

SUBDIVISION REGULATIONS
FOR
MOUNTAIN VIEW, ARKANSAS

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ABSTRACT: The Subdivision Regulations contains an ordinance
establishing procedures governing the filing and approval
of subdivision plats; minimum design standards governing
streets, lots, utilities, public sites and open spaces;
minimum requirements relating to the filing of plats; and
establishing requirements for site and land improvements;
administrative and enforcement procedures and penalties
for violations

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CHAPTER 1

PURPOSE, INTENT, AUTHORITY AND JURISDICTION

Article 1-1. Purpose and Intent

The purpose of these regulations is to control the development of land within the corporate limits of the City of Mountain View in order to promote the public health, safety, morals, order, convenience, prosperity and general welfare of the area. They are intended to guide development in accordance with plans to further the orderly layout and use of land; to ensure proper legal description and monumenting of subdivided land; to facilitate the further re-subdivision of large tracts into smaller tracts of land; to provide for economy of maintenance for the city and utility companies.

Article 1-2. Authority

The following regulations for the subdividing and developing of land are adopted in accordance with the provisions of Act 26 of the General Assembly of 1955 and Act 186 of the General Assembly of 1957.

Article 1-3. Jurisdiction

These regulations shall govern all development and subdivision of land within the corporate limits of the City of Mountain View as are now and hereinafter set.

CHAPTER 2

DEFINITIONS

Article 2-1. Definitions

Certain words in these regulations are defined for the purposes hereof as follows:

1. Alley A minor public way used primarily for vehicular service access to the back or side of property abutting a street.
2. Building Line A line within the property and parallel to the property line, beyond which no structure may be built.
3. City City of Mountain View, Arkansas.
4. Contour Intervals Topographic map lines connecting points of equal elevations.
5. County Stone County, Arkansas.
6. Dedication Land and improvements offered to the City, County, or State and accepted by them for public use, control, and maintenance.
7. Development Plan A drawing showing all proposed improvements to a piece of property such as streets, parking lots, buildings, drives, signs, utilities, drainage, grading, and planting by size and location.
8. Easement A grant by the property owner of the use by the public, a corporation, or person(s), of a strip of land for specific purposes.
9. Improvements Physical changes made to property to prepare it for development such as street grading, drainage structures, street surface, sidewalks, curbs and gutters, utility lines, bridges and similar items.
10. Lot A portion of the subdivision, or any other parcel of land, intended as a unit of transfer of ownership or for development.
11. Planning Commission Mountain View Planning Commission.
12. Planning Area The City of Mountain View.
13. Plat A map or chart containing information necessary to transfer, locate and survey all property indicated therein.
14. Protective Covenants Developmental restrictions that run with the land, binding the lot buyer as a condition of the sale contract.
15. Streets A major public way intended for vehicular traffic and providing the principle means of access to the abutting property.
 - a. Major Arterial Street Wide straight streets designed to carry fast traffic between distant parts of the planning area.
 - b. Minor Arterial Street Wide streets designed to carry moderately fast traffic to and from major activity centers in the city.
 - c. Collector Street A street designed to collect traffic from several minor streets and carry it to arterial streets.
 - d. Local Street A street designed to serve abutting property.

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|------------------------|---|
| 16. Subdivider | Any person, individual, firm, partnership, association, corporation, estate or trust, or any other group or combination acting as a unit who may desire to develop land within the purpose and intent of these regulations. |
| 17. Subdivision | The dividing of land into two or more lots, the recording of easements for the extension of utilities, the dedication, vacating, widening, or change of alignment of access to lots. |
| 18. Yards and Setbacks | The area between buildings and lot lines unobstructed by structures and open to the sky. |

CHAPTER 3

PROCEDURAL REQUIREMENTS

Article 3-1. Step One

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|------------------|--|
| Letter of Intent | Whenever a subdivider intends to develop land within the meaning of these regulations, and before a detailed plat is filed, he shall file a Letter of Intent with the secretary of the Planning Commission, indicating the type of development intended and a general description of the land to be developed. |
| Sketch Plan | At the time of submitting the Letter of Intent, the subdivider shall provide a Sketch Plan of the development based on general knowledge of the |

property, so that the Planning Commission may determine general conformance to all official plans and regulations.

Pre-application
Conference

The Planning Commission shall advise the subdivider, after presentation of the Letter of Intent and the Sketch Plan that he may proceed with the preparation of the plat so long as he conforms with plans currently in effect and with the Plat Requirements, the Design and Layout Requirements and Improvement Requirements as contained herein.

Article 3-2. Step Two

Preliminary Plat

At least fifteen (15) days before the regular meeting of the Planning Commission which will consider the development proposal, the subdivider shall file nine (9) copies of the preliminary plat with the Planning Commission.

Review

The Planning Commission shall submit copies of the preliminary plat to all affected agencies, such as:

- City Council
- Sewer and Water Department
- Fire Department
- School Board
- County Road Department
- State Highway Department
- Post Office
- Public Utilities
- State Health Department

The plat shall be checked against the Design Standards, Plat Requirement, Layout Requirements and Improvement Requirements as contained herein.

Approval

After the preliminary plat has been reviewed by other agencies and against the criteria established herein, the Planning Commission shall approve the plat or disapprove it with reasons in writing. Failure of the Planning Commission to act within forty-five (45) days shall be deemed approval.

Expiration of
Approval

Preliminary plat approval shall expire within one (1) year if there is no performance of required improvements or if no bonds or money is deposited with the City or County in lieu of improvements. The Planning Commission may grant a six (6) month extension of approval, provided that the subdivider can show that unusual circumstances prevented him from starting the subdivision within one (1) year and that conditions in the area of development have not changed substantially.

Article 3-3. Step Three

Final Plat

After the subdivider has installed the required improvements to the satisfaction of all inspecting agencies, or after he has posted bond or cash with the City or County to cover the cost of installing the required improvements, he must submit the final plat to the Planning Commission for approval. At least fifteen (15) days before the regular meeting of the Planning Commission which will consider the plat, the subdivider shall file seven (7) copies of the final plat with the Planning Commission.

Review and Approval

After checking the final plat against the approved preliminary plat, the certificates of approval for installed improvements and the requirements established in Article 4-1, Article 7-1, and Article 7-2, the Planning Commission shall approve the plat for recording with the County Recorder, or disapprove it with reasons in writing. Failure of the Planning Commission to act in forty-five (45) days after the plat is filed shall be deemed approval.

Article 3-4. Exceptions

Large Lot Splits

When a subdivider wishes to subdivide large lots or unplatted land into lots of a size no smaller than five (5) acres that do not require the installation of utilities, dedication of streets, alleys or easements and no new public services are required, no sketch plan or preliminary plat is required. A final plat of the proposed subdivision shall be filed for the approval of the Planning Commission, subject to the procedures outlined in Article 3-3.

CHAPTER 4

PLAT REQUIREMENTS

Article 4-1. Information Required

Before the Planning Commission may accept plats for review and approval, the subdivider shall submit the information indicated on the following schedule for the respective plats.

REQUIREMENTS	Sketch Plan	Prelim. Plat	Final Plat	Large Lot Splits
A. Plat Information				
1. Name and address of subdivision, subdivider, owner(s), surveyor(s).	X	X	X	X
2. Date, graphic scales, north arrow,	X	X	X	X
3. Exact boundary of property with				

REQUIREMENTS	Sketch Plan	Prelim. Plat	Final Plat	Large Lot Splits
3. Lots and blocks, including numbers, legal description and lot lines. (Lot lines shall show radii of curves, tangents, dimensions and bearings of all lines not parallel or perpendicular to lines of known bearing. Interior angles of lots may be shown in lieu of bearings and all bearings shall be referred to true north.)		X	X	X
4. Conformance to Master Street Plan, General Land Use Plan, and Zoning Ordinance.	X	X	X	
5. Location and descriptions of all monuments and stakes.			X	
6. Areas to remain unplatted	X	X	X	
7. Building setback lines		X	X	X
8. Drainage plan with proposed cuts and fills		X		
9. Location of utility lines and drainage systems		X	X	
10. Typical street cross-sections with improvements		X	X	
11. All proposed planting or other additions other than buildings	X			

D. Information to Supplement the Plat

1.	Letter of Intent	X			
2.	Letter of Transmittal		X	X	X
3.	Protective Covenants		X	X	X
4.	Certificates of approval of required improvements from appropriate city				
	REQUIREMENTS	Sketch Plan	Prelim. Plat	Final Plat	Large Lot Splits
	and state agencies and utilities.		X		
5.	Guarantees in lieu of improvements (bond, cash or contract with City or County.)		X		
6.	Bill of Assurance			X	

Article 4-2. Right of Planning Commission to have Survey Made

The Planning Commission may have a survey made of the subdivision to determine if said description is correct. In the event there is an error in said description, the subdivider shall pay for said survey and correct the description to the satisfaction of the Planning Commission.

Article 4-3. Scale

Plans shall be prepared on sheets 18 x 27 inches at a scale of not more than 1 inch equals 100 feet.

CHAPTER 5

DESIGN STANDARDS

Article 5-1. Conformance with Official Plans

- A. The subdivision shall conform to all plans adopted in accordance with state statutes for municipal and joint cooperation in area planning, as may be subsequently amended.
- B. The Planning Commission shall not approve the subdivision of land where it is evident from the investigations and recommendations of the public agencies concerned that the site is not suitable for development of the type proposed.

Article 5-2. Street Design Standards

Master Street Plan The character and location of all streets, including minimum width of rights-of-way, shall conform with the Master Street Plan. The Planning Commission may permit adjustments in the location of major streets due to topographical conditions and public convenience and safety.

- Continuation of Existing Streets
- 1. For streets not indicated on the official plans, the arrangements of streets in the subdivision shall provide for the continuation or appropriate projection of existing principal streets in the surrounding area, except where topographical or other conditions make continuance or conformance to existing streets impractical.
 - 2. The proposed street system extend existing streets at same or greater width, but no case less than the required minimum width.

Street Intersections	<ol style="list-style-type: none"> 1. Street intersections should be, insofar as is practical, at right angles, but in no case shall one street cross another at an angle of less than 75 degrees. 2. Intersections of minor streets with a major street or highway shall be at least 1000 feet apart. 										
Street Jogs	Street jogs and centerline offsets of less than 125 feet shall be avoided.										
Access on Major Streets 1.	<p>Curb cuts may be prohibited on major streets.</p> <ol style="list-style-type: none"> 2. Curb cuts shall be prohibited within forty (40) feet of corners. 3. Curb cuts shall not be over thirty (30) feet wide. 										
Street Grades (Maximum)	<ol style="list-style-type: none"> 1. Street grades, wherever topographically feasible, shall not exceed the following: <table border="0" style="margin-left: 40px;"> <tr> <td style="padding-right: 20px;">Arterials</td> <td>5% maximum</td> </tr> <tr> <td>Collectors</td> <td>7% maximum</td> </tr> <tr> <td>Local</td> <td>10% maximum</td> </tr> </table> 2. Grades over 7% shall not extend more than 300 feet. 3. Grades on all streets shall not exceed 7% within fifty (50) feet of an intersection. 	Arterials	5% maximum	Collectors	7% maximum	Local	10% maximum				
Arterials	5% maximum										
Collectors	7% maximum										
Local	10% maximum										
Street Grades (Minimum)	No street grade shall be less than one-half of one (0.5%) percent.										
Street Widths	<p>The minimum right-of-way for streets shall be as follows:</p> <table border="0" style="margin-left: 40px;"> <tr> <td style="padding-right: 20px;">Four-Lane Divided</td> <td>100 foot minimum</td> </tr> <tr> <td>Four-Lane Undivided</td> <td>80 foot minimum</td> </tr> <tr> <td>Two-Lane Undivided</td> <td>80 foot minimum</td> </tr> <tr> <td>Collector</td> <td>64 foot minimum</td> </tr> <tr> <td>Local</td> <td>50 foot minimum</td> </tr> </table>	Four-Lane Divided	100 foot minimum	Four-Lane Undivided	80 foot minimum	Two-Lane Undivided	80 foot minimum	Collector	64 foot minimum	Local	50 foot minimum
Four-Lane Divided	100 foot minimum										
Four-Lane Undivided	80 foot minimum										
Two-Lane Undivided	80 foot minimum										
Collector	64 foot minimum										
Local	50 foot minimum										
Corners at Intersections	Property lines at street intersections shall be rounded on a radius of twenty-five (25) feet, except that on any property or subdivision which is to be development for highway-oriented										

commercial, industrial, manufacturing, bulk storage, or for mobile homes, or wherever large vehicles normally require access, property lines at street intersections shall be rounded on a radius of fifty (50) feet.

Half-Streets	<p>Half-streets shall be prohibited, except where:</p> <ol style="list-style-type: none">1. essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations;2. the Planning Commission finds it will be practical to require the dedication of the other half when the adjoining property is subdivided. Whenever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.
Dead-End Streets	<p>Dead-end streets, designed to be so permanently as in a cul-de-sac, shall not be longer than 500 feet and shall be provided at the closed end with a turn-around having an outside diameter of at least 80 feet and a street/property line diameter of at least 100 feet.</p>
Street Dedication	<p>Every lot shall be served by a dedicated public street with a right-of-way width in conformance with requirements of the Master Street Plan and Street Widths enumerated herein.</p>
Street Names	<ol style="list-style-type: none">1. No street names shall be used which duplicate or may be confused with the names of existing streets either in spelling or pronunciation.2. Whenever existing streets are extended in line, the extension shall carry the existing street name.
Design of Local Streets	<p>The location and alignment of local streets should be such that their use by through traffic will be discouraged.</p>
Alleys	<p>Alleys, when provided, shall:</p> <ol style="list-style-type: none">1. be a minimum of twenty (20) feet in width.2. avoid intersections and sharp changes in alignment.3. avoid dead-ending.

Article 5-3. Easements

Utilities Easements across lots or centered on rear or side lot lines shall be provided for utilities and shall be at least twelve (12) feet wide, where necessary.

Surface Drainage Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width of construction, or both, as will be adequate for the purpose. Parallel streets may be required in connection therewith. In no way shall natural drainage ways be dammed, block-ed, or have their course changed without the expressed consent of the Planning Commission.

Article 5-4. Blocks

Shape The use of rectangular blocks, longer than wide, is encouraged in the interest of economy to the developer and to the City of the County in future maintenance of streets and other utilities.

Length Blocks shall be not less than four hundred (400) feet nor more than one thousand four hundred (1400) feet long.

Width Blocks shall be wide enough to allow two (2) tiers of lots, except where:

1. one (1) tier of lots front on major streets or highways, or
2. backs on railroads, streams, steep grades, parks or on to the perimeter of a subdivision.

In such cases, additional lot depth shall be provided for a buffer or planting strip.

Article 5-5. Lots

Shape The shape of residential lots shall not be required to conform to any stipulated pattern. Lots should be of such shape as to best accommodate the type of house to be built in order to provide for adequate spacing between houses and to satisfy other requirements in these regulations.

Use The use of lots shall conform to the provisions of all plans adopted in accordance with State statutes, as stipulated in Article 5-1 of these regulations.

Size No lot intended to be used for the purpose of placing a building or structure thereon shall be less than 4800 square feet in size. Any lot proposed to have less than 4800 square feet shall be considered to be a "non-

building" lot, which may be used for purposes other than placing a building or structure thereon.

Corner Lot	Corner lots for residential use shall have extra width to permit appropriate building setback from and orientation to both streets.
Street Access	Each lot shall have satisfactory access to a public street.
Additional Area Requirement	The Planning Commission shall not approve any lot whose size is in conflict with minimum standards established in any plan or regulations adopted in accordance with State statutes, as stipulated in Article 5-1 herein.

Article 5-6. Non-residential Development

Location	Areas within subdivisions not intended for residential use shall be clearly identified on the plat.
Uses Permitted	A non-residential use area shall be in conformance with all plans and regulations adopted in accordance with State statutes, as stipulated in Article 5-1 herein.
Plan Requirements	<p>Before a non-residential use or uses can be established in the area designated, a plan of development must be presented to the Planning Commission for approval. This plan of development shall include, but not be limited to:</p> <ol style="list-style-type: none">1. Location and use of structure or structures on the lot or parcel.2. The means of ingress and egress to public streets and highways.3. Location and dimensions of drives and parking areas.4. Other improvements contemplated.
Plan Submission	An approved plan of development is required in advance of the actual installation of the use, not prior to subdivision plat approval.

Article 5-7. Design and Layout Guide

The Planning Commission may have available a Design and Layout Guide for the purpose of advising developers as to good criteria for the design and layout of subdivisions within the purpose and intent of the regulations.

Article 5-8. Special Design Considerations

This section is specifically included to provide guidance for development of properties which may not have access to centralized or approved community water and sewer facilities. Since much of the planning area is not served by water or sewer, the criteria set forth herein will have significant impact on subdividing and development of properties particularly for residential purposes.

These guidelines and requirements have been established by the Arkansas State Health Department.

- a. Complete and detailed plans and specifications by a registered engineer required and they must include the following:
 - (1) Vicinity location.
 - (2) Layout of properties, streets, easements and all topographical features.
 - (3) Dimensions of lots, streets, easements, etc.
 - (4) Results of 10 foot soil borings.
 - (5) Location of percolation test holes.
 - (6) Water and Sewerage facilities.
 - (7) Route of sewage effluent, if a sewerage system if provided.
 - (8) Water table.
 - (9) Certification by the engineer that all percolation tests and soil borings were done in accordance with Arkansas State Department of Health Bulletin No. 9.

- b. If individual water well supplies and septic tank systems are proposed, the following criteria is required:
 - (1) Lot size of a minimum of 60,000 square feet should be provided but is not mandatory; width of lot must be at least 200 feet, in accordance with Arkansas Department of Health Bulletin No. 9.
 - (2) The water supply must be located at least 100 feet from any existing or future septic tank systems.
 - (3) The water supply well should be located and constructed in accordance with Bulletin No. 12 of the Arkansas State Department of Health.
 - (4) The water should be of acceptable chemical and bacteriological quality.
 - (5) For subdivisions, at least one percolation test must be made on each lot, and the results of at least one core drilling per lot to a depth of 10 feet included in the plans.

- (6) The septic tank-absorption field system. must be constructed in accordance with Bulletin No. 9 of the Arkansas State Department of Health.
 - (7) The lot width and size requirements may be varied in areas where percolation rates and subsurface conditions permit and approval of the Arkansas State Department of Health is obtained.
- c. If a public water supply is proposed and individual septic tank-absorption field systems are to be used for sewage disposal, the following criteria is required:
- (1) Lot size should be a minimum of 21,780 square feet, but is not mandatory, in accordance with Bulletin No. 9 of the Arkansas State Department of Health.
 - (2) The lot width and size requirements may be varied in areas where percolation rates and subsurface conditions permit and approval of the Arkansas State Department of Health is obtained.
 - (3) The septic tank criteria shall be the same as in b(6) above.
 - (4) The plans and specifications for the water system must be in accordance with the rules and regulations of the Arkansas State Department of Health pertaining to public water supplies.
 - (5) An acceptable operating agency must be set up to operate and maintain the public water system.
- d. If both a public water system and public sewerage system is proposed, the following criteria is required:
- (1) Lot size shall be in accordance with local, city and other requirements.
 - (2) Plans and specifications for the water and sewage system shall be approved by the Arkansas State Department of Health.
 - (3) Approval of the Department of Pollution Control and Ecology shall be obtained for the sewerage system.
 - (4) An acceptable operating agency must be set up to operate and maintain the water and sewerage system.
- e. The operating agency of the water and/or sewerage system must provide an adequate operator's salary to assure proper operation of these utilities in accordance with the rules and regulations of the Arkansas State Department of Health and the laws of the State.

The above criteria also apply to building sites not located within subdivision areas.

CHAPTER 6

REQUIRED IMPROVEMENTS

Article 6-1. Required Improvements

No final plat shall be approved by the Planning Commission until the following improvements have been installed by the subdivider, subject to alternatives specified in Article 6-2, and approved by appropriate city, county and State agencies, utilities and the Planning Commission.

- | | |
|----------|--|
| Water | <ol style="list-style-type: none">1. Water mains no smaller than six (6) inches in diameter, properly connected with the community water supply system or with an alternative supply approved by the State Health Office and Arkansas Inspection and Rating Bureau, shall be constructed in such a manner as to adequately serve all lots shown on the subdivision plat for both domestic use and fire protection.2. The location of valves and hydrants, the amount of soil cover over the pipes and other features of the installation shall be approved by the Superintendent of the Mountain View Water and Sewer Department prior to acceptance by the Planning Commission. |
| Sewerage | <ol style="list-style-type: none">1. Provision shall be made for the satisfactory disposal of sewerage from all lots in the subdivision.2. When located within the service area of a public sewer system, sanitary sewers shall be installed in such a manner as to adequately serve all lots. Design and construction of the sewer lines shall:<ol style="list-style-type: none">a. properly connect the lines with the community sewer system,b. utilize materials and techniques which conform to accepted standards for municipal sanitary sewer systems,c. ensure that bedding, soil cover over the lines and other features of the installation conform to accepted standards,d. be approved by the Superintendent of the Mountain View Water and Sewer Department,e. be approved by the Planning Commission. |

3. Where lots cannot be economically connected with the public sewer system, they must contain adequate area for the installation of approved septic tank and disposal fields and must be approved in writing by the State Health Department.

Storm Drainage	An adequate drainage system, including storm sewers, necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water.
Monuments	Concrete monuments four (4) inches in diameter (or four (4) inches square) and thirty-six (36) inches long, with four (4) one-quarter (1/4) inch metal reinforcing rods the length of the monument, or of similar construction acceptable to the Planning Commission, shall be placed, with the top flush to the ground, at all points of intersection of the boundary of the subdivision and at one corner of intersecting streets within the subdivision. The location of all monuments shall be shown on the final plat.
Corner Stales	All lot corners shall be marked with iron pipe not less than three-quarter (3/4) inches in diameter and twenty four (24) inches long and driven so as to be flush with the finished grade.
Grading	All streets, roads and alleys shall be graded in accordance with standards established by the Planning Commission or other public authority designated by the Planning Commission.
Street Paving	<ol style="list-style-type: none"> 1. Streets shall be paved by the subdivider to widths and to specifications in conformance with standards adopted by the City of Mountain View. 2. After grading is completed and approved, and before any base is applied, all of the underground work, including water mains, sewers, gas mains and other utilities, shall be installed completely and approved throughout the length of the road.
Curbs and Gutters	The subdivider shall provide four (4) inch concrete roll curbs with twenty-four (24) inch integral concrete gutters or standard rolled curb and gutters. Installation shall be in accordance with the specifications adopted by the City of Mountain View.
Sidewalks	<ol style="list-style-type: none"> 1. Sidewalks shall be located not less than one (1) foot from the property line to prevent interference or encroachment by fencing, walls, hedges or other planting or structures placed on the property at a later date.

2. Sidewalks shall be a minimum of four (4) feet in width and four (4) inches thick.

Article 6-2. Certification of Installation

The Planning Commission, in cooperation with the City and the County, shall designate the official or officials who shall be responsible for certifying proper installation of required improvements.

Article 6-3. Guarantees in Lieu of Improvements

If the subdivider wishes to post bond in lieu of installing required improvements, he shall post the following bonds:

- Surety Bond
1. One surety bond for one-hundred (100) percent of the estimate approved by the Planning Commission or their designated official for the cost of all required improvements for faithful performance of the work.
 2. The individual bonds submitted by the various subcontractors to the subdivider for the faithful performance of the work may be substituted for the one bond of one-hundred (100) percent, provided that the individual bonds are sufficient to cover the estimate approved by the Planning Commission, and provided that the individual bonds are made out so that the City and/or County can cause the work to be completed in case of default. Such bonds shall be approved by the City Attorney and/or County Attorney before acceptance.

Cash

In lieu of the above bonds and improvements, the subdivider may deposit with the City or County a sum equal to the estimated cost of the improvements, which estimate shall be approved by the Planning Commission. The subdivider may be permitted to draw on his deposit upon satisfactory completion of various stages of his improvements.

Article 6-4. Improvement Standards by Areas

The Planning Commission is authorized to establish different improvement standards for different areas based upon zones established in the zoning ordinance so long as the improvement standards are uniform throughout each zone.

Article 6-5. Reservations

For a period of twelve (12) months after the filing of the Letter of Intent by the subdivider, the Planning Commission may require the subdivider to reserve sites for public use indicated on a plat adopted in accordance with statutes to permit the public board, commission or body having jurisdiction or financial responsibility, the opportunity to acquire said sites either through purchase, taking of option, or filing of condemnation proceedings under the power of eminent domain.

CHAPTER 7

REQUIREMENTS FOR FINAL PLAT APPROVAL

Article 7-1. Requirements

The Planning Commission shall require the following of the developer for Final Plat Approval.

- a. The preparation of an official plat, or map, suitable for filing, containing data required by the provisions of Article 4-1 herein.
- b. If the plat is to be for only a portion of the land intended for development, at least a sketch layout for the entire area shall be included to ensure that the purpose and intent of these regulations are complied with.
- c. Evidence of compliance with installation requirements as required by Articles 3-3 and 4-1, and Chapter 6, herein.

Article 7-2. Bill of Assurance

- a. The subdivider shall submit for the approval of the Planning Commission a Bill of Assurance including but not limited to the following:
 - (1) Dedication of streets and alleys, parks, and other lands for public use.
 - (2) Establishment of easements.
 - (3) A provision that the platting as filed for record cannot be changed unless vacated or further subdivided.
- b. The subdivider shall be required to file with the County Recorder the Bill of Assurance as approved by the Planning Commission at the same time filed for record.

CHAPTER 8

ENFORCEMENT AND PENALTIES

Article 8-1. Enforcement

After the effective date of these subdivision regulations:

- a. No plat shall be accepted by the County Recorder for record unless approved by the Planning Commission.
- b. No utility (public or privately owned) shall extend its facilities to service an area unless one of the following applies:
 - (1) The extension is to an area where a subdivision plat of record existed prior to the effective date of these regulations.
 - (2) The extension is to an area where a plat of record has been approved by the Planning Commission.
 - (3) Installation of utilities is required before the plat can receive approval for filing for record. In this event, the Planning Commission will grant the utilities permission to extend facilities in accordance with specified plans.
 - (4) The extension of utilities is along a public way in existence and use at the time of the effective date of these regulations, but the extension is not in a depth of greater than 200 feet from the public way.
- c. The provisions of these regulations shall be administered and enforced by the enforcement officer, who shall be nominated by the Planning Commission and approved by the City Council. He may be provided with the assistance of such other persons as the City Council may direct.

Article 8-2. Penalties

Any person violating any provision or any part of these regulations or who shall fail to comply with any order thereunder shall be guilty of a misdemeanor and punishable by a fine of not to exceed twenty-five (25) dollars for each offense, and each day such violation shall be permitted to exist shall constitute a separate offense.

CHAPTER 9

SEVERABILITY

Article 9-1. Severability

The provisions of these regulations are hereby declared to be severable. If any section, paragraph, sentence, or clause of these regulations shall be held invalid, the invalidity of such section, paragraph, sentence, or clause shall not affect the validity of the remainder of the said regulations.