SECTION 1. AUTHORITY. These Regulations are hereby adopted and enacted

under authority of R.R.S., Nebr. 1943, Chapters 19-916 thru 19-922 and 17-1001 thru

17-1003, and amendments thereto, and comprise requirements, standards and

specifications with respect to provisions for the proper location and width of streets,

building lines, open spaces, safety, recreation; and, for the manner in which streets will

be graded and improved; and, the extent to which water, sewer and other utility

services shall be provided; and, to provide for the approval of preliminary plats and

final plats and endorsement thereof by the Sutherland, Nebraska Planning

Commission and by the Village Board of Trustees. No final plat of a subdivision shall

be approved and accepted by the Sutherland Village Board of Trustees unless it

conforms to the provisions of these regulations.

SECTION 2. PURPOSE. The purpose of these regulations is to provide for the

orderly development of Sutherland and its environs; to proscribe standards for the

laying out of subdivisions in harmony with the comprehensive plan; for the

coordination of streets and utilities within subdivisions with other existing or planned

streets and utilities; for coordination of subdivisions with other features of the

comprehensive plan to provide for adequate open space for traffic, recreation, light and

air; and for the distribution of population and traffic in such a manner so as to create

conditions favorable to health, safety, convenience or prosperity, all in accordance with

applicable state statutes.

SECTION 3. JURISDICTION. The provisions of this Ordinance shall apply within

the area of planning and zoning jurisdiction as defined on the Official Zoning Maps of

the Village of Sutherland, Nebraska, as may be amended from time to time.

SECTION 4. APPLICABILITY. Any plat, hereafter made, for each subdivision or

part thereof lying within the jurisdiction of this Ordinance, shall be prepared for

approval and recorded as herein prescribed. The regulations contained here in shall

apply to the subdivision of a lot, tract, parcel of land into two or more lots, tracts, or

other division of land for the purpose of sale or development, whether immediate or

future, including the re-subdivision or re-platting of land or lots, except that the

division of land when the smallest parcel created is more than ten (10) acres in area

shall be exempt from these regulations. Further, the regulations set forth by this

Ordinance shall be minimum regulations which shall apply uniformly throughout the

jurisdiction of this Ordinance except as hereafter provided.

A. Each separate principal use/building within the jurisdiction of this Ordinance shall

be situated on a separate and single subdivided lot of record unless otherwise provided

in the zoning Ordinance of the Village of Sutherland, Nebraska.

B. No subdivision of land shall be permitted within the Planning Jurisdiction of

Sutherland unless a plat is approved in accordance with the provisions of these

Regulations. Further, no lot in a subdivision may be sold, transferred or negotiated to

sell, no permit to erect, alter, or repair any building upon land in a subdivision may be

issued, and no building may be erected in a subdivision unless a final plat has been

approved by the Sutherland Village Board of Trustees and recorded with the Lincoln

County Register of Deeds.

C. These Subdivision Regulations shall not apply to the following:

1. To a subdivision of land whereby the smallest parcel created or remaining

is more than ten (10) acres.

2. The subdivision of burial lots in cemeteries.

3. A change in the boundary between adjoining lands which does not create an

additional lot or does not result in a nonconformity of an existing lot.

SECTION 5. DEFINITIONS. For the purposes of these Regulations, certain terms

or words used herein shall be interpreted as follows:

The present tense includes the future tense, the singular number includes the plural,

and the plural number includes the singular.

BLOCK. A tract or parcel of land bounded by public streets or lands, streams,

railroads, unplatted lands or a combination thereof.

BUILDING LINE. The term "building line" means a line parallel or nearly parallel, to

either the street line or the lot line not abutting the street and at a specified distance

from the street or lot line which marks the minimum distance from either line that a

building may be erected. In the case of a cul-de-sac, the building line shall be

measured around the curvature of the street line.

BUILDING OFFICIAL. The person or persons designated by the governing body to

administer this subdivision Ordinance whether such person or persons by entitled

Building Official, Building Inspector, Administrative Official, or Zoning Administrator.

COMMON OPEN SPACE. That undivided land in a subdivision which may be jointly

owned by all property owners of the subdivision, for the benefit of the owners of the

individual building sites of said development.

COMMON SEWER SYSTEM. A sanitary sewage system in public ownership which

provides for the collection and treatment of domestic effluent in a central sewage

treatment plant which meets the minimum requirements of the Nebraska Department

of Environmental Quality for primary and secondary sewage treatment and which does

not include individual septic tanks or portable sewage treatment facilities.

COMMON WATER SYSTEM. A water system which provides for the supply, storage

and distribution of potable water on an uninterrupted basis which is in public

ownership.

COMPREHENSIVE PLAN. The long range development plan adopted by the

Sutherland Village Board of Trustees.

COVENANT. Written promise or pledge.

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

EASEMENT. A grant by property owner to the public, a corporation or persons of the

use of a tract of land for a specific purpose.

ENGINEER. One, licensed by the State of Nebraska, designated by the Sutherland

Village Board of Trustees to act for the Village.

FRONTAGE. The length of the property abutting on one (1) side of a street measured

along the dividing line between the property and the street.

GREEN AREA. Same as common open space.

IMPROVEMENT. Street pavement or resurfacing, curbs, gutter, sidewalks, water

lines, sewer lines, storm drains, street lights, flood control and drainage facilities,

utility lines, landscaping, and other related matters normally associated with the

development of raw land into building sites.

LOT. A parcel of land occupied or intended for occupancy by a use permitted in this

Article, including one (1) main building together with its accessory buildings, the open

spaces and parking required by this Article and fronting upon a street.

LOT, CORNER. A lot abutting upon two (2) or more streets at their intersection.

LOT, INTERIOR. A lot other than a corner lot which has frontage on one street only.

LOT, THROUGH. A lot other than a corner lot fronting on more than one street.

LOT OF RECORD. A tract of land described as an integral portion of a subdivision

plat which is properly recorded in the office of the Lincoln County Clerk.

MONUMENTS. Permanent concrete or iron markers used to establish definitely all

lines of the plat of a subdivision, including all lot corners, boundary line corners and

points of change in street alignment.

OUT LOT. Property shown on a subdivision plat outside of the boundaries of the land

which is developed and which is to be excluded from the development of the

subdivision.

PARKING SPACE, OFF-STREET. Off-street parking shall mean an area, enclosed or

unenclosed, sufficient in size to store one automobile, together with a driveway

connecting the parking space with a street or alley and permitting ingress and egress.

PEDESTRIAN WAYS. A tract of land dedicated to public use, which cuts across a

block to facilitate pedestrian access to adjoining streets and properties.

PLANNED DEVELOPMENT. Special development of certain tracts of land, planned

and designed as a unit for one (1) or more land uses under rules and procedures

contained in these Regulations.

PLANNING AREA. The statutory zoning jurisdiction of the Village of Sutherland.

PLANNING COMMISSION. The appointed planning body designated by the

Sutherland Village Board of Trustees.

PLAT. Map, drawing, or chart upon which the developer's plan of subdivision

(preliminary) is presented to the Village Board of Trustees for approval and, after such

approval, to the appropriate County Clerk for recording.

PLOT. A parcel of ground.

PUBLIC WAY. An alley, avenue, boulevard, bridge, channel, ditch, easement,

expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street,

subway, tunnel, viaduct, walk, or other ways in which the general public or a public

entity have a right, or which are dedicated, whether improved or not.

RIGHT-OF-WAY. A strip of land taken or dedicated for use as a public way. In

addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks,

lighting, and drainage facilities, and may include special features such as grade

separation, landscaped areas, viaducts and bridges.

SETBACK LINE. The term "setback line" means a line, as shown on a record plat or

otherwise established by the Sutherland Village Board of Trustees, beyond which no

part of a main exterior wall of a building or structure may project.

SEWERS, ON-SITE. A septic tank or similar installation on an individual lot which

utilizes an aerobic bacteriological process or equally satisfactory process for the

elimination of sewage and provides for the proper and safe disposal of the effluent,

subject to the approval of health and sanitation officials having jurisdiction.

STREET. Street shall mean a public or private thoroughfare including avenues, which

affords principle means of access to abutting property.

SUBDIVIDER. The owners, developers or agents of persons or corporations affecting

subdivision.

SUBDIVISION. The division of a parcel of land into two (2) or more lots or parcels for

the purpose of transfer of ownership, building development, or, if a new street is

involved, any division of a parcel of land. The term includes re-subdivision, and, when

appropriate to the context, shall relate to the process of subdividing or to the land

subdivided.

SURVEYOR. Any person registered in Nebraska to practice surveying.

THOROUGHFARE, STREET OR ROAD. The full width between property lines

bounding every public way of whatever nature, with a part thereof to be used for

vehicular traffic and designated as follows:

Alley: A dedicated public right-of-way, other than a street, which provides only

a secondary means of access to abutting property.

Arterial Street: A street which provides for through traffic movement between

and around streets with direct access to abutting property, subject to necessary

control of entrances, exits, and curbs use.

Collector Street: A street which provides for traffic movement between arterials

and local streets, with direct access to abutting property.

Cul-de-sac: A local street of relatively short length with one (1) end open to

traffic and the other end terminating in a vehicular turnaround.

Dead-end Street: A street temporarily having only one (1) outlet for vehicular

traffic and intended to be extended or continued in the future.

Local Street: A street which provides direct access to abutting land and local

traffic movement, whether in business, industrial or residential land.

Marginal Access Street: A local or collector street, parallel and adjacent to an

arterial or collector street, providing access to abutting properties and protection

from arterial or collector streets. (Also called frontage street or service road)

VICINITY MAP. A drawing located on the plat which sets forth by dimensions or other

means, the relationship of the proposed subdivision or use to other nearby

developments or landmarks and community facilities and services within the Village of

Sutherland, in order to better locate and orient the area in question.

WALKWAY. See sidewalk.

ZONE OR DISTRICT. A section of the zoning area for which uniform regulations

governing the use, height, area, size and intensity of the use of buildings, land, and

open spaces about buildings, are established.

SECTION 6. SEVERABILITY. Should any section or provision of these Regulations

be declared by the courts to be unconstitutional or invalid, such decision shall not

affect the validity of these Regulations as a whole, or any part thereof, other than the

part so declared to be unconstitutional or invalid.

SECTION 7. PROCEDURES

7.1 Plat Submission Requirements. The subdivider shall submit to the Village Clerk

eleven (11) copies of the preliminary plat and supplemental material specified, with

written application for conditional approval, at least ten (10) days prior to the regular

meeting of the Sutherland Planning Commission at which the request will be heard.

7.2 Fees. Fees are set by the Sutherland Village Board of Trustees.

7.3 Scale and Preliminary Plat Contents. Preliminary plats shall be a scale of one (1")

inch to one hundred (100') feet, or 1" = 200' if seventy-five (75) percent of the lots are

one (1) acre or larger, and shall be prepared with the following information:

A. Name, location, acreage, owner and designer of subdivision with legal

description as shown by land records.

B. Present zoning.

C. Date, north point and graphic scale.

D. Location of property lines, roads, existing utilities with size of lines, and

other underground installations and easement.

E. Names of adjoining properties or subdivisions.

F. Proposed utility system, including water, sewer and paving.

G. Dimensions, lot lines, except that in industrial type subdivisions, lot lines

may be excluded.

H. Location of proposed drainage.

I. Contours at five (5') feet intervals at 1" = 200' scale.

J. Proposed improvements and grading concepts.

K. Location of existing buildings.

L. Proposed easements, dedications and reservations of land required.

7.4 Notification of Improvement Schedule. Subdivider shall indicate by a letter when

improvements as required will be provided; any proposed restrictive covenants for the

land involved shall accompany the letter.

7.5 Notification of County Planning Commission. The Village shall notify the Lincoln

County Planning Commission of any proposed subdivision plat and provide the

Commission with all available materials on the proposed plat, when such proposed plat

lies partially or totally within the extraterritorial subdivision jurisdiction being

exercised by that Municipality in such County. The Commission shall be given four (4)

weeks to officially comment on the appropriateness of the design and improvements

proposed in the plat. The review period shall run concurrently with subdivision review

activities of the Village after the Commission receives all available material for a

proposed subdivision plat.

7.6 Notification of School Board. At least ten (10) days prior to the Sutherland

Planning Commission meeting at which the preliminary plat is to be considered for

approval, the Planning Commission shall submit a copy of the proposal to the School

Board of each School District which the proposed development affects, and shall notify

the School Board of the meeting date. Copies of the plat may be submitted to any other

agency which may be affected.

7.7 Approval or Rejection. After review of the preliminary plat and negotiations with

the subdivider, the Sutherland Planning Commission shall reject or conditionally

approve the preliminary plat, within thirty (30) days after the official meeting at which

the plat was considered.

7.8 Recording of Action. The action of the Sutherland Planning Commission shall be

noted on three (3) copies of the preliminary plat, referenced and attached to any

conditions determined. One (1) copy shall be returned to the subdivider, one (1) copy

relayed to the Village Board of Trustees and one (1) copy retained by the Planning

Commission.

7.9 Approval is Conditional. Approval of a preliminary plat shall not constitute

approval of the final plat; it shall be deemed an expression of approval or conditional

approval of the submitted plat, as a guide for the preparation of the final plat, which

will be subject to further consideration by the Sutherland Planning Commission and

the Sutherland Village Board of Trustees. Any conditional approval of the preliminary

plat shall be effective for a period of one (1) year unless an extension is granted by the

Planning Commission.

7.10 Installation of Improvements for Final Plat Approval. Following approval of the

preliminary plat, the subdivider shall:

(1) Agree to install the required improvements or;

(2) Sign an agreement, which shall be entered into only at the option of

the Village, thereby guaranteeing the installation of improvements; or

(3) Furnish a bond or enter into an escrow or security agreement approved

by the Village Attorney in an amount sufficient to guarantee the

installation of the required improvements.

7.11 Final Plat Submission Requirements. Final plats, showing entire concept, shall

be submitted to the Village Clerk within one (1) year of approval of the preliminary

plat, unless an extension is granted by the Planning Commission. The final plat shall

conform to the preliminary plat as approved and to the requirements of all applicable

Ordinances and State statutes; and, if desired by the subdivider, it may constitute only

that portion of the approved preliminary plat which the subdivider proposes to record

and develop at the time; provided, however, that such portion conforms to all

requirements of these Regulations.

7.12 Scale and Final Plat Contents. One (1) original and two (2) mylar copies of the

final plat and other exhibits required for approval shall be submitted. The final plat

shall be drawn in ink on mylar and shall be at a scale of one (1") inch to one hundred

(100') feet or larger. The final plat shall show the following:

A. Date, title, name and location of subdivision.

B. Streets and street names, lots, setback lines, lot numbers, etc, except that

in industrial type subdivision lot designation may be excluded.

C. Graphic scale and north arrow.

D. Monuments (ferrous) one (1) inch diameter, maximum, thirty (30) inches

length minimum.

E. Dimensions, angles and bearings, and complete legal description of the

property.

F. Sufficient survey data to reproduce any line on the ground.

G. Names of adjoining subdivisions.

H. Location and dimensions of any easements.

I. Purpose for which sites are dedicated or reserved, and the transfer of

ownership of the same.

J. Certification by surveyor as to accuracy of survey and plat.

K. Certification signed and acknowledged by all parties holding title or having

any title interest in the land subdivided and consenting to the preparation

and recording of the plat as submitted.

L. Certification recording the approval by the Planning Commission.

M. Certification recording the approval by the Village Board of Trustees and

the acceptance of any dedications.

7.13 Supplementary Data Required. The final plat shall be accompanied by:

A. Construction plans of all required public improvements, approved by an

Engineer.

7.14 Professional Assistance. The Village Board of Trustees or the Planning

Commission may request such professional assistance as it deems necessary to

properly evaluate the plats submitted.

7.15 Planning Commission Recommendations. The Planning Commission shall reject

or approve the final plat and have prepared a recommendation to the Village Board of

Trustees recommending rejection or approval. All reasons for recommending rejection

shall be clearly stated. Notification of approval or rejection by the Planning

Commission or Village Board of Trustees shall be given the subdivider within sixty (60)

days after submission of the final plat to the Planning Commission.

7.16 Administrative Subdivision. In the event that a proposed subdivision does not

involve the platting and dedication of streets, extension of utility systems, change in

subdivision class and type, change in zoning District, change in surface drainage, and

will not result in the creation of more than three (3) lots of record, the subdivider may

apply for administrative subdivision under the provisions of this section. The

utilization of the administrative subdivision does not relieve the subdivider of its

obligation to comply with Section 8: Streets, Alleys, Sidewalks and Driveways; and

Section 9: Utility and Drainage Facilities of the Subdivision Regulations. The

necessity of establishing and dedicating easements for utilities shall not bar the

utilization of the administrative subdivision. The procedure for such application will

be as follows:

1. Application will be made to the Village Board of Trustees and the Village Board

of Trustees may act or may at their option refer the application to the Planning

Commission. In the event it is referred to the Planning Commission, the

procedures outlined under the final plat provisions shall be followed.

2. The subdivider shall submit an original and eleven (11) copies of the plat. The

original shall be drawn in ink on tracing cloth, mylar, or similar material, and

shall be at a scale of 1" to 100' or larger. The plat shall contain the following:

a. Date, title, name, and location of the subdivision.

b. Names and locations of abutting streets and lots identifying street

names and lot and block numbers.

c. Identification of the new lot and block numbers and set back lines.

d. Graphic scale and true north point.

e. Monuments.

f. Dimensions, angles and bearings and complete legal description of the

property.

g. Sufficient engineering data to reproduce any line on the ground.

h. Location, dimensions, and purposes of any existing easements.

i. Certification by surveyor or engineer certifying to the accuracy of the

survey and plat.

j. Certification signed and acknowledged by all parties holding title or

having any title interest in the land subdivided and consenting to the

preparation and recording of the plat as submitted.

3. The plat shall be accompanied by:

a. Protective covenants in form for recording if such are desired by the

subdivider.

b. For subdivisions adjoining or touching the boundaries of the Sutherland

Corporate Limits; a tract or area for which annexation proceedings have

Sutherland commenced; an approved subdivision which touches or adjoins

the Sutherland Corporate Limits, a petition signed by the owner or owners

requesting annexation to the Village.

c. Utility easements signed by the owner or owners to permit all lots created

access to all utilities available in the Village, including but not limited to,

sanitary sewer, storm sewer, water, electrical, telephone, and cable

television.

SECTION 8. STREETS, ALLEYS, SIDEWALKS, DRIVEWAYS.

8.1 Streets. The arrangements, character, extent, width, grade and location of all

streets shall conform to the comprehensive development plan and shall be considered

in their relation to existing and planned streets, to topographical conditions, to public

convenience and safety, and in their appropriate relation to the proposed uses of the

land to be served by such streets.

8.2 Street Extension. The street layout of the proposed subdivision shall provide for

the continuation of appropriate projection of streets and alleys already existing in

areas being subdivided. Where, at the determination of the Village Board of Trustees,

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 Village Board

of Trustees deems it necessary, such dead-end streets shall be provided with a

temporary turnaround having a radius of at least fifty-five (55') feet. 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.

8.3 Dedication of Right-of-Way for New Streets. The dedication of right-of-way for new

streets measured from lot line to lot line shall be as shown on the comprehensive

development plan. All streets classified as arterial streets by the comprehensive

development plan shall have all points of access approved by the Village Board of

Trustees. Marginal access streets may be required by the Village Board of Trustees for

subdivisions fronting on arterial streets.

8.4 Dedication of Right-of-Way for Existing Streets. Subdivisions platted along

existing streets shall dedicate additional right-of-way if necessary to meet the

minimum street width requirements set forth in these Regulations. The entire

minimum right-of-way width shall be dedicated where the subdivision is on both sides

of an existing street. When the subdivision is located on only one (1) side of an existing

street, one half of the required right-of-way width, measured from the center line of the

existing roadway, shall be dedicated. Dedication of one half of the right-of-way for

proposed streets along the boundaries of land proposed for subdivision shall be

prohibited.

8.5 Intersections. Streets shall intersect as nearly as possible at an angle of ninety

(90) degrees, and no intersection shall be at any angle of less than sixty (60) degrees.

Street curb intersections shall be rounded by radii of at least twenty (20) feet. When

the smallest angle of street intersection is less than seventy-five (75) degrees, the

Village Board of Trustees may require curb radii of greater length. Wherever

necessary to permit the construction of a curb having a desirable radius without

reducing the sidewalk at a street corner to less than normal width, the property line at

such street corner shall be rounded or otherwise set back sufficiently to permit such

curb construction. No lot or other parcel of land which abuts on and has access to

either a collector or a minor 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.

8.6 Widths, Grades and Sight Distance Requirements. Right-of-way widths,

pavements widths, grades and sight distance requirements shall be as follows:

TYPE

R.O.W.

PAVEMENT

GRADE

MINIMUM SIGHT

DISTANCE ON

CURVES

Arterial Street

\*100' ROW

46' Pavement

5% Grade

400' Minimum Sight distance on curves

Marginal Access Streets

60' ROW

22' Pavement w/ 6' shoulders

10% Grade

300' Minimum Sight distance on curves

Collector Streets

\*80' ROW

44' Pavement

7% Grade

300' Minimum Sight distance on curves

Local Streets

60' ROW

22' Pavement w/ 6' shoulders

10%Av. Grade

300' Minimum Sight distance on curves

Alleys

20' ROW

20' Residential

20' Commercial

no max.

no max.

none

none

Cull-de-sac Streets

110'

55'

10% Av.

200'

\* Streets in these classifications shall be designed and graded to the full right-ofway

widths stated

The horizontal alignment on all streets except in unusual cases as determined by

the Sutherland Planning Commission shall as follows:

STREET TYPE

RADII OF HORIZONTAL CURVES

Arterial Streets

700' Minimum

Collector Streets

300' Minimum

Local Streets

100' Minimum

8.7 Marginal Access Streets. Where a subdivision abuts or contains an existing or

proposed arterial street, the Village of Sutherland may require access streets, reverse

frontage with screen planting contained in a non-access reservation along the rear

property line, deep lots with rear service alleys, or such other treatment as may be

necessary for adequate protection of residential properties and to afford separation of

through and local traffic.

Where the proposed subdivision abuts upon or contains an existing or proposed arterial

street or highway or which traffic volumes and vehicular speeds warrant special safety

considerations, the Village may require that marginal access streets be provided in

order that no lots front on such existing or proposed arterial street or highway.

Where a subdivision borders on or contains a railway right-of-way or limited access

highway right-of-way, the Village may require a street approximately parallel to and

on each side of such right-of-way, at a distance suitable for the appropriate use of the

intervening land, as for park purposes in residential Districts. Such distances shall

also be determined with due regard for the requirements of approach grades and future

grade separations.

8.8 Street Jogs. Street jogs with center line offsets of less than one hundred twentyfive

(125) feet shall be prohibited. Cul-de-sacs, minor terminal or dead-end streets or

courts which are designed so as to have one end permanently closed shall not be longer

than five hundred (500) feet and shall be provided at the closed end with a turnaround

having a radius at the outside of the right-of-way of at least one-hundred (100) feet.

8.9 Street Names. Proposed streets which are in alignment with other already

existing and named streets shall bear the names of such existing streets. The name of

a proposed street which is not in alignment with an existing street shall not duplicate

the name of any existing street, irrespective of the use of the suffix street, avenue,

boulevard, drive, place, court, lane, road, pike, highway, parkway or similar suffix.

Whenever a street alignment changes direction more than forty-five (45) degrees

without a return to the original alignment within a distance of five hundred (500) feet,

then the name of the street shall be changed at the point of curvature. Whenever a culde-

sac street serves not more than three (3) lots, the name of the intersecting street

shall apply to the cul-de-sac. To avoid duplication and confusion, the proposed names

of all streets shall be approved by the designated Village Engineer prior to such names

being assigned or used.

8.10 Private Streets and Reserve Strips. There shall be no private streets platted

within a subdivision. There shall be no reserve strips in a subdivision except where

their control is definitely vested in the Village or County under conditions approved by

the Village Board of Trustees as authorized herein.

8.11 Grading Specifications. All streets, roads and alleys shall be graded to their full

widths by the subdivider, so that street pavements and sidewalks can be constructed

on the same level plane. Deviation from this standard due to special topographical

conditions will be allowed only with the approval of the Village Board of Trustees.

Before grading is started, the entire right-of-way area shall be first cleared of all tree

stumps, roots, brush, and other objectionable materials and of all trees not intended for

preservation. The sub grade shall be properly shaped, rolled and uniformly compacted

to conform to the accepted cross-section and grades. In cuts and fills, all tree stumps,

boulders, organic material, soft clay, spongy material and other objectionable materials

shall be removed to a depth of at least two (2) feet below the graded surface. This

objectionable matter, as well as similar matter from cuts, shall be removed from the

right-of-way area and disposed of in such a manner that it will not become incorporated

in fills or hinder proper operation of the drainage system.

8.12 Minimum Pavement Widths. Pavement widths shall be measured between curb

backs.

8.13 Street Surfacing. The streets in the proposed subdivision shall be paved,

including curbs and gutters, and street surfacing shall be of concrete or any other

suitable surface as recommended by the designated Village Engineer and approved by

the Village Board of Trustees.

8.14 Curb and Gutter. Curb and gutter shall be provided as required by the Village

Engineer. In areas of notable flash flooding or heavy rain run-off, curbs shall be

required on all streets designed for areas where the existing or anticipated residential

density of the areas surrounding the proposed subdivision equals or exceeds three (3)

dwelling units per net acre. In commercial developments, or where other similar

intensive urban uses exist or are anticipated, curbs shall be required. Where curbs

exist on abutting properties, their extension shall be required throughout the proposed

subdivision. All curb and gutter shall be constructed in conformance with the

minimum standards of the Village and as approved by the Village Engineer.

8.15 Blocks. Except in unusual circumstances, the maximum length of blocks shall be

thirteen hundred twenty (1,320) feet.

8.16 Street Name Signs. Street name signs, of a type in use throughout the Village of

Sutherland, shall be erected by the subdivider at all intersections.

8.17 Alleys. Alleys shall be provided to give access to the rear of all lots used for

commercial and industrial purposes. Minimum width of an alley shall be twenty (20')

feet. Alley intersections and sharp changes in alignment shall be avoided, but where

necessary, corners shall be cut off sufficiently to permit safe vehicular movement.

Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided

with adequate facilities at the dead-end, as determined by the Sutherland Village

Board of Trustees. Alleys need not be provided in residential areas where the

subdivider produces evidence of easements which are satisfactory to the Village Board

of Trustees.

8.18 Sidewalks. Sidewalks shall be provided as required by Village Ordinances and

shall be constructed of Portland cement concrete or other acceptable materials as

approved by the Village Board of Trustees. Sidewalk thickness shall be not less than

four (4) inches and sidewalk width not less than four (4) feet.

8.19 Driveways. Driveways shall have a maximum grade of ten (10) percent.

Driveways and curb cuts shall be located not less than three (3) feet from the side lot

lines. Curb cuts for straight curbs and the flare for rolled curbs shall be three (3) feet

wider than the driveway pavement on each side.

8.20 Street and Walkway Lighting. The street lights shall be installed by the Village

of Sutherland. Such lights shall be located at each street and walkway entrance to the

subdivision. In addition, whenever the distance between two (2) adjacent streets or

walkway lights would exceed three hundred (300) feet, then additional street lights

shall be installed in such manner that proper light intensity shall be provided and

maintained. New subdivision street and walkway lighting may be installed with all

associated wiring underground or overhead, as required by the Village.

SECTION 9. UTILITY AND DRAINAGE FACILITIES.

9.1 Sewer and Water. It shall be required that the owner or developer of the tract to be

subdivided install, satisfactory sewer and water lines which are necessary to serve such

subdivision. Installation of the above shall be in accordance with the specifications of the

Village and under the direction and supervision of the Sutherland Village Board of

Trustees. Where adequate water and sewer lines are accessible within thirteen hundred

twenty (1,320) feet of the final plat, connections to these lines shall be made. Water lines

shall be looped according to specifications set by the Village Board of Trustees.

The cost of providing this engineering service will be the responsibility of the owner or

developer of the tract to be subdivided or by other agreement with the Village. Design of

municipal water mains and sanitary sewer lines shall conform to standards and guidelines

approved by the Sutherland Village Engineer.

9.2 Sanitary Sewer Improvements. The following requirements shall govern sanitary

sewer improvements:

1. Where an adequate public sanitary sewer system is reasonably accessible in the

determination of the Sutherland Village Board of Trustees, public sanitary

sewers shall be installed to adequately serve all lots, including lateral

connections to the public system. Public sewer system extensions shall meet

the requirements of the Village standards and the Nebraska Department of

Environmental Quality and the Department of Health and Human Services

System. Combinations of sanitary sewers and storm sewers shall be prohibited.

2. Where a public sanitary sewer system is not reasonably accessible, the

subdivider may provide:

a. A central treatment plant, provided that such central treatment plant is

installed in accordance with the Village and State Department of

Environmental Quality and Department of Health and Human Services

System requirements, or

b. Lots may be served by individual disposal systems, if the provisions of the

following section are met.

3. a. Where the installation of individual disposal systems is considered, the

suitability of the soil for individual systems, the absorptive ability of the

soil, surface drainage, ground water level, and topography shall be the

criteria for determining whether or not the installation of individual

systems is permissible. Criteria shall be in accordance with the

requirements of the Village and the Nebraska Department of

Environmental Quality and Department of Health and Human Services

System.

b. Each lot so served shall be of a size and shape to accommodate the

necessary length of tile field at a safe distance from and at a lower

elevation than the proposed buildings. Such lot size and shape shall

conform to the requirements of the zoning District in which they are

located, provided that in no case shall said minimum lot be less than one

(1) acre in area where there is a public water supply available at the lot,

and two and a half (2 1/2) acres where there is not public water supply

available.

c. At least one (1) percolation test shall be made for each lot area being

platted, and each test shall be located in close proximity to the proposed

individual sewage disposal unit, be numbered and its location shown on

the preliminary plat. All percolation tests shall be performed in

accordance with the requirements of the Sutherland Village Board of

Trustees.

9.3 Drainage Improvements. An adequate system for the drainage of all surface water

within the area being subdivided, including ditches, pipes, culverts, intersectional drains,

drop inlets, bridges, and other structures, shall be constructed by the developer. Such

drains shall comply as to size with such requirements, conformable to good engineering

practice, as the Sutherland Village Board of Trustees shall prescribe; provided that such

drains in no event shall be less than twelve (12) inches in diameter. Cross drains shall be

constructed to accommodate all natural water flow, be built on a straight line and grade, be

laid on a firm base but not on rock and be of sufficient length to permit construction of

streets and alleys to their required width and grades.

Surface drainage pipes shall be laid with the spigot end pointed in the direction of the flow,

and all ends shall be fitted and matched to provide tight joints and a smooth uniform invert.

Such pipes shall be placed at a depth below the road bed that is sufficient to avoid

dangerous pressure from impact, and the top, in no event, shall be less than one (1) foot

below the surface of the road bed.

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 Sutherland Village Engineer shall determine the necessary size of the

facility, based on the provisions of the construction standards and specifications assuming

conditions of maximum potential watershed development permitted by the Zoning

Regulations.

The Village Engineer shall also study the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision. Where it is anticipated that the

additional runoff incident to the development or the subdivision will overload an existing

downstream drainage facility or flood existing development upstream, the Sutherland

Planning Commission may withhold approval of the subdivision until provision has

Sutherland made for the improvement of said potential condition in such sum as the

Planning Commission shall determine. No subdivision shall be approved unless adequate

drainage will be provided to an adequate drainage watercourse or facility.

Subdivision proposals and other proposed new development be required to assure that

(a) all such proposals are consistent with the need to minimize flood damage, (b) all

public utilities and facilities, such as sewer, gas, electrical, and water systems are

located, elevated and constructed to minimize or eliminate flood damage, 8) adequate

drainage is provided so as to reduce exposure to flood hazards so as to assure that all

building sites are reasonably safe from flood hazards.

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 drainage pattern

for the area. Drainage shall be designed so as to avoid concentration of storm drainage

water from each lot into areas not designed to handle flood waters. Lot drainage plans

shall conform to the drainage study required for submittal approval.

9.4 Storm Sewers and Storm Water Drainage. Where an adequate public storm sewer

system is available at the plat boundary, the Subdivider shall construct a storm sewer

system and connect with such storm sewer line. If such a storm sewer system is not

accessible, natural drainage channels with easement of adequate width shall be

provided, as determined by the Village Engineer and approved by the Village Board of

Trustees. Paved gutters or storm sewers shall be required if velocities are greater than

specified in these regulations or cause destructive erosion. Storm drainage, including

drain tile around basements, shall not be permitted to discharge into any sanitary

sewer facility, but shall connect to an adequate drainage outlet.

9.5 Culverts and Bridges. Where natural drainage channels intersect any street rightof-

way, it shall be the responsibility of the Subdivider to have satisfactory bridges

and/or culverts constructed. Where culverts are required, minimum requirements

shall be observed as follows:

1. All culverts shall extend across the entire right-of-way width of the

proposed street. The cover over the culvert and its capacity shall be

determined by the Village Engineer. The minimum diameter of a culvert

pipe shall be eighteen (18) inches. Depending on existing drainage

conditions, head walls may be required.

2. Driveway culverts shall have a minimum length of twenty (20) feet, and a

minimum diameter of eighteen (18) inches. The driveway culverts shall be

laid so as to maintain the flow lines of the ditch or gutter. Head walls may

be required.

9.6 Solar Access. In order to promote the conservation of energy through the use of

both passive and active solar systems, streets in residential subdivisions should, where

possible, have an east-west alignment. Lots intended for detached dwellings should be

of sufficient width to allow the structure to be built with its longest axis running eastwest.

In order to allow the orientations of structures on the site so as to maximize potential

solar gain, side lot lines should run as near to north-south as possible providing that

the angle between the side of lot line and the street right-of-way line on a straight

street or the tangent to a curved street shall not be less then eighty (80) degrees.

Any property owner or developer may grant or establish a solar sky-space easement to

protect solar energy systems from shade. The easements shall be created in writing

and shall be recorded separately or should be contained on the face of the plat. The

easements shall run with the land.

9.7 Erosion Control. The subdivider shall be required to provide for the control of

erosion of areas of the subdivision which are disturbed by grading operations by

constructing temporary terraces on slopes, temporary silting basins, sod swales and

spillways, and whatever may be necessary to prevent erosion and damage to adjacent

properties from surface drainage as approved by the Village and the Village Engineer.

9.8 Fire Protection. Fire hydrants shall be provided by the Subdivider in all

subdivisions with public water supplies. The hydrants shall be located between

property lines and curbs with all outlets facing or parallel to the street. Hydrants shall

be placed at the corners of all blocks and mid-block for blocks exceeding eight hundred

(800) feet in length. Hydrants shall also be required at the entrance and end of all culde-

sacs exceeding four hundred (400) feet in length. The type of hydrant and control

valves and the location of the hydrant shall be approved by the Village Engineer. The

minimum size of any water line serving any hydrant shall not be less than six (6")

inches in diameter and should be circulating water lines. The size and location of

water lines shall be approved by the Village Engineer and the Fire Chief.

9.9 Electric, Gas, and Telephone Improvements.

1. Electric service and telephone service shall be provided within each

subdivision. Gas service may be required where reasonably accessible.

Whenever such facilities are reasonably accessible and available, they may

be required to be installed within the area prior to the approval of the final

plat. Telephone, electric, street lighting, and communications conductors

may be installed underground at the option of the Village Board of

Trustees.

2. Overhead secondary utility lines, where installed shall be located at the

rear of all lots.

3. Whenever a sanitary sewer line and electric and/or telephone line is each

placed underground in the same utility easement, the following provisions

shall be applicable:

a. the total easement width shall not be less than fifteen (15) feet, and

b. the sanitary sewer line shall be installed within three (3) feet of the

easement, and the electric and/or telephone line shall be installed

within three (3) feet of the opposite side of the easement.

SECTION 10. SHARED IMPROVEMENT COSTS.

10.1 Extensions to Boundaries. The subdivider may be required to extend the necessary

improvements to the boundary of the proposed subdivision to serve adjoining un-subdivided

land, as determined by the Sutherland Village Board of Trustees.

10.2 Off-site Extensions. If street or utilities are not available at the boundary of a

proposed subdivision, and if the Village Board of Trustees finds the extensions across

undeveloped areas would not be warranted as a special assessment to the intervening

properties or as a Municipal expense until some future time, the subdivider may be

required, prior to the approval of the final plat, to obtain necessary easements or right-ofway

and construct and pay for such extensions. Such improvements shall be available for

connections by subdividers of adjoining land.

SECTION 11. SUBDIVISION IMPROVEMENT PROCEDURE.

11.0 Subdivision Improvements Guarantees. Prior to the final plat approval, but after

approval of all improvement plans and specifications, the subdivider shall complete all

improvements required for the subdivision. Final plat approval shall not be given until the

dedication of all appropriate improvements and acceptance thereof by the Village Board of

Trustees.

In lieu of requiring the completion of all improvements prior to the final plat approval, the

Village Board of Trustees may enter into an agreement with the subdivider whereby the

subdivider shall guarantee to complete all improvements required by this Ordinance and

approved by the Planning Commission and Village Board of Trustees in a manner

satisfactory to the Village Board of Trustees. To secure this agreement, the subdivider

shall provide, subject to the approval of the Village Board of Trustees, one (1) or more of the

guarantees set forth in Section 802, 803 and 804.

11.1 Surety Performance Bond. The subdivider shall obtain a performance bond from a

bonding company authorized to do business in the State of Nebraska. The bond shall be

payable to the Village and shall be in an amount to cover one hundred ten (110) percent of

the cost of all improvements, as estimated by the subdivider and accepted by the Village

Board of Trustees upon recommendations of the Village Attorney and Engineer. The

duration of the bond shall be until such time as the improvements are accepted by the

Village Board of Trustees in accordance with Section 11.9 of this Ordinance.

11.2 Escrow Account. The subdivider shall deposit cash, or other instrument readily

convertible to cash at face value, either with the Village Board of Trustees or in escrow with

a bank. The use of any instrument other than cash, and in the case of an escrow account,

the bank with which the funds are to be deposited, shall be subject to the approval of the

Village Board of Trustees. The amount of the deposit shall be an amount equal to one

hundred ten (110) percent of the estimated cost of all required improvements as estimated

by the subdivider and accepted by the Village Board of Trustees upon recommendation of

the Village Engineer.

11.3 Security Agreement. The subdivider shall provide a Security Agreement guaranteeing

the installation of all required improvements. The Security Agreement must be approved

by the Village Attorney and in an amount sufficient to guarantee the installation of all

improvements.

In the case of an escrow account, the subdivider shall file with the Village Board of Trustees

an agreement between the bank and himself guaranteeing the following:

1. That the funds of said escrow account shall be held in trust until released by the

Village Board of Trustees and may not be used or pledged by the subdivider as

security in any other matter during that period.

2. That in the case of a default on the part of the subdivider to complete said

improvements, the bank shall immediately make the funds of said account available

to the Village Board of Trustees for use in completion of the improvements.

11.4 Improvement (Assessment) District. Because the original intent of such

improvements in already built-up areas, and because the Village should not assume the

risk of real estate development which results if the lots are unable to be sold and the

subdivider defaults on the assessment payments, the use of improvement Districts in

connections with new subdivision developments shall not be used as a method of financing

such improvements. Only in specific cases where the subdivider illustrates through

extensive market research will the Village Board of Trustees consider acceptances of an

improvement District as a means of financing the necessary improvements and providing

financial security to the Village.

11.5 Time Limits. Prior to the granting of final plat approval, the subdivider and the

Village Board of Trustees shall agree upon a deadline for the completion of all

improvements. Such deadline shall not exceed two (2) years from the date of final plat

approval, provided, however, the Village Board of Trustees may extend that deadline for

one (1) additional year where the subdivider present substantial reason for doing so and

provides any additional performance surety made necessary due to inflation or increased

cost of completing the improvements.

11.6 Installation of Improvements. Developers may select either method or combination of

methods listed below to comply with the minimum improvement requirements:

1. They may install the required improvements upon acceptance of plans and

specifications being approved by Village Engineer and Village Board of Trustees.

2. They may submit a petition or petitions requesting the Village to construct street

surfacing, sanitary sewer, and water mains in the proposed subdivision by the

District method. In that event, the Village will prepare plans and specification for

all such improvements Districts and shall assess the cost of such improvements to

the adjacent property, as provided by law. The size of any street improvement

District, sanitary sewer District, or water main District, shall be determined by the

Village Board of Trustees and the construction of any such District shall be subject

to the Village's ability to finance any of the improvements.

11.7 Plan Review Reimbursement. The subdivider or Sanitary and Improvements

District shall reimburse the Village such costs incurred by the Village for Plan Review,

Plan Check, and Plan Approval as to conformance with approved Village Standards

and Specifications, but such costs shall not exceed one (1) percent of the total

contracted cost for improvements in the subdivision.

11.8 Failure to Complete Improvements. If any portion of the required improvements

shall fail to be completed and accepted for dedication in compliance with Section 11.9

below within the required time period, either for reason of non-completion or for reason

of substandard and unacceptable construction, the Village Board of Trustees shall

accept one (1) of the following sections:

1. Where improvements have Sutherland guaranteed under Section 11.1 of this

Ordinance, the bond shall be forfeited to the Village.

2. Where improvements have Sutherland guaranteed under Section 11.2 of this

Ordinance, the Village Board of Trustees shall declare whatever security has

Sutherland pledged as a guarantee to be forfeited.

Where the Village Board of Trustees is not already in possession of said security,

it shall immediately take the actions necessary to obtain it. Upon receipt of the

security, the Village Board of Trustees shall use such to finance the completion

of the improvements or rebuilding of substandard improvements. Unused

portions of the surety shall be returned to the subdivider without interest.

11.9 Inspection and Certification. The Village Engineer or other authorized person

shall regularly inspect construction of required improvements for defects. Upon

completion of the improvements, the Village Engineer or other authorized person shall

file with the Village Board of Trustees a statement either certifying that the

improvements have Sutherland completed in the specified manner or listing defects in

those improvements which do not meet the requirements of the approved improvement

plans and specifications.

Upon completion of the improvements, the subdivider shall file with the Village Board

of Trustees a statement stipulating the following:

1. That all required improvements are complete

2. That these improvements are in compliance with the minimum standards

specified by the Planning Commission and Village Board of Trustees.

3. That the subdivider knows of no defects from any cause in the improvements.

4. That these improvements are free and clear of any encumbrance or lien.

If the Village Engineer or other authorized person has certified that the improvements

are complete and free from defect, the Village Board of Trustees shall accept any

dedication of improvements. The Village Board of Trustees may, at its discretion,

accept the dedication of any portion of the improvements provided that all statements

and agreements specified above have Sutherland received for that portion of the

improvements.

11.10 Reduction of Guarantees. In those cases where improvement guaranteed have

Sutherland made under Section 11.1 or 11.2 of this Ordinance, the amount of the

guarantee may be reduced upon acceptance in compliance with Section 11.9 of the

dedication of a portion of the improvements.

11.11 Release of Guarantees. Upon acceptance, in accordance with Section 11.9 of this

Ordinance, the Village Board of Trustees shall authorize the release of the performance

bond or the remaining portion of the escrow.

SECTION 12 DEDICATION OF PUBLIC LAND

12.1 Dedication.

1. At the time of final plat approval by the Village Board of Trustees, the owners

shall be required to dedicate to the public use all streets, alleys, easements, and

buffer strips as required by the Village Board of Trustees and these Regulations.

Acceptance of dedicated land shall be recorded in the minutes of the Village

Board of Trustees.

2. Subdividers of "Commercial" type subdivisions may be required to dedicate land

for off-street parking as determined necessary by the Village Board of Trustees.

SECTION 13. ANNEXATION AND RECORDING OF PLAT

13.1 Subdivision Annexation of Adjoining or Contiguous Properties. All subdivisions

or additions laid out adjoining or contiguous to the Corporate Limits shall be included

within the same and become a part of the municipality for all purposes whatsoever,

upon approval of and acceptance by Resolution of the Village Board of Trustees. (Ref

'' 19-916)

13.2 Subdivision Annexation: Petition for Annexation. Any subdivision in which

there are lands dedicated to the Village or any subdivision serviced by public utilities

shall be annexed to the Village. Before approval for the final plat is given, the

Municipal Body shall receive a Petition for annexation from the owners of the

subdivided properties.

13.3 Subdivision Annexation: Adoption Plan by Resolution. The Village Board of

Trustees desiring to annex land under the authority of this section shall first adopt

both a resolution stating that the Village is considering the annexation of the land and

a plan for extending Village services to the land. The resolution shall state:

1. The time, date and location of the public hearing required below;

2. A description of the boundaries of the land proposed for annexation; and

3. That the plan of the Village for extension of Village services to the land proposed

for annexation is available for inspection during regular business hours in the

office of the Village Clerk.

The plan adopted by the Village Board of Trustees shall contain sufficient detail to

provide a reasonable person with a full and complete understanding of the intentions of

the Village for extending Village services to the land proposed for annexation. The

plan shall:

1. State the estimated cost impact of providing the services to such land.

2. State the method by which the Village plans to finance the extension of services

to the land and how any services already provided to the land will be

maintained.

3. Include a timetable for extending service to the land proposed for annexation,

and

4. Include a map drawn to scale clearly delineating the land proposed for

annexation, the current boundaries of the Village, the proposed boundaries of

the Village after annexation and the general land-use pattern in the land

proposed for annexation.

A public hearing on the proposed annexation shall be held within sixty days following

the adoption of the resolution to allow the Village Board of Trustees to receive

testimony from interested persons. The Village Board of Trustees may recess the

hearing, for good case, to a time and date specified at the hearing.

A copy of the resolution providing for the public hearing shall be published in the

official newspaper or the Village at least once not less than ten days preceding the date

of the public hearing. A map drawn to scale delineating the land proposed for

annexation shall be published with the resolution. A copy of the resolution providing

for the public hearing shall be sent by first-class mail, following its passage, to the

school board of any school District in the land proposed for annexation.

SECTION 14. VARIANCES.

14.1 Granting of Variances; Conditions. The Sutherland Village Board of Trustees

may grant variances from the provisions herein, but only after determining that:

1. There are unique circumstances or conditions affecting the property,

2. The variance is necessary for the reasonable and acceptable development of

the property in question,

3. The granting of the variance will not be detrimental to the public welfare or

injurious to the adjacent property.

14.2 Recording of Plat. In no case shall the requirement of filing and recording a plat

for subdivision be waived.

14.3 Planned Development. The Village Board of Trustees may also grant reasonable

variances, if the subdivider concurrently submits an application for, and obtains

approval of, a planned development. The subdivider shall indicate where the plans

vary from the requirements of this Article and shall present sufficient evidence to

support the request, indicating why the request will not be detrimental to the public

health, safety and welfare.

SECTION 15. WAIVER FOR SMALL SUBDIVISIONS. The subdivider may make

application for, and the Village Board of Trustees may grant, a waiver of some or all of

the requirements provided for herein for small residential, commercial and industrial

subdivisions where the following conditions exist:

1. The subdivision contains no more than four (4) lots, which total area of said

lots shall not exceed one half (1/2) acre each, and conform to existing zoning

Ordinances,

2. All lots of the proposed subdivisions shall be platted on existing streets,

3. Surfaces of all streets serving the subdivision meet, or exceed, street

surface standards of the Village,

4. Public water, sanitary sewer, storm sewer system facilities are available to

all lots in the subdivision,

5. The development of the subdivision will not increase erosion or flooding

potential, and

6. The subdivider demonstrates to the Village Board of Trustees that said

development is in conformity with the potential development of abutting

property. A subdivider requesting a waiver hereunder shall submit said

request in writing to the Village Board of Trustees prior to the submission

of a preliminary plat. The request for a waiver shall include a list of all

requirements for which a waiver is sought by reference to code numbers

and descriptive headings.

SECTION 16. PUBLIC SITES AND OPEN SPACES.

16.1 Recreation Standards. The Sutherland Planning Commission may require that

land be dedicated for parks and playgrounds or other recreation purposes. Such areas

shall be shown and marked on both the preliminary and final plat, as "Dedicated for

Park and/or Recreation Purpose." The developer shall dedicate all such recreation

areas to the Village of Sutherland as a condition of final subdivision plat approval. The

Commission may require that the recreation area be located at a suitable place on the

edge of the subdivision so that additional land may be added at such time as the

adjacent land is subdivided. In no case shall an area of less than one (1) acre be

reserved for recreation purposes if it will be impractical or impossible to secure

additional lands in order to increase its area.

16.2 Recreation Sites. Land reserved for recreation purposes shall be of a character

and location suitable for use as a playground, playfield, or for other recreation

purposes; and shall be improved by the developer to the standards required by the

Planning Commission, which improvements shall be included in the performance bond.

A recreation site shall have a total frontage on one (1) or more streets of at least one

hundred (100) feet, and no other dimension of the site shall be less than one hundred

(100) feet unless it is for a designated linear park. The Planning Commission may

refer any subdivision proposed to contain a dedicated park to the Sutherland Park

Board for a recommendation. All land to be reserved for dedication to the Village of

Sutherland for park purposes shall have prior approval of the Village Board of Trustees

and shall be shown marked on the plat "Dedicated for Park."

SECTION 17. AMENDMENTS. Any provision herein from time to time may be

amended, supplemented, changed, modified or repealed by the Governing Body

according to law; Provided, however, that such amendments, supplements, changes,

modifications or repealed provisions shall not become effective until after study and

report and recommendations of the Planning Commission.