

Chapter 545. Subdivision of Land

Article I. General Provisions

§ 545-4. General requirements.

- (3) Public facilities and public services for a proposed plat or certified survey map may be found to be adequate when the following conditions exist:
- (a) Where the proposed land division is located in an urban service area or planned future urban service area where mainline interceptor sewer service is available, presently under construction, or designated by the Common Council for extension of sewer service, the Plan Commission and the Common Council also shall consider the recommendations of the City Engineer and the Public Works Commission on the capacity of trunk lines, sewage treatment facilities, and any other information presented. Where the proposed land division is not located in an urban service area or planned future urban service area where mainline interceptor sewer service is available, presently under construction, or designated by the Common Council for extension of sewer service, the Plan Commission and the Common Council shall consider the site-specific and overall impact of such development on the public health, safety, and welfare of the immediate area and the community as a whole.
 - (b) Where the proposed land division is located within an urban service area or planned urban service area where arterial transmission water main service and adequate capacity are available, presently under construction, or designated by the Common Council for extension of public water service, the Plan Commission and the Common Council shall consider the recommendations of the City Engineer and the Public Works Commission on line capacities, water sources, storage facilities, and any other information presented. Where the proposed land division is located within an urban service area or planned urban service area where arterial transmission water main service and capacity are not available, presently under construction, or designated by the Common Council for extension of public water service, the Plan Commission and the Common Council shall consider the site-specific and overall impact of such development on the public health, safety, and welfare of the immediate area and the community as a whole.
 - (c) The City Engineer and Public Works Commission shall recommend to the Plan Commission and the Common Council that adequate facilities are available to ensure the proper stormwater management.
 - (d) The Parks, Recreation and Forestry Commission shall recommend that future residents of the proposed land division can be assured park, recreation, and open space areas, facilities, and services which meet the standards of the Park and Open Space Plan.
 - (e) The appropriate Police Department and Fire District shall verify that timely and adequate service can be provided to the residents.

- (f) The proposed land division shall be accessible by existing publicly maintained, all-weather roads adequate to accommodate both existing traffic and that traffic to be generated by the proposed land division, necessary additional roads and road improvements shall be budgeted for construction with public or private financing, or public transportation service shall be deemed sufficient to serve the land division in combination with the foregoing available or programmed for the area. The Plan Commission and the Common Council shall consider the recommendations of other commenting agencies and jurisdictions and such factors as level of service, average and peak use, and any other information presented.
- (g) Where the Plan Commission and the Common Council determine that one or more public facilities or services are not adequate for the proposed development but that a portion of the area could be served adequately or that careful phasing of the development could result in all public facilities and public services being adequate, conditional approval may include only such portions or may specify appropriate phasing of the development.