack of adequate water supply, schools, proper drainage, good roads and transportation facilities, or other public services; or which would necessitate an excessive expenditure of public funds for the supply of such services (such as undue maintenance costs for adequate roads).

SECTION E - LOT IMPROVEMENTS

The following provisions shall pertain, except that modifications may be permitted in planned unit developments. Lots shall be designated by numbers. Streets, avenues, and other grounds shall be designated by names or numbers.

1. Lot Arrangement

The lot arrangement shall be such that there will be no foreseeable difficulties for reasons of topography or other conditions in securing building permits to build on each of the created lots in compliance with the Zoning Ordinance and local health regulations. Driveway access shall be provided for each building on such lots from the appropriate approved street. Except where not feasible, side lot lines shall be at right angles to straight street lines and radial to curved street lines.

2. Lot Dimensions

The size, shape, and lot dimensions within the jurisdiction of this ordinance shall conform to the minimum requirements of the Zoning Ordinance. Where lots are more than double the minimum required area for the zoning district, the Commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve all potential lots. Dimensions of corner lots shall be large enough to allow for erection of buildings when observing the minimum front yard setback from both streets. Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide

for all off-street parking and loading facilities as may be required by the Zoning Ordinance.

3. Building Line Setback

The building line to establish yards for all buildings and lots shall be as provided in the Zoning Ordinance.

4. Yard Requirements

Yard requirements for residential subdivisions or the portions thereof within the jurisdiction of this ordinance shall be the same as the yard requirements set forth in the Zoning Ordinance for the zoning district or districts in which they are located.

5. Double Frontage Lots and Access to Lots

- a. Double Frontage Lots. Double frontage and reversed frontage lots shall be avoided except where necessary to provide for the separation of residential development from the traffic on bordering arterials or to overcome specific disadvantages of topography and orientation affecting the subdivided lots.
- b. Access from Primary and Secondary Arterials. Lots shall not, in general, derive access from a primary or secondary arterial street. Where driveway access from a primary or secondary arterial street may be the only possible access for several adjoining lots, the Commission may require that such lots be served by a combined access drive in order to limit possible traffic hazards from multiple access to such streets. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on primary or secondary arterials.

6. Lot Drainage

Lots shall be laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general storm water drainage pattern for the area. Drainage shall be designed so as to avoid the accumulation of storm water on any one or more lots from adjacent lots. It shall be the responsibility of the lot owner to maintain the lot grade, as it applies to drainage, as provided for in the approved construction plans.

7. Debris and Waste

No cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste material of any kind shall be buried in any land, or left or deposited on any lot or street at the time of occupancy within a subdivision, nor shall any be left or deposited in any area of the subdivision at the time of expiration of the performance bond or dedication of public improvements, whichever is sooner.

8. Fencing

Each subdivider and/or developer shall be required to furnish and install fences wherever the Commission determines that a hazardous condition may exist. The fences shall be constructed according to the Construction Standards and shall be noted as to height and material on the final plat. No certificate of occupancy shall be issued until said fence improvements have been duly installed.

9. Waterbodies and Watercourses

If a tract being subdivided contains a water body, or portion thereof, lot lines shall be so drawn as to distribute the entire ownership of the water body among the fees of adjacent lots. The Commission may approve an alternative allocation of interests whereby the ownership of and responsibility for safe maintenance of the water body is so placed that it will not become a local government responsibility. No part of the minimum area of a lot required under the Zoning Ordinance may be satisfied by land which is under water. Where a watercourse separates the buildable area of a lot from the street from which it has access, provisions shall be made for installation of a culvert or other structure, of a design approved by the Commission.

10. Flood Hazards

- a. Land subject to flooding and land deemed to be topographically unsuitable for residential development shall not be platted for residential use or for any other use which may increase the danger of health, life, or property or aggravate erosion or flood hazards. Such land within the subdivision shall be set aside on the plat for such uses as will not be endangered by periodic or occasional inundation contrary to the public welfare. To insure that lots will be located only where they will provide flood-free house sites, the Plan Commission may require the subdivider to provide elevation and flood profiles sufficient to demonstrate that the house sites will be completely free from the danger of flooding.
- b. If a stream flows through or adjacent to the proposed subdivision, the plat plan shall provide for an easement or right-of-way along the stream for a floodway. For smaller streams, those in which the floodway for a 100 year flood is 50 feet wide or less, the plan shall also provide for channel improvement to enable them to carry all reasonable floods within banks. The floor elevations of houses shall be high enough to be a minimum of two feet (2') above the 100 year flood. The floodway easement shall be wide enough to provide for future enlargement of the stream channel as adjacent areas become more highly developed and runoff rates are increased.

SECTION F - MONUMENTS

1. Monuments shall be a steel pin encased in concrete. The steel pin shall be $\frac{1}{2}$ " diameter and 30" long. Concrete encasement shall consist of 6" diameter pier 24" long. The top of the steel pin centered in the concrete shall be $\frac{1}{4}$ " above top of concrete.
2. Monuments shall be placed:
 - a. So that the scored or marked point shall coincide exactly with the intersection of the lot or property line at that point and shall be set so that the top of the monument is level with the surface of the surrounding ground;
 - b. At the intersection of all angles in the boundary line of the survey;
 - c. At intersection of street property lines;
 - d. At the beginning and ending of all curves where street and alleys are so laid out;
 - e. At all points where lot lines intersect such curves both front and rear;
 - f. At all angles in property lines of streets and alleys.
3. The corners of all lots not marked by monuments as hereinbefore required shall be marked by galvanized or wrought iron pipe, or iron or steel bars at least 30 inches in length and not less than one (1) inch in diameter, the top of the pipe or bar to be set level with the surrounding ground.

SECTION G - STREETS

1. General
 - a. No Subdivision shall be approved unless the area to be subdivided includes frontage on or access from an existing street as designated by the City street map and providing such street has existing public right-of-way allowing public access to the subdivided area.
 - b. Streets shall be graded and improved in accordance with the Construction Standards, the approved construction plans, and as provided herein.

2. Topography and Arrangement

- a. Streets shall be related appropriately to the topography. All streets shall be arranged so as to obtain as many as possible of the building sites at, or above, the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and sharp curves shall be avoided.
- b. All arterials and collector streets shall be properly related to special traffic generators such as industries, business districts, schools, churches, and shopping centers, to population densities; and to the pattern of existing and proposed land uses.
- c. Minor or Local streets shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to the property.
- d. In business and industrial developments, the streets and other accessways shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision of alleys, truck loading and maneuvering areas, walkways, bikeways, and parking areas so as to minimize conflict of movement between the various types of vehicular and pedestrian traffic.

3. Street Extensions

- a. The street layout of the proposed subdivision shall provide for the continuation or projection of streets and alleys already existing in areas adjacent to the area being subdivided.
- b. Where, at the determination of the Plan Commission, it is desirable to provide street access to adjoining properties, proposed streets shall be extended by dedication to the boundaries of such properties. Where the Plan Commission deems it necessary, such dead-end streets shall be provided with a temporary turn-around approved by the Plan Commission.
- c. The street system for the proposed subdivision shall provide for extending existing streets at the same or greater width, but in no case shall a street extension be of less width than the minimum width required in these regulations for a street in its category.

4. Dedication of Right-of-Way for new streets

- a. The dedication of right-of-way for new streets measured from lot line to lot line shall be as shown in **Table IV-1**.

Table IV-1
Design Standards for Streets

	Arterial Streets	Collector Streets	Local Streets	Cul-de-Sac	Alley
Right-of-Way Width	90 Ft.	70 Ft.	50 Ft.	50 Ft.	24 Ft.
Minimum Street Width ⁽¹⁾	48 Ft.	36 Ft.	26 Ft.	26 Ft.	14 Ft.
Maximum Grade	5%	7%	7%	7%	7%
Minimum Grade	0.5%	0.5%	0.5%	0.5%	0.5%
Min. Angle for Intersection	90°	80°	70°	70°	70°
Min. Corner Radius	30 Ft.	25 Ft.	20 Ft.	20 Ft.	20 Ft.
Horizontal Curve Minimum Radius	400 Ft.	200 Ft.	100 Ft.	100 Ft.	100 Ft.
Vertical Curve Minimum Sight Distance	500 Ft.	300 Ft.	200 Ft.	100 Ft.	100 Ft.
Curve Length ⁽²⁾					
SAG	70 x A	40 x A	40 x A	40 x A	40 x A
Crest	80 x A	30 x A	30 x A	30 x A	30 x A
Min. Tangent Length between reverse curves	200 Ft	100 Ft.	100 Ft.	100 Ft.	100 Ft.

(1) Street width is defined as the distance from back of curb to back of curb. Where curb and gutter is not required, minimum street width can be reduced by two (2) feet.

(2) Vertical curve length is defined by multiplying the algebraic difference (A) in grade by the value shown in the Table.

- b. All streets classified as arterial streets by the Transportation Plan shall have all points of access approved by the Plan Commission. Marginal access streets or frontage roads may be required by the Commission for subdivisions fronting on arterial streets.
- c. Through business areas, street widths shall be increased ten (10) feet on each side if needed to provide parking without interfering with normal traffic patterns.

5. Dedication of Right of Way for Existing Streets

Subdivisions platted along existing streets after the effective date of this ordinance shall dedicate additional right-of-way if necessary to meet the minimum street width requirements set above for new subdivision streets.

- a. The entire minimum right of way width shall be dedicated where the subdivision is located on both sides of the existing street. When the subdivision is located on only one side of an existing street, one-half (1/2) the required right-of-way width, measured from the center line of the existing roadway, shall be dedicated.
- b. Dedication of one-half (1/2) of the rights-of-way for proposed streets along the boundaries of land proposed for subdivision shall be prohibited.

6. Street Grades and Elevations

- a. All streets shall be designed so as to provide for the discharge of surface water from the pavement and right-of-way by grading and drainage. Street grades and curvatures shall be as listed in **Table IV-1**.
- b. The Plan Commission will not approve any streets which will be subject to inundation or flooding. All streets must be located at elevations which will make them flood free in the event of a 100 year flood. Fill may be used in areas subject to flooding in order to provide flood-free streets if such fill does not unduly increase flood heights and where allowed by and in accordance with any applicable rules and regulations of the Indiana Department of Natural Resources. Drainage openings under any streets shall be designed so as not to restrict the flow of water thereby unduly increasing flood heights.

7. Intersections

- a. In general, all streets shall join each other so that for a distance of at least 100 feet the street is approximately at right angles to the street it joins.
- b. Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection a leveling area shall be provided having a two percent (2%) maximum grade at least sixty (60) feet in distance measured from the nearest right-of-way line of the intersecting street.
- c. No lot or other parcel of land which abuts on and has access to either a collector or a local access street shall have a service drive, curb cut, or other means of access to an arterial street within fifty (50) feet of the right-of-way of any street which intersects such arterial street on the side on which such lot or parcel is located.

8. Gutters and Curbs

- a. Gutters and curbs shall not be required for streets in subdivisions designed for two (2) dwelling units or less per acre of ground within the boundaries of the plat.
- b. Gutters and curbs shall be required for all streets in subdivisions as designed for more than two (2) dwelling units per acre of ground within the boundaries of the plat.
- c. Gutters and curbs may be required in the case of marginal access streets.
- d. Gutters and curbs may be integral concrete curb or combined gutter and curb type and may be designed with either straight or rolled curb section.

9. Dead-Ends and Cul-de-Sacs

- a. Dead end streets shall not be allowed unless specifically approved by the Plan Commission. Where allowed, dead end streets shall not exceed eight hundred (800) feet in length.
- b. Minor terminal streets or courts (cul-de-sacs) which are designed so as to have one end permanently closed shall not be longer than eight hundred (800) feet. Such streets shall be provided at the closed end with a turnaround having a radius at the outside of the pavement of at least forty (40) feet and a radius at the outside of the right-of-way of at least fifty (50) feet. The cul-de-sac shall be a geometric shape so as to contain an eighty (80) foot diameter minimum circle.

10. Street Names

- a. The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the area covered by these regulations. The Plan Commission shall have final authority to approve the name of the subdivision which shall be determined at the time of sketch plat approval.
- b. Street names shall not duplicate any existing name within the area covered by these regulations, except where a new street is a continuation of an existing street. Street names that may be spelled differently but sound the same as existing streets shall not be used. The Plan Commission shall have final authority to approve the names of streets which shall be determined at the time of sketch plat approval.

11. Private Streets and Reserve Strips

- a. There shall be no private streets platted within a subdivision.

- b. There shall be no reserve strips in a subdivision except where their control is rested in the City or County under conditions approved by the Plan Commission as authorized in these regulations.

12. Access to Collector Streets

Where possible, lots in single family residential subdivisions fronting on collector streets shall be avoided and lots at the corners of intersections between local and collector streets shall front on the local street and have driveway access to it only and not to the collector street. In multiple family residential areas entrances to group parking lots shall have access only to local streets (where possible) and such entrances shall be widely spaced.

13. Access to Primary Arterials

Where a subdivision borders on or contains an existing or proposed primary arterial, the Commission may require that access to it be limited by one of the following means.

- a. the subdivision of the lots so as to back onto the primary arterial and front onto a parallel local street; no access shall be provided from the primary arterial and screening shall be provided within a strip of land along the rear property line of such lots;
- b. a series of cul-de-sacs, or loop streets entered from, and designed generally to be at right angles to an access street that is at some distance from and parallel to arterial street, with the rear lines of their terminal lots backing onto the arterial; and,
- c. a marginal access or service road (separated from the primary arterial by a landscaped and/or decoratively fenced grass strip and having access thereto at widely spaced suitable points).

14. Street Regulatory Signs

The applicant shall provide and install a street sign at every street intersection within his subdivision. The applicant shall also provide and install all necessary stop, speed limit, and other regulatory signs. The City shall inspect and approve all street signs before issuance of certificates of occupancy for any residence on the approved streets.

15. Street Lights

Installation of street lights shall be required in accordance with the Plan Commission Requirements.

- a. A lighting plan drawn up by developer and submitted with the construction plans shall require street lights at all intersections, dead-ends, and entrances to platted subdivisions.
- b. The developer shall place a covenant directly on the final plat or attach thereto in form for recording requiring that a post light which is controlled by a photo-electric cell is to be installed in the front yard of each residential lot by builder once home construction on said lot is completed. The location of the post and light fixture shall be five (5) feet from the residential edge of the sidewalk and five (5) feet from the residential driveway. The style of the post and light fixture shall be submitted in the construction plans by the developer. This fixture should be no taller than six foot six inches from the ground to the top of the light. Bulb wattage shall be no less than 60 and no more than 100. The wiring should be conducted through the ground fault interrupter circuit of the garage and directly into the circuit box (hot wired) so that the fixture is always operative. The homeowner shall be responsible for maintaining the light in operating condition at all times.

16. Railroads and Limited Access Highways

Railroads rights-of-way and limited access highways where so located as to affect the subdivision of adjoining lands shall be treated as follows.

- a. In residential districts a buffer strip at least 25 feet in depth in addition to the normal depth of the lot required in the district shall be provided adjacent to the railroad right-of-way or limited access highway. This strip shall be part of the platted lots and shall be designated on the plat: "This strip is reserved for screening. The placement of structures hereon other than earth berms, walls, fences and other landscape screening devices approved by the Commission is prohibited."
- b. In districts zoned for business, commercial, or industrial uses, the nearest street extending parallel or approximately parallel to a railroad shall, wherever practical, be at a sufficient distance therefrom to ensure a suitable depth for commercial or industrial sites.
- c. Streets parallel to a railroad when intersecting a street which crosses the railroad at grade shall, to the extent practicable, be at a distance of at least 150 feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

SECTION H - BLOCKS

1. Length

Block lengths shall not exceed one thousand three hundred twenty (1,320) feet or be less than four hundred (400) feet, except as the Plan Commission considers necessary to secure efficient use of land or desired features of street layout. Blocks along arterials and collector streets shall not be less than one thousand (1000) feet in length.

2. Width

Blocks shall be wide enough to allow two (2) tiers of lots of minimum depth. However, where topographical conditions or the size of the property prevent two (2) tiers of lots, the Plan Commission may approve a single tier of lots of minimum depth. Double frontage lots, however, should be discouraged.

3. Special Conditions

In blocks of over seven hundred fifty (750) feet in length, the Commission may require, at or near the middle of the block, a public walk connecting adjacent streets or other public areas; such walks shall be at least ten (10) feet in width and shall be intended for the use of pedestrians only.

SECTION I - COMMUNITY ASSETS

In all subdivisions, due regard shall be shown for natural features such as large trees, unusual rock formations, and water courses; for sites which have historical significance; and for similar assets which, if preserved, will add attractiveness and value to the subdivision and to the community.

SECTION J - PUBLIC OPEN SPACES

1. A minimum of four percent (4%) of the gross area of any subdivision shall be reserved for parks and playground sites. Park and playground sites shall be dedicated to the City to be reserved for public use. The Plan Commission, however, shall have the option to determine whether to accept the park site or a contribution to the park and recreation fund of the City in a sum of money equal to the fair market value of the park area. the sum of money collected shall be placed in the park fund of the City to provide recreational areas and facilities.
2. In the event the City accepts that dedication of land as park and playground sites, the following standards shall apply:
 - a. No local open space may be less than twenty thousand (20,000) square feet in area, nor larger than twelve (12) acres (except when stream valley parks, storm drainage, utility easements, or green buffers are included with the written permission of the Plan Commission), or as provided below.
 - b. Any area or segment of an open space less than one hundred (100) feet in width cannot be calculated as local open space unless it is clearly part of an overall open space system. For example, a linear pedestrian system linking larger, open spaces could be included in the calculation.
 - c. A lower minimum than twenty thousand (20,000) square feet or a higher maximum than twelve (12) acres may be authorized by the Plan Commission, particularly if practical difficulties or unusual hardship would be entailed by the application of the required standards. Such difficulties may include cases in which one area somewhat greater than twelve (12) acres will clearly give better use than two areas of less than twelve (12) acres each.
 - d. Developers of adjoining subdivisions may cooperate in allocating open space for joint use by all residents of the subdivisions concerned. Where this is done, size, location, and design are subject to Plan Commission approval.
 - e. Required local open space must meet the definition of usable open space. Land in public utility easements may be included in the open space provision to the full extent that the use of the land is not restricted for recreation purposes. To the extent that it is restricted, additional land must be designated by the developer.

3. At the discretion of the Planning Commission, the requirement for dedicated parks and playground areas may be waived based on specific circumstances such as proximity to existing parks and recreational facilities. If desired, it shall be the responsibility of the subdivider to request such a waiver at time of preliminary plat submittal.

SECTION K - PLANNED UNIT DEVELOPMENTS

The design standards of this ordinance may be modified by the Commission in the case of a plan utilizing an unusual concept of development which meets the requirements of this section. The planned unit development provision is intended to encourage original and imaginative subdivision design which preserves the natural amenities of the site and provides for the general welfare of the City.

1. The unit plan shall be consistent with the spirit and intent of this ordinance.
2. The unit plan shall conform to the "Planned Unit Development" requirements of the City Zoning Ordinance.
3. The area of land to be developed shall not be less than ten (10) acres.
4. Properties adjacent to the planned unit shall not be adversely affected.

SECTION L - UTILITY EASEMENTS

All proposed plats submitted for Commission approval under the provisions of this ordinance shall allocate areas of suitable size and location, wherever necessary, for utility easements. In general, street rights-of-way and/or fifteen foot (15') easements centered along rear lot lines shall be provided for this purpose. No structures of any kind other than those related to the utilities shall be constructed on easements.

SECTION M - SIDEWALKS

Sidewalks shall be provided in all residential subdivisions with a planned density of two (2) or more dwelling units per acre. Sidewalks shall be constructed along both sides of all local streets, collectors, and arterial streets.

SECTION N - CULVERTS

1. Culverts shall be installed wherever necessary to allow for adequate drainage under streets, driveways and other structures.

2. Use of culverts will be required at all driveways constructed across open drainage ditches. Driveway culverts will be sized as required for the actual drainage flows but in no case shall be less than twelve inches (12") in diameter.

SECTION O - DRAINAGE AND STORM SEWERS

1. General Requirements

The Commission shall not recommend for approval any subdivision plat which does not make adequate provision for storm or flood water runoff channels or basins. The storm water drainage system shall be separate and independent of any sanitary sewer system. Storm sewers, where required, shall be designed by the Rational Method, or other methods as approved by the Commission and a copy of the design computations shall be submitted along with the plans. Inlets shall be provided so that surface water is not carried across or around any intersection, nor for a distance of more than 600 feet in the gutter or when the encroachment of storm water into the street disrupts traffic. When calculations indicate that curb capacities are exceeded at a point, no further allowance shall be made for flow beyond that point and catch basins or inlets shall be used to intercept flow at that point.

2. Nature of Storm Water Facilities

a. Location

The subdivider may be required by the Commission to carry away by pipe or open ditch any spring or surface water that may exist, either previously to, or as result of the subdivision. Such drainage facilities shall be located in the street right-of-way where feasible, or in perpetual, unobstructed easements of appropriate width.

b. Accommodation of Upstream Drainage Areas

A culvert or other drainage facility shall in each case be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. The City Engineer shall approve the necessary size of the facility as determined by the subdivider, based on the provisions of the required construction standards and specifications assuming conditions of maximum potential watershed development permitted by the Zoning Ordinance.

c. Drainage Design Criteria

The subdivider shall size all storm sewers, culverts, ditches and other drainage structures based on runoff from a ten (10) year storm event. The drainage calculations shall also include the effect of the subdivision on the existing downstream drainage facilities outside the subdivided area. Where it is determined that runoff incidental to the development of the subdivision will overload an

existing downstream drainage facility during a five (5) year storm, the Plan Commission shall not approve the subdivision until provisions have been made for the improvement of said condition.

d. Floodway Areas

If a subdivision of land is proposed within the Flood Plain, Floodways shall be preserved and not diminished in capacity by filling or obstruction, except as approved by the Indiana Natural Resources Commission in writing. No residential building site may be located within the Floodway.

e. Floodway Fringe Areas

Where a subdivision is proposed within an area of the Flood Plain designated as a Floodway Fringe the Commission may approve such subdivision provided that: all streets are elevated sufficiently to be above the Regulatory Flood elevation; all lots for residential usage have a Flood Protection Grade two (2) feet above the Regulatory Flood elevation; where provided, water and sanitary sewer facilities are constructed to eliminate contamination of or by, flood water; and, approval to fill the area from the Indiana Natural Resources Commission has been obtained in writing. Lands below the Regulatory Flood elevation shall not be used for computing the area requirement for any lot.

f. Flood Plain Areas

Where a subdivision is proposed within an area of the Flood Plain for which Floodway and Floodway Fringe designations have not been made, the Commission shall not approve such a subdivision unless all streets are raised sufficiently to be above the Regulatory Flood elevation; all lots for residential usage have a Flood Protection Grade of two (2) feet above the Regulatory Flood elevation; where provided, public water and sanitary sewer facilities are constructed to eliminate contamination of or by flood water; and, filling to achieve the above will not raise the level of the Regulatory Flood Elevation more than one-tenth (1/10) of one (1) foot for that reach of the stream. All filling in the Flood Plain must be approved in writing by the Indiana Natural Resources Commission. Lands below the Regulatory Flood elevation shall not be used for computing the area requirement for any lot.

g. Recording of Plats in the Flood Plain and Floodway Fringe

All final plats having within their boundaries areas whose elevation is below that of the Regulatory Flood Elevation shall show and label the Regulatory Flood Boundary and elevation, as of the date the final plat is drawn on the final plat for recording.

SECTION P - DEDICATION OF DRAINAGE EASEMENTS

1. Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within street rights-of-way, perpetual unobstructed easements at least fifteen (15) feet in width for such drainage facilities shall be provided across property outside the right-of-way lines and with satisfactory access to the street. Easements shall be indicated on the plat. Drainage easements shall be carried from the street to a natural watercourse or to other drainage facilities.
2. The applicant shall dedicate, either in fee or by drainage or conservation, easement land on both sides of existing watercourses of a width to be determined by the Commission and, in the case of legal drains, the County Drainage Board.

SECTION Q - WATER SUPPLY IMPROVEMENTS

1. Where the public water supply is reasonably accessible or available to the proposed subdivision, as determined by the Plan Commission, the subdivider shall construct a complete water distribution system which shall adequately serve all lots, which shall include appropriately spaced fire hydrants, and which shall be properly connected with the public water supply system. Where a public water supply system is not reasonably accessible to the subdivision, the subdivider shall be required to install alternate water supply facilities approved by the City Engineer. Where individual lot wells are to be installed, lot dimensions shall meet the approval of the Jefferson County Board of Health. In any case, water supply facilities shall be installed as required by standards and specifications as approved by the Jefferson County Board of Health.
2. Unless specifically approved otherwise, all water lines shall be placed so as to have a minimum ground cover of three and one-half (3.5) feet.
3. Design of water supply systems shall be in accordance with the Construction Standards and as recommended by the latest edition of the "Recommended Standards for Water Works" as published by the Health Education Service, Albany, New York.

SECTION R - SANITARY SEWER IMPROVEMENTS

1. The subdivider shall construct a complete sanitary sewer system which shall adequately serve all lots and which shall be properly connected to the public sanitary sewer system. Where a public sanitary sewer system is not reasonably accessible to the subdivision, the subdivider shall install alternate sanitary sewer facilities which shall be approved by the Plan Commission and the Jefferson County Health Officer. In any case, sanitary sewer facilities shall be installed as required by standards and specifications as approved by the Indiana Department of Environmental Management.

2. No connection draining storm water runoff including roof drains or basement sumps shall be made to a sanitary sewer.
3. Design of sanitary sewer systems shall be in accordance with the Construction Standards and as recommended by the latest edition of the "Recommended Standards for Wastewater Facilities" as published by the Health Education Service, Albany, New York.
4. The use of lift stations in the design of the sanitary sewer system shall be avoided wherever possible and practical. The inclusion of lift stations shall be subject to specific approval of the Board of Public Works.
5. Whenever a new sub-division will have a significant impact on the existing sewer collection system the developer should be required to update the system. This would be a part of the total infrastructure that the developer should be willing to take care of.
6. Selected Design Criteria
 - a. Locations - Sanitary sewers shall be located within street or alley rights-of-ways unless topography dictates otherwise. When located in easements on private property, access shall be provided to all manholes. Unless specifically approved otherwise, sanitary sewer manholes shall not be located within drainage ditches, swales or other defined drainage areas.
 - b. Manholes - Manholes shall be installed at the end of each line, at any change in direction, and at distances not greater than 450 feet on straight sections of sanitary sewer lines. The use of cleanouts other than as required on service laterals shall not be allowed.
 - c. Cover - Unless specifically approved otherwise due to topography or limitations caused by connection to existing sewers, the minimum cover on sanitary sewers shall be six (6) feet in streets and alleys and four (4) feet in all other areas.
 - d. Laterals - Service laterals shall be provided to each lot proposed by the subdivider. A manufactured wye connection shall be installed on the mainline sewer for the purpose of connecting service laterals. The minimum size of service laterals shall be six (6) inches diameter.
 - e. Any Lift Station, Grinder Pump, etc. that the developer expects to turn over to the City for the City to take ownership and maintenance responsibilities must be "Flyght" brand equipment. If "Flyght" is not available then we would be willing to discuss the use of "Gorman-Rupp" equipment. It is our goal to get our equipment standardized with the use of quality equipment that we are accustomed to using.

SECTION S - FIRE DEPARTMENT SUB-DIVISION REGULATIONS

a. Fire Apparatus Access Roads

1. Prior to the start of construction of any structure, the developer shall provide fire apparatus access roads to within one hundred (100) feet of the exterior wall of the structure.
2. Said access roads shall be extended as required in item 1 as new construction dictates.

b. Access Road Construction Requirements

1. All fire apparatus access roads shall meet the following minimum requirements. If said roads are designed for adoption as streets by the City of Madison, roads shall conform to those requirements of the City of Madison Street Department. In the event of a conflict between the rules as set out in this document and those standards of the Street Department, those most stringent requirements shall apply.

c. Minimum Standards

1. Width. The unobstructed width of a fire apparatus access road shall not be less than twenty (20) feet.
2. Vertical Clearance. Fire apparatus access roads shall have an unobstructed vertical clearance of not less than thirteen (13) feet, six (6) inches except where a smaller clearance will allow the passage of the tallest piece of apparatus used by the servicing fire department(s). Requested clearance shall require approval by the inspecting officer.
3. Modifications. Vertical clearances and/or widths required by this section shall be increased when, vertical clearances or widths are not adequate to provide fire apparatus access for the largest fire apparatus expected to be used by the servicing fire department (s).
4. Loads. Fire apparatus access roads shall be designed and constructed to support the imposed loads of the heaviest piece of fire apparatus to be used by the servicing fire departments(s).
5. Turning Radius. Fire apparatus access roads shall be designed and constructed to permit turning of the longest piece of fire apparatus used by the servicing fire department(s).

6. Turnarounds. All such roads which are dead-end roads in excess of one hundred fifty (150) feet in length shall be designed and constructed so as to allow the turning around of the longest piece of fire apparatus used by the servicing fire department(s).
 7. Grade. The gradient of all fire apparatus access roads shall not exceed the maximum that the fire apparatus used by the servicing fire department(s) can accommodate.
- d. Fire Hydrants, Water Supply, Required Flow.
1. Prior to the start of construction of any structure, the developer shall provide and install, in a fully working condition sufficient fire hydrants, delivering required waterflow as setout by the requirements of this section.
 2. Required flow. Delivered flow shall meet the requirements of nationally recognized authorities, such as the National Fire Protection Association, etc., as well as others recognized by the inspecting officer. It shall be the responsibility of the developer to perform the required testing in conformance with the recognized standards and provide the inspecting officer with written results.
 3. Hydrant spacing. Spacing shall conform to the requirements of a nationally recognized authority, such as the National Fire Protection Association, American Waterworks Association, etc., but shall not exceed eight hundred (800) feet.
 4. Connections. In addition to other provided connections, there shall be at least one connection of a diameter of four and one half inches providing for connection to the main intake of fire apparatus pumps as used by the servicing fire department(s). Threads shall be of the type used by the servicing fire department(s).
 5. Installation. Installation shall conform to the requirements of standards of nationally recognized authorities, such as the national Fire Protection Association, American Waterworks Association and those of the servicing water department(s).
- e. Adopted Standards and Documents
1. The following standards and references are adopted as a guide toward ensuring compliance with the regulations.
 2. NFPA 1231, Standard on Water Supplies for Suburban and Rural Firefighting, 1989 Edition.

3. NFPA 1201, Recommendations for developing fire protection services for the public, 1989 Edition.
4. NFPA 291, Fire Flow Testing and Marking of Hydrants, 1988 Edition.
5. American Waterworks Association, Manual M-17, Installation, Field Testing, and Maintenance of Fire Hydrants, 1980 Edition.
6. NFPA 1963, Standard for Screw Threads and Gaskets for Fire Hose Connections, 1985 Edition.
7. Insurance Services Office, "Fire Suppression Rating Schedule".
8. Fire Underwriters Survey, "Water Supply for Public Fire Protection".

f. Inspection and Enforcement.

1. It shall be the duty of that person, designated as Fire Code Inspector to perform the required inspections as necessary in order to evaluate compliance and report said findings to the governing body enforcing these regulations.
2. In the absence of a Fire Code Inspector, the governing body shall appoint a properly qualified person to perform the duties required in Item 5.1.
3. The Inspector shall perform the required duties in cooperation with the heads of other involved agencies such as the Street Superintendent, Utilities Superintendent, etc.
4. Where the jurisdiction is empowered to enforce the Indiana Fire Prevention Code, those sections of these regulations relating to fire protection, shall be adopted and incorporated as a section of the local Fire Prevention Code, following review and approval of the Indiana Department of Fire and Building Services.
5. Upon adoption and incorporation into the local Fire Prevention Code the Fire Inspector shall take appropriate and prescribed enforcement action upon determination that a violation has been committed.

ARTICLE V

ASSURANCE FOR COMPLETION OF IMPROVEMENTS

SECTION A - COMPLETION OF IMPROVEMENTS

Before the final plat of any subdivided area shall be approved, signed, and recorded, the subdivider shall construct all improvements as required by **Article IV** of this ordinance and in accordance with the approved preliminary plat and construction plans except as allowed by Section B below. Improvements shall include construction of all streets, sidewalks, utilities and grading as required to properly develop the building lots. Improvements shall be performed to the satisfaction of the Commission. *erosion control*

SECTION B - POSTING OF BONDS

1. At the discretion of the Commission, the requirements for completion of improvements as described above may be waived provided that the subdivider post a performance bond in an amount equal to one hundred percent (100%) of the value of any improvements remaining to be completed. The value of such work shall be established by the Commission based on a reasonable estimate of construction costs. The bond shall be securable to the City of Madison and is intended to provide reasonable assurance to the City of the satisfactory construction of the uncompleted portion of the required public improvements. Under the provisions of accepting a performance bond, the City shall require the applicant to enter into a contract guaranteeing completion of all public improvements within one (1) year of posting of the bond.
2. In lieu of a performance bond, the applicant may provide the City with a certified check in an amount equal to one hundred percent (100%) of the estimated cost of completion of the uncompleted portion of required public improvements.
3. In the event of unforeseen circumstances, an additional time period for development beyond the one year requirement may be negotiated.
4. A performance bond furnished pursuant to this ordinance shall comply with all statutory requirements and shall be satisfactory to the City Attorney as to form, sufficiency, and manner of execution as set forth in this ordinance.

SECTION C - VARIANCES

1. Exceptional Condition

The Plan Commission may grant a variance to this ordinance where, by reason of the unusual shape of a specific piece of property, or where, by reason of exceptional topographical conditions, the strict application of these regulations would result in extreme practical difficulties and undue hardship upon the owner of such property; provided, however, that such relief may be granted without detriment to the public good and without substantially impairing the intent and purpose of this ordinance. In granting such variances or modifications, the Plan Commission may require such conditions as will substantially secure the objectives of the standards or requirements so varied or modified. Financial disadvantage to the property owner is not proof of hardship within the purpose of this ordinance.

ARTICLE VI

ADMINISTRATION

SECTION A - INSPECTION

1. When the Construction plans have been approved as provided in this ordinance, the subdivider shall first notify the Building Commissioner of his intention to proceed with the construction and installation of improvements. Notification shall be made at least twenty-four (24) hours before any such construction or installation shall commence so as to give the Building Commissioner an opportunity to inspect the site prior to commencement of work and to inspect installation or construction of said streets and improvements during the course of work being performed. In order to defray a part of the costs incurred by the City in inspecting the installation of the improvements required by this ordinance, the subdivider shall, before he proceeds with any construction or installation, present a certified check or money order made payable to the City in an amount equal to one percent (1%) of the estimate of the cost of improvements, provided the minimum fee is \$50.00.
2. The Building Commissioner shall have the right to periodically inspect the required improvements during construction to insure their satisfactory completion.
3. If the Building Commissioner finds upon inspection that any of the required improvements have not been constructed in accordance with the accepted construction standards and specifications, the subdivider shall be responsible for removal and replacement of said improvements. Whenever the cost of improvements is covered by a performance bond, the subdivider and the bonding company shall be severally and jointly liable for completing the improvement according to specifications.

SECTION B - ACCEPTANCE OF CONSTRUCTION

After streets and improvements have been installed and constructed pursuant to the requirements contained in this ordinance, and in the event that the subdivider desires to have the City accept said streets or improvements, the subdivider shall notify the Plan Commission that the construction or installation has been completed, and shall supply the City with a minimum of four (4) copies of the as-built plan on which the street or improvement in question has been constructed or installed. The four (4) copies of the plan shall show thereon the signatures of all agencies and individuals who have approved the plan and contain a notice thereon as to where and when the plan was recorded in the office of the County Recorder. The portion of street or improvement which the subdivider desires to have the City accept shall be shaded or colored on each of the four copies. The plan shall also clearly designate the number of lineal feet of said street or improvement which the subdivider desires to be accepted by the City.

SECTION C - RELEASE OR REDUCTION OF PERFORMANCE BOND

1. The Plan Commission shall not recommend to the Board of Public Works and Safety the acceptance of proposed dedicated improvements, nor release nor reduce a performance bond, until the Plan Commission has submitted a certificate stating that all required improvements have been satisfactorily completed and until the subdivider's engineer has certified to the Plan Commission that the layout of all public improvements is in accordance with construction plans for the subdivision. The Board of Public Works and Safety shall thereafter accept the improvements for dedication in accordance with the established procedure.
2. Prior to any street, or other improvement being accepted by the City as hereinafter provided, the subdivider shall post a Maintenance Bond and/or other security naming the City as Obligee in an amount deemed adequate by the City to insure maintenance of said improvements for a period of at least thirty-six (36) months from the date of acceptance by the City.

SECTION D - ENFORCEMENT OF VIOLATIONS

1. The Building Commissioner shall enforce these regulations and bring to the attention of the City Attorney any violations or lack of compliance herewith.
2. No owner, or agent of the owner, of any parcel of land located in a proposed subdivision shall transfer or sell any such parcel before a plat of such subdivision has been approved by the Plan Commission, in accordance with the provisions of these regulations, and filed with the County Recorder.
3. No public board, agency, commission, official, or other authority shall proceed with the construction of or authorize the construction of any of the public improvements required by these regulations until the proposed subdivision has been approved by the Plan Commission in accordance with these regulations.
4. No building permit shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these regulations.
5. The City Attorney may, in addition to taking whatever criminal action deemed necessary, take steps to civilly enjoin any violation of these regulations.

SECTION E - PENALTIES

1. Penalties for failure to comply with the provisions of these regulations shall be as follows: "Violation of any of the provisions of these regulations or failure to comply with any of its requirements shall constitute a misdemeanor. Each day such violation continues shall be considered a separate offense. The land owner, tenant, subdivider, builder, public

official or any other person who commits, participates in, assists in, or maintains such violation may be found guilty of a separate offense. Nothing herein contained shall prevent the Plan Commission or any other public official or private citizen from taking such lawful action as is necessary to restrain or prevent any violation of these regulations."

2. Any person, firm, or corporation who violates any of these regulations shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars (\$10.00) and not more than three hundred dollars (\$300.00), per each occurrence per day.

SECTION F - REPEAL OF CONFLICTING REGULATIONS, EFFECTIVE DATE AND ENACTMENT

All other subdivision regulations or parts of thereof in conflict with these regulations are hereby repealed to the extent necessary to give these regulations full force and effect. These regulations shall become effective on _____, 1997.

Passed and adopted by the City Council of the City of Madison, Indiana, on the _____ day of _____, 1997.

CITY COUNCIL

These regulations approved by me, Albert G. Huntington, Mayor of the City of Madison, Indiana, this ____ day of _____, 1997.

Albert G. Huntington, Mayor

Attest: _____

Clerk-Treasurer

APPENDIX

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SITE ENVIRONMENTAL ASSESSMENT FORM

(To be completed by subdivider)

	Yes	No
• SITE WITHIN 100 YEAR FLOODPLAIN	_____	_____
• SITE WITHIN HILLSIDE AREA	_____	_____
• SITE CONTAINS AT LEAST A ONE ACRE CONCENTRATION OF TREES	_____	_____
• SITE CONTAINS EITHER CREEK, STREAM OR LAKE	_____	_____
• SITE CURRENTLY HAS POOR DRAINAGE	_____	_____
• SITE CURRENTLY USED FOR AGRICULTURAL PURPOSES	_____	_____

SITE TREATMENT TECHNIQUES TO ALLEVIATE ENVIRONMENTAL LIMITATIONS

PRELIMINARY PLAT - CHECK LIST

Name of Subdivision _____

Location _____

Zoning District _____

Owner _____

Address _____ Tel. _____

Surveyor or Engineer _____ Registration
Number: _____

Address _____ Tel. _____

Date Submitted for Preliminary Plat Approval _____

Check List

_____ copies submitted thirty (30) days prior to meeting.

_____ copies sent to City Building Commissioner, Telephone Company, Gas Company,
and Power Company and other utilities for recommendations.

_____ copies of private deed restriction, if any.

_____ map (drawn to scale of not less than 1" equals 50') contents:

_____ Tract designation according to the real estate records of the county.

_____ Vicinity sketch at a scale of two hundred feet or less.

_____ Name and location of subdivision.

_____ Names of adjoining owners and/or subdivisions.

_____ Date, north arrow, and graphic scale.

_____ Acreage of land to be subdivided.

_____ Boundary lines of tract to be subdivided.

_____ Proposed lot lines and lot numbers.

- _____ Location, widths, and names of all existing or platted streets or other public ways and easements, established triangulation points, or other established survey corners or lines, and other important features such as existing permanent buildings, large trees, water courses, railroad lines, etc.
- _____ Existing sewers, water mains, culverts, and other underground structures within the tract and immediately adjacent thereto, with pipe sizes and grades indicated.
- _____ Contours, normally with intervals of two feet referenced to the city datum, or as may be required by the Plan Commission.
- _____ 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; the layout, numbers and approximate dimensions of proposed lots.

Approved _____ to proceed to final plat.
(Date)

Subject to following modifications: _____

Variance granted: _____

Disapproved _____ for the following reasons:
(Date)

SUGGESTED FORMS FOR FINAL PLAT CERTIFICATION

Form 1 CERTIFICATE OF OWNERSHIP, CONSENT, AND DEDICATION (on plat)

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, and in accordance with my (our) desire, dedicate all streets, alleys, walks, parks, and other open spaces to public or private use as noted.

_____ 19__

Owner

Owner

Form 2 CERTIFICATE OF ACCURACY (on plat)

I hereby certify that the plan shown and described hereon is true and correct survey to the accuracy required by the Madison, Indiana, Plan Commission, and that the monuments have been placed as shown hereon, to the specifications of the Building Inspector.

_____ 19__

Engineer/Surveyor

Registration Number

Form 3
(on plat)

CERTIFICATE OF THE APPROVAL OF WATER AND SEWERAGE SYSTEMS

I hereby certify that the water supply and sewage disposal utility systems installed, or proposed for installation, in the subdivision plat entitled: _____ fully meet the requirements of the Jefferson County Board of Health and are hereby approved as shown.

_____ 19__

Sanitarian
Jefferson County Board of Health

Form 4

CERTIFICATE OF THE APPROVAL OF STREETS AND UTILITIES

I hereby certify: (1) that streets, utilities, and other improvements have been installed in an acceptable manner and according to city specifications in the subdivision entitled: _____
or (2) that a security bond in the amount of \$_____ has been posted with the Clerk-Treasurer to assure completion of all required improvements in case of default, or, (3) that the need for a security bond has been waived by the Plan Commission and that the subdivider has been made aware of the conditions affording this waiver.

President
Madison Plan Commission

FORM 6. RESOLUTION OF PLAN COMMISSION
APPROVING FINAL SUBDIVISION PLAT

Name of Plat _____

Name of Owner _____

PLAN COMMISSION

_____ Address _____

The following is an extract from the minutes of the meeting of the _____
Plan Commission held _____.

1. That roads, sidewalks, curbs, drainage systems, storm drains, catch basins, rights-of-way, easements, open spaces, park and recreation sites, and other improvements and installations, etc., be constructed as set forth on such approved final plat, including the construction of all off-site improvements and drainage systems.
2. That all of the aforesaid improvements and installations be constructed in accordance with local government specifications. That in addition to the improvements and installations set forth on the approved final plat, all stipulations and undertakings appearing in the minutes of the Plan Commission, together with the Agreement offering irrevocable dedication of such improvements which the owner or developer has agreed to, are incorporated in this Resolution by reference, as well as all Agreements, regulations, rules, Resolutions, and Orders of the local government.
3. That said _____ as owners of the above plat, execute and file with the Clerk a performance bond in the amount of \$_____ sufficient to cover the full cost of said improvements as estimated by the Commission or other appropriate local government officials or agencies, which performance bond shall be issued by a Bonding or Surety Company to be approved by the Governing Body and shall also be approved by such Governing Body as to form sufficiency and manner of execution. Said performance bond shall run for a term of _____ () years (not exceeding _____ () years, provided, however, that the term of such performance bond may be extended by the Plan Commission with the consent of the parties thereto as provided by law, for a period not to exceed one (1) additional year. The bond shall also provide, among other things, that in the event that any required

improvements have not been installed and deeded to the municipality free and clear of all encumbrances as provided by this Resolution, with the terms of such performance bond, the Governing Body may thereupon declare said performance bond to be in default and collect the sum remaining payable thereunder and apply said sum towards obtaining free and clear title to said improvements, including payment of all liens and encumbrances on the property and all costs and expenses, including legal fees, incurred by the local government in acquiring free and clear title, and install such improvements as are covered by such performance bond commensurate with the extent of building development that has taken place in the subdivision but not exceeding in cost, the amount of such proceeds.

4. That the final plat will not be signed by the President of the Plan Commission until the submission and approval of the required bond by the City Council of Madison.
5. That said bond will not be released or reduced until the public improvements are approved as built by the office of the Building Commission and all improvements, roads, rights-of-way, easements, open spaces, park and recreation sites, including off-site improvements and land have been deeded to and accepted by the local government, in accordance with the procedure for dedication of improvements adopted by the Plan Commission and prior to any street, or other improvement being accepted by the city as hereinafter provided, the Subdivider shall post a Maintenance Bond and/or other security naming the City as Obligee in an amount deemed adequate by the City to insure maintenance of said improvements for a period of at least thirty-six (36) months from the date of acceptance by the City.
6. This Resolution expires on _____.

STATE OF _____)

COUNTY OF _____)

I, _____, President for the Plan Commission of Madison, Indiana, hereby certify that I have compared the foregoing copy of an extract from the minutes of the _____ Plan Commission held _____ with the original now in my office, and find the same to be a true and correct transcript therefrom.

IN TESTIMONY WHEREOF, I have hereunder subscribed my name and affixed the seal of said municipality this _____ day of _____, 19 ____.

President, Plan Commission

- _____ All dimensions to the nearest 100th of a foot and all angles to the nearest second.
- _____ Length of all arcs - radii, points of curvature and tangent bearings.
- _____ Lot lines, street lines, and street names.
- _____ Building setback lines.
- _____ Lots numbered.
- _____ Names, locations of adjoining properties and streets.
- _____ Street profiles and cross-sections.
- _____ Required physical improvements have been made or bond posted in the amount of \$_____.
- _____ Certificate of approval of the Final Plat. (Form 5)

Approved for Recording _____
(Date)

Variances granted _____

Disapproved _____ for the following reasons:
(Date)

SUBDIVISION CHECK LIST

Prepared by the _____ Plan Commission

Note: It is recommended that the subdivider keep a running record of the status of his plat by checking the appropriate boxes below.

ACTION BY SUBDIVIDER

1. Retain a duly licensed engineer or surveyor to draw up the plat.

Name of Engineer

2. Consult with Plan Commission-Preliminary Sketch-Free hand on topographic map.

Date of Meeting

3. Secure the following official documents of local municipality:

____ 3.1 Zoning Ordinance

____ 3.2 Subdivision Regulations

____ 3.3 Rules Governing the Preparation of Plats

____ 3.4 Improvements Specifications

____ 3.5 Application Form for Approval of Subdivision
Plat by the Plan Commission.

4. Refer to the following official documents of the local municipality:

____ 4.1 Comprehensive Plan

____ 4.2 Official Map(s) relative to project

5. Secure the following documents relating to the site:

____ 5.1 Survey (including topography)

____ 5.2 Title Search

6. Secure preliminary review of site by Building Commissioner (suitability for residences, minimum lot sizes, water supply, drainage, sewerage).

Name of Reviewing Official

7. Prepare preliminary layout of proposed subdivision complying with all municipal, county, and state regulations insofar as possible, but not omitting computations except rough profiles and approximate street and lot sizes.
8. Obtain appointment through the Plan Commission Secretary for a review of preliminary layout of proposed subdivision.

Date of Meeting

Time

9. Provide the following documents for preliminary review of the Plan Commission:

____ 9.1 Evidence of legal ownership of property.

____ 9.2 Three (3) copies of preliminary layout with topographic map and rough profiles of proposed streets.

____ 9.3 Map showing relation to adjacent properties and to general area.

____ 9.4 List of exceptions to regulations, codes, ordinances, and specifications desired by subdivider.

____ 9.5 Deed restrictions, existing, and proposed if any.

ACTION BY PLAN COMMISSION

10. Arrange a meeting for review of preliminary layout and notify subdivider.

Date of Meeting

Time

11. Review Preliminary Plat and convey the following to the subdivider in a formal communication:

____ 11.1 Specific changes required.

____ 11.2 List of requirements which Plan Commission will waive, with detailed reasons for each item waived.

Date of Communication

ACTION BY SUBDIVIDER

12. Prepare final subdivision plat in accordance with regulations as amended.
13. Submit plat to Plan Commission and City Council for final approval, accompanied by the following documents:
 - ____ 13.1 Formal Application
 - ____ 13.2 Dedication papers for all lands to be ceded by the subdivider, approved as to form by the City Attorney.
 - ____ 13.3 Certificate of satisfactory completion of all required improvements signed by duly designated approving official; or performance bond approved as to form, manner of execution and surety by the City Attorney; and approved as to sufficiency by Building Commissioner.
14. Tentative layout of entire tract if a portion only is submitted for present approval and filing.

Date Submitted

Signature of Receiving Official

Form 9

NOTICE TO INTERESTED PARTIES
CITY OF MADISON PLAN COMMISSION

Notice is hereby given that the City of Madison Plan Commission, on the ____ day of ____
_____, 19____, at ____ p.m. in the City Hall at 101 W. Main St., Madison, Indiana,
will hold a public hearing on _____ SUBDIVISION
(Name of Subdivision)

The proposed subdivision involves _____ Lots on _____ acres
located on _____ in _____ TOWNSHIP,
(Street or Road)
SECTION _____, T____N,____R____W.

(Petitioner)

FORM 10

CITY OF MADISON PLAN COMMISSION
AFFIDAVIT OF NOTICE TO INTERESTED PARTIES
FOR PRELIMINARY SUBDIVISION APPROVAL

STATE OF INDIANA)
COUNTY OF (NAME)) SS:

(Name of Subdivision)

I, _____, do hereby certify that notice to interested parties of the date, time, and place of the public hearing on the above referenced subdivision _____ being the application of _____ was certified and mailed to the last known address of each of the following persons owning property adjoining or adjacent to the property contained in this petition:

OWNER

ADDRESS

and that said notices were sent by certified mail on or before the _____ day of _____, 19____, being at least ten (10) days prior to the date of the public hearing.

(Petitioner of Agent)

Subscribed and sworn to before me, a Notary Public in and for said County and State, this _____ day of _____, 19 ____.

My Commission expires:

(Notary Public)

residing in _____ County