

Note: this text is not the original Chapter as codified by ECIA in 2000. It has been altered to include amendments passed as Ordinance 163, effective June 5, 2001; Ordinance 191, effective May 1, 2003; Ordinance 234, effective June 28, 2007; and Ordinance 238, effective September 6, 2007, by Zoning Administrator David Manning September 27, 2007.

TITLE VI PROPERTY AND LAND USE

CHAPTER 1 SUBDIVISION REGULATIONS

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PURPOSE, JURISDICTION AND CLASSIFICATION.

6-1-1 PURPOSE. This ordinance provides rules and regulations for the platting of land within the unincorporated areas of Jackson County, Iowa; prescribes minimum standards for the design and development thereof; establishes procedures for the approval of preliminary and final subdivision plats and requires, as a condition of approval, certain improvements; all for the following purposes:

1. To provide for a balance between the land use rights of individual landowners and the economic, social, and environmental concerns of the public;
2. To encourage orderly community development and provide for the control of the extension of public improvements, services, and utilities, the improvement of land, and the design of subdivisions, consistent with the Jackson County Land Use Policy Statement as adopted by Resolution and consistent with the purposes and provisions of Chapter 354 of the Code of Iowa.
3. To provide uniform procedures for the preparation, submittal, review and recording of plats.

6-1-2 JURISDICTION. All plats of land surveys that divide land in the unincorporated areas of Jackson County, excepting auditor's plats, acquisition plats, and plats incidental to the disposition of excess public right-of-way, shall be prepared, submitted, reviewed, and recorded in compliance with the terms of this ordinance.

REGULAR PLATS OF SURVEY

6-1-3 REGULAR PLATS OF SURVEY DEFINED. Regular plats of survey are herein defined, to include all plats of survey that divide land, but are not auditor's plats, acquisition plats or subdivision plats.

6-1-4 REGULAR PLATS OF SURVEY PREPARATION. Regular plats of survey shall meet the following requirements specific to Jackson County:

1. Standard plat size shall be eight and one-half (8 ½) by fourteen (14) inches, though plats eleven (11) by seventeen (17) inches will be accepted. If these sizes are too small to show relevant detail clearly, more than one sheet may be used.
2. Plat scale shall be one (1) inch equals one hundred (100) feet, two hundred (200) feet, three hundred (300) feet, or four hundred (400) feet. Other scales may be used only with the approval of all reviewing officials.
3. A locator sketch shall be included showing the approximate location of the surveyed land within its section, quarter section, and quarter-quarter section.
4. Plats shall show, within the land surveyed, centerline locations of all existing entrances to public roads and the approximate location and type of each structure known to the surveyor. Where structures are closer than forty (40) feet from parcel boundaries which create new divisions of land, actual minimum distance from wall to boundary shall be shown.

5. All dates when monumentation was placed shall be listed on the plat.

6. When a U. S. public land survey system corner controls the land description, the location of its corner certificate in the Recorder's office shall be noted on the plat by instrument number and book and page numbers unless its corner certificate is being filed with the plat.

6-1-5 REGULAR PLATS OF SURVEY: CORNER CERTIFICATES, CHECKLIST AND FEES.

Regular plats of survey presented to the Jackson County Recorder shall be accompanied by the following:

1. All corner certificates required to support the plat by Iowa Code Chapter 355 and Iowa Administrative Code 193C-2, et seq.

2. A plat of survey preparation checklist, adopted separately by resolution, that has been completed and signed by the surveyor.

3. All pertinent fees.

6-1-6 REVIEW AND RECORDING PROCEDURE. The Jackson County Recorder shall, upon receipt of a regular plat of survey and the required fees and attachments, withhold the plat from recording and provide copies of the plat and attachments to the Auditor, Assessor, and Zoning Administrator. Each of these officials shall review the plat according to the duties of their office and provide the Recorder with a signed statement waiving objections to the recording of the plat or, if deficiencies are noted, shall notify the surveyor of deficiencies found. When all reviewing officials have waived objections, the Recorder shall record any plat conforming to this ordinance. If after thirty (30) days from initial filing of the plat the surveyor specifically requests recording of a filed plat, the Recorder shall record any plat that conforms to this ordinance, whether or not all reviewing officials have waived objections.

SUBDIVISIONS

6-1-7 SUBDIVISION PLAT REQUIRED. Subdivision plats shall be prepared and submitted in accordance with the provisions of this ordinance whenever, for land in the unincorporated area of Jackson County, either of the following situations occur:

1. A survey plat creates a new street, or further divides an existing subdivision for the purpose of creating a new development lot.

2. A division of land for which a recorded survey plat is required by Iowa Code section 354.4 will result in a total of three (3) or more parcels within any one quarter-quarter section or government lot, subject to the exemptions listed below.

3. For the purpose of this chapter, parcels in the following categories shall not be counted in determining the number of parcels in a quarter-quarter section or government lot, nor shall the creation of such a parcel require the recording of a subdivision plat:

- a. Parcels created by auditor's plats or acquisition plats as defined;
- b. Parcels ten (10) acres or larger in area, except within a platted subdivision;

c. Parcels created since January 16, 1997 by boundary line adjustment plats and other plats incidental to altering pre-existing property boundaries between adjacent landowners;

d. Parcels sharing a common surveyed legal description with larger adjacent parcels in other quarter-quarter sections or government lots;

e. Parcels created by the governments of the United States of America, the State of Iowa, or any political subdivisions thereof.

6-1-8 CLASSIFICATION. All proposed subdivisions shall be classified as a major subdivision or a minor subdivision.

1. A major subdivision is any subdivision that creates more than one additional parcel and results in five (5) or more parcels in any quarter-quarter section or government lot; or involves any new streets or other improvements; or creates any new parcels smaller than two (2) acres.

2. A minor subdivision is any subdivision that results in a total of three (3) or four (4) parcels in any quarter-quarter section or government lot or creates only a single additional parcel with no improvements; involves no new streets or other improvements; and creates no new parcels smaller than two (2) acres.

PLATTING PROCEDURES.

6-1-9 MAJOR SUBDIVISIONS.

1. Preliminary Platting Procedure.

a. The subdivider of any tract of land to be divided as a major subdivision shall cause a preliminary plat to be prepared containing the information specified herein and shall file fifteen (15) copies and a reproducible sepia or tracing of the plat with the Zoning Administrator.

b. The Zoning Administrator shall immediately transmit seven (7) copies of the preliminary plat to the Zoning Commission and one (1) copy each to the County Engineer, County Health Administrator, County Assessor and County Auditor for study and recommendation.

c. The Zoning Commission shall hold a public hearing on the preliminary plat. At least ten (10) days notice of the time and place of such hearing shall be published in a newspaper having general circulation in the County. All owners of land within five hundred (500) feet of the property to be divided shall be individually notified by letter. Upon holding the hearing, but prior to making a recommendation, the Commission shall consider the recommendations of the County Engineer and Board of Health as well as the conformity of the plat to the standards and intent of this ordinance.

d. The Commission shall, within forty-five (45) days of the filing of the plat, submit its recommendations to the Supervisors whether of approval, modification or disapproval, stating its reasons therefore. The subdivider may, however, agree to an extension of time not to exceed sixty (60) additional days. A copy of the recommendations shall be forwarded to the subdivider.

e. The Supervisors, upon receipt of the Commission's recommendations, or after the forty-five (45) days for Commission action or any extension thereof shall have passed, shall have forty-five (45) days to consider and by resolution approve, approve with conditions, or reject the preliminary plat. In considering action on the plat, the Supervisors shall determine whether or not the plat conforms to its land use ordinances and Land Use Policy Statement and

shall give special consideration to the standards as listed in Chapter IV. A resolution rejecting a plat must state specifically why the plat is being rejected, and the subdivider must be given thirty (30) days in which to present an amended plat. Preliminary plat approval by the Supervisors shall constitute a stated intention to approve the subdivision pending satisfactory completion of the final plat requirements.

2. Final Platting Procedure.

a. Except as noted below, a final plat shall be submitted within twelve (12) months of the approval of the preliminary plat or such approval shall expire and the preliminary plat shall be resubmitted for approval prior to preparation of a final plat.

b. At the subdivider's discretion, final plats may be submitted concurrently with preliminary plats. However, in such case the deadlines for County action shall be the same as are provided for preliminary plats.

c. By special request at the preliminary plat stage, the Commission may allow final platting and development in distinct phases. In such cases final plats for subsequent phases shall be submitted within three (3) years of Supervisor action on the final plat for the previous phase.

d. Procedures for final plats shall be the same as set out for preliminary plats in Section 6-1-4(1) above, except that a public hearing shall not be required, and final action by the Supervisors must be taken within sixty (60) days of the original filing of the plat.

e. The Supervisors shall not issue final approval of a subdivision plat unless the plat conforms to sections 355.9, 354.6, 354.8, and 354.11 of the Code of Iowa.

f. If the subdivision plat and all matters related to final approval of the subdivision plat conform to the standards and conditions of this ordinance, and conform to chapter 354 and 355 of the Code of Iowa, the Supervisors shall by resolution approve the plat and certify the resolution which shall be recorded with the plat.

6-1-10 MINOR SUBDIVISIONS. Procedures for minor subdivisions shall follow the procedures for major subdivisions in section 6-1-9 above except as noted below:

1. Applicable preliminary plat data may be filed with the final plat, whether presented on a separate plat, presented as attachments, or incorporated into the final plat. The deadlines for County action shall be the same as for preliminary plats.

2. Plats for minor subdivisions shall be filed with the Zoning Administrator with eight (8) copies provided. No copies are needed for consent and approval attachments.

3. The Zoning Administrator shall distribute copies of the plat to the County Auditor, County Assessor, and County Engineer for review and comment.

4. Minor plats shall be presented to the Board of Supervisors at the earliest opportunity. The Board shall place it on their agenda for action at an upcoming meeting, or send it to the Zoning Commission for public hearing and/or recommendation. The Board's choice of procedure shall be based on the extent of the plat's apparent potential for negatively impacting adjacent property and/or the general public.

5. If the plat conforms to the requirements of this ordinance and Chapters 354 and 355 of the Code of Iowa, the Supervisors shall approve it and certify the resolution which shall be recorded with the plat. Final action by the Supervisors shall be taken within sixty (60) days of the filing of the plat.

6-1-11 ALL SUBDIVISIONS.

1. Plats Within Two (2) Miles of a City. For plats for which a city has extraterritorial subdivision review rights as granted by section 354.9 of the Code of Iowa, the following additional provisions shall apply.

a. The plat shall be submitted to both the city and the County for approval.

b. The standards and conditions applied by a city for review and approval of the subdivision shall be the same standards and conditions used for review and approval of subdivisions within the city limits or shall be the standards and conditions for review and approval established by agreement of the city and County pursuant to chapter 28E of the Code of Iowa.

c. Either the city or County may, by resolution, waive its right to review the subdivision or waive the requirements of any of its standards or conditions for approval of a subdivision, and certify the resolution which shall be recorded with the plat.

d. The Recorder shall refuse to accept a subdivision plat presented for recording without a resolution from each applicable governing body approving the subdivision plat or waiving the right to review.

2. Appeal of Plat Action. Appeal of County action on a plat may be taken to district court by an applicant or a city having jurisdiction over the plat. Grievances may include the requirements imposed as a condition of approval; failure to take final action on the plat within sixty (60) days of its filing date or failure to meet any other time limitation stated in this ordinance; and disapproval of the plat. Appeals must be filed within twenty (20) days of notification of the action appealed (or failure to act) and will proceed according to the provisions of section 354.10 of the Code of Iowa.

IMPROVEMENTS.

6-1-12 IMPROVEMENTS REQUIRED FOR MAJOR SUBDIVISIONS. In major subdivisions, improvements shall be installed in accordance with the following provisions.

1. Sewage Collection and Treatment. On lots smaller than two (2) acres, where it is determined by the Jackson County Board of Health that on-lot sewage treatment would threaten the public health, one of the following shall be provided:

a. Public Collection System. Where sewage treatment by a municipality is reasonably accessible, as determined by the Jackson County Board of Health, a complete sanitary sewer system shall be provided and connected to the municipal sewer system. Such systems shall be approved by the municipality and designed and constructed in accordance with applicable municipal specifications.

b. Subdivision Collection and Treatment System. Where required, a sewage collection and treatment system shall be installed to serve the subdivision. Design standards for such systems shall be set by the Iowa Department of Natural Resources or, when such system is not of sufficient size to fall within state jurisdiction, the Jackson County Board of Health.

2. Water. On lots smaller than two (2) acres, where it is determined by the Jackson County Board of Health that individual wells would threaten the public health, or where the subdivider chooses to provide water to each lot, one of the following facilities shall be provided:

a. Municipal Water System. Where water service by a municipal water system is reasonably accessible, as determined by the Jackson County Board of Health, a complete water

main supply system including hydrants, valves and other appurtenances which shall extend into and through the subdivision and which shall provide for a water connection to each lot, shall be installed and connected to the municipal water system.

b. Subdivision Water System. Where a municipal water system is not available, the subdivider shall install a subdivision water supply and distribution system, including all necessary mains, valves, hydrants, and other appurtenances, in accordance with the standards and requirements of the Iowa Department of Natural Resources or, when such system is not of sufficient size to fall within state jurisdiction, the Jackson County Board of Health.

When a subdivision water system is provided, restrictive covenants must be adopted, to which Jackson County is named a party, which include the following provisions:

(1) the water supply shall be tested annually for coliform bacteria, nitrate, and fluoride at the owners' expense by the Jackson County Health Department, with results supplied to all users;

(2) the water supply shall meet prevailing public health standards for coliform bacteria and nitrate.

3. Storm Drains. The subdivider shall provide the subdivision with adequate drains, ditches, culverts, complete bridges, storm sewers, intakes, and manholes to provide for the collection and removal of all surface waters.

4. Roads. Subject to the modification provisions of section 6-1-29, roads within subdivisions shall be designed and built as follows:

a. Design Considerations.

(1) The road layout shall minimize entrances to the public road system, within the constraints of other provisions of this section.

(2) Proposed roads shall be adjusted to the contour of the land so as to produce usable lots and roads of reasonable gradient, not to exceed 7%.

(3) Cul-de-sacs shall not exceed two thousand (2,000) feet in length in the A-1 Agricultural District or one thousand (1,000) feet in all other districts, measured from the public road right of way.

(4) No more than fifteen (15) lots shall be accessed by any single connection to the public road system.

(5) Roads intersecting existing county roads shall meet current sight distance requirements of the Jackson County Secondary Roads Department.

(6) There shall be a minimum of one hundred fifty (150) feet between the centerlines of any two (2) intersections.

(7) Intersection of more than two (2) roads at a point shall not be permitted.

(8) Alleys shall be discouraged in residential but shall be provided in commercial and industrial areas unless other suitable access to loading and service areas is provided.

(9) Where parkways or special types of roads are proposed, the County may apply special standards for the design of such parkways or roads.

b. Right-of-Way Widths. Right-of-way widths shall be sufficient to provide for adequate drainage and maintenance, but shall at a minimum include all ditch foreslopes and backslopes and shall be a minimum of fifty (50) feet for plats containing eight (8) lots or fewer and a minimum of sixty (60) feet for plats containing nine (9) lots or more. Rights-of-way for roads dedicated to the public shall be a minimum of sixty-six (66) feet.

c. Cross-Section Types.

(1) Standard subdivision roads shall use a rural cross section with ditches to provide drainage.

(2) Curb and gutter may be required where lots are less than fifteen thousand (15,000) square feet in area; where lots have frontages of one hundred fifty (150) feet or less; where it is deemed necessary to control erosion; or where the density of population and anticipated traffic volumes warrant such cross section.

d. Surface Materials and Depths.

(1) Rural cross section roads shall be surfaced with not less than six (6) inches of crushed stone or gravel.

(2) Curb and gutter cross sections shall be surfaced with not less than six (6) inches of portland cement concrete or a minimum of a three (3) inch asphaltic concrete surface over a six (6) inch asphalt treated base. Curbs and gutters themselves shall be of portland cement concrete.

e. Width of Traveled Roadways. Surfaced roadways with rural cross-section on which parking is restricted by restrictive covenants shall be a minimum of twenty (20) feet wide when serving twenty (20) or fewer lots, and a minimum of twenty-six (26) feet wide when serving more than twenty (20) lots. Seven feet of width shall be added to these minimums for each planned parking lane. Roads with curb and gutter cross-section shall be a minimum of thirty-five (35) feet wide from back of curb to back of curb.

f. Cul-de-Sac Design. Dead-ends on streets shall have cul-de-sacs with a minimum eighty-five (85) foot diameter surfaced top and a minimum one hundred ten (110) foot right-of-way diameter. For plats containing eight (8) or fewer lots, alternate termination designs may be approved.

GENERAL PROVISIONS.

6-1-13 GENERAL PROVISIONS. The following provisions shall apply generally to improvements in major subdivisions.

1. Topsoil Salvage. All regrading by the developer in construction of roads, driveways, drainageways, or lot grade alterations shall be subject to topsoil stripping and salvaging procedures as per County specifications.

2. Extension to Boundaries. Where it is deemed appropriate for anticipated development, improvements may be required to be extended to a subdivision boundary.

3. Specifications. The type of construction, materials, methods, associated erosion control measures, and standards for improvements shall be equal to the current specifications of the county for like work. Complete plans and specifications, prepared by a licensed engineer, shall be submitted with the preliminary plat, after the approval of the preliminary plat, or with the final plat, except where these requirements are reduced or waived by the County Engineer under section 6-1-18(5)(a). The Board of Supervisors shall consider comment from the County Engineer and/or Board of Health, as appropriate, and shall then approve or disapprove such plans by resolution. No construction of improvements shall occur until such approval is granted.

4. Timeframe or Construction. Improvements may be installed at any time following approval of the plans and specifications, but must be in place within two (2) years of acceptance of the final plat.

5. Bonding. Improvements not in place and accepted by resolution with the final plat shall be secured with a surety bond which will insure the County that all improvements will be in place and functional within two (2) years of official acceptance of the final plat. The form and

type of the bond shall be approved by the County Attorney and the amount of the bond shall not be less than the amount of the estimated cost of the improvements as determined by the County Engineer plus ten (10) percent. If the improvements are not completed within the specified time, the Board may use the bond or any necessary portion of it to complete the improvements.

6. Inspection. Upon notification of installation, the Board shall cause the inspection of all required improvements. Inspection of sewer and water facilities shall be by the Board of Health. Inspection of road and drainage improvements and associated erosion control measures shall be by the County Engineer. Inspecting personnel shall be given advance notice of the construction schedule to allow for in-progress inspections. The Board, upon receiving written reports from the inspectors that the improvements have been made in substantial compliance with the approved plans and specifications, shall by resolution acknowledge satisfactory completion in writing to the subdivider. The cost of such inspection shall be estimated and included in the final plat filing fees.

7. Maintenance. Except where improvements are dedicated to the public and specifically accepted by resolution due to exceptional and substantial public interest, the County shall assume no responsibility for the maintenance of improvements. Covenants filed with the final plat shall place maintenance of all non-dedicated improvements in the hands of lot owners, and shall specify the process for decision-making as regards all maintenance procedures and cost allocation.

6-1-14 IMPROVEMENTS WITHIN TWO (2) MILES OF A CITY. Improvements within two miles of a city having co-jurisdiction over a subdivision shall be made in accordance with the requirements of the city, except that where city standards or procedures are less stringent, the provisions of this ordinance shall apply. The previous sentence shall be disregarded if either the city or the County choose to waive their right to review the plat as provided in section 354.9 of the Code of Iowa.

6-1-15 COMMERCIAL OR INDUSTRIAL IMPROVEMENTS. All improvements designed for commercial or industrial use shall be designed in accordance with standard engineering practice in consultation with the County Engineer.

OTHER STANDARDS.

6-1-16 BLOCKS.

1. The length of blocks shall not exceed 1,250' in length.
2. Blocks shall be of sufficient width to permit two (2) tiers of lots of appropriate depth, except where a single tier of double frontage lots parallels a limited access highway, a thoroughfare, railroad or other barrier, the width shall be not less than one hundred fifty (150) feet.
3. Crosswalks may be required in blocks over seven hundred (700) feet long or in areas where curved road would require excessive pedestrian travel. If required, they shall be constructed by the developer.

6-1-17 LOTS. All lots shall conform to the minimum lot area and width requirements of the Jackson County Zoning Ordinance for their zoning district and to the following:

1. All lots shall abut on a street.
2. Side lines of lots shall approximate right angles to straight street lines and radial angles to curved street lines except where a variation will provide better street and lot layout.
3. Lots with double frontage shall be avoided except in specific locations where sound planning principles indicate their use.
4. Corner lots shall not be less than ninety (90) feet in width and interior lots shall not be less than eighty (80) feet in width at the building line.

6-1-18 ACCESS. Access to subdivision lots shall minimize entrances to the public road system insofar as is reasonable. In addition to new subdivider-installed streets, the Board of Supervisors may approve the use of direct accesses to individual lots, direct accesses shared by two lots, individual private access easements as herein defined, or combinations of the above where circumstances justify them. It is the intent of this ordinance that no more than one lot or parcel shall be accessed by traveling over the same individual private access easement, excepting that portion of such an easement which lies within the right-of-way of a public road.

6-1-19 DRIVEWAYS. Driveways connecting lots to the public or private road system shall be subject to the following provisions.

1. Standards for materials, design, and construction of driveways shall meet or exceed the standards of the county for like work.
2. Where driveways are not installed as improvements by the developer, covenants attached to the lots shall require installation of driveways to be completed by the lot owner in accordance with the plat and its attachments before construction of any buildings begins.
3. Upon notification of completion of driveway construction, the County Engineer shall cause the driveway to be inspected and shall issue a report to the owner regarding the project's conformance with the plat or its attachments. Fees for such inspection shall be estimated and included in the final plat filing fees. Exemption from this inspection and fee requirement may be granted by the Board of Supervisors where no culverts are required and the general slope of the area beyond the right-of-way is moderate, or where for other reasons driveways present no safety or drainage concerns.

6-1-20 BOUNDARY FENCES. The developer shall assume responsibility for all boundary fences with adjacent farm land by means of a valid and recorded fence agreement between the subdivider and the adjacent landowner. This responsibility shall be passed on to subsequent owners of lots or to an association of lotowners established through restrictive covenants attached to the lots. However, where an entire border lies adjacent to a single lot, the subdivider need not accept any additional fencing responsibility.

6-1-21 GENERAL STANDARDS. Within the context of accommodating moderate development of rural land and in light of our Land Use Policy Statement, the following standards shall be met.

1. Plats shall be consistent with the provisions of this and other Jackson County land use ordinances including the Zoning and Flood Plain Management Ordinances and with the Land Use Policy Statement.

2. The area platted shall be suitable for the proposed development, particularly as regards topographic and apparent subsurface conditions and to the availability of utility services.

3. The anticipated effect of the subdivision on nearby property values shall not be significantly negative.

4. The proposed development will not place an undue burden on the public road system and other public services.

5. Sound planning and engineering practices shall be used in developing the plat and its features.

6. The proposed development shall preserve or enhance significant natural assets, such as scenic vistas, historic sites, woodlands, stream and river corridors, and highly productive agricultural land.

7. The proposed development shall be in the overall public interest.

PLAT REQUIREMENTS.

6-1-22 PRELIMINARY PLATS. Preliminary plats, as required for all major subdivisions, shall consist of at least the following:

1. A location map showing:
 - a. The location of the subdivision in relationship to existing roads, rivers, cities or other prominent features.
 - b. An outline of the area to be subdivided.
 - c. North point and graphic scale.

2. A preliminary plat of the subdivision drawn to the scale of fifty (50) feet to one (1) inch, provided that if the resulting drawing would be over thirty-six (36) inches in shortest dimension, a scale of one hundred (100) feet to one (1) inch may be used. The preliminary plat shall show:
 - a. Legal description, acreage and proposed name of the subdivision.
 - b. Name and address of the owner.
 - c. Name of person who prepared the plat and date thereof.
 - d. North point and graphic scale.
 - e. Tract boundary lines showing dimensions, bearings, and references to known lines or bench marks.
 - f. Names of adjacent property owners or subdivisions.
 - g. Location of existing lot lines, roads, public utilities, water mains, sewers, drain pipes, culverts, water courses, bridges, railroads and buildings in the proposed subdivision.
 - h. Location, width, and other dimensions of proposed roads, existing and proposed entrances to public roads, utility easements, and any reserved areas.

- i. Layout of proposed blocks (if used) and lots, including the dimensions of each, progressively numbered.
- j. Contours at vertical intervals of not more than two (2) feet if the general slope of the site is less than ten (10) percent and at vertical intervals of not more than five (5) feet if the general slope is ten (10) percent or greater. For plats containing eight (8) lots or fewer, the County Engineer may reduce or waive these requirements.
- k. Drainage patterns on the site.
- l. Location of proposed storm sewers, ditches, culverts, bridges and other structures.
- m. Drainage volume estimates for the ten (10) and twenty-five (25) year rainfall events in cubic feet per second for each drainageway leaving the subdivision before and after full projected development. For plats containing eight (8) lots or fewer, the County Engineer may reduce or waive these requirements.
- n. Grades of proposed roads.
- o. Typical cross sections of proposed roads showing the roadway location, type and width of surfacing, type of drainage and other improvements to be installed.
- p. Size, type, and location of proposed wells and/or water mains and sewage disposal method if a public or community system is used.

3. Attached written statements providing the following information:

- a. Methods and/or techniques proposed for controlling erosion along new or altered drainage courses, roads or other areas subjected to erosion which will become a permanent part of the subdivision.
- b. Temporary measures to be used to control erosion during any initial grading of the site and installation of improvements.
- c. Erosion control standards which will apply to individual lot development through deed covenants.
- d. For all utilities to be installed by the developer, the location and proposed size or capacity.
- e. A statement from applicable utility companies that utility easements shown on the plat are adequate and that utility capacities in the area are adequate to serve anticipated development.

6-1-23 FINAL PLATS. The final plat shall meet the following specifications:

- 1. It may include all or only part of the preliminary plat.
- 2. The plat shall be a permanent copy or photographic print on plastic film.
- 3. The plat shall be at a scale of one hundred (100) feet to one (1) inch or other appropriate scale with prior approval of all reviewing officials. Standard plat size for recording shall be eight and one-half by fourteen (8 ½ x 14) inches, though plats eleven by seventeen (11 x 17) inches will be accepted. If drawings at an approved scale would be too large for these sheet sizes, more than one sheet may be submitted for recording, but drawings on a single sheet must be provided for all reviewers.
- 4. The plat shall be clearly marked "Final Plat" and shall provide the specific information required by Sections 354.6 and 355.8 of the Code of Iowa, including but not limited to the following:
 - a. Name of the subdivision, to be unique within the county, as approved by the County Auditor.

- b. Name and address of the owner and subdivider.
- c. Scale, and a graphic bar scale, north arrow and date on each sheet.
- d. Legal description of the land being surveyed.
- e. Survey data sufficient to positively describe the bounds of every lot, block, street, easement, or other areas shown on the plat, and the outer boundaries of the surveyed lands, referenced to two section corners within the United States public land survey system in which the plat lies or, if the plat is a subdivision of any portion of a recorded subdivision plat, two established monuments within the recorded subdivision plat. When a U. S. public land survey system corner controls the land description, the location of its corner certificate in the Recorder's office shall be noted on the plat by instrument number and book and page numbers unless its corner certificate is being filed with the plat.
- f. Location, type, material, and size of all monuments and markers.
- g. Street names as approved by the County Engineer and clear designation of public alleys.
- h. Progressive lot numbers, and block numbers if appropriate.
- i. Easements necessary for the orderly development of the land within the plat and clear statement of their purpose.
- j. Accurate locations of all existing and recorded roads intersecting or bordering the boundaries of the subdivision, and of all entrances to public roads from the subdivision which are proposed for use.
- k. Identification of adjoining properties, and if adjoining properties are part of a recorded subdivision, the name of that subdivision.
- l. Progressive lettering for and proposed use designation for all streets, alleys, parks, open areas, school property, other areas of public use, and areas within the plat set aside for future development.
- m. Accurate description of any property to be dedicated or reserved for public, semi-public or community use.
- n. For all plats lying in more than one quarter-quarter section, the acreage lying in each quarter-quarter section as required in Section 354.6 (3) of the Code of Iowa.
- o. Certification by a registered land surveyor that the plat conforms to Sections 354.6 and 355.8 of the Code of Iowa, was prepared by the surveyor or under the surveyor's direct personal supervision, signed and dated by the surveyor and bearing the surveyor's Iowa registration number and seal.

5. The following documents shall also be a part of the final plat:

- a. A copy of complete plans, profiles, cross sections, and specifications for all improvements and driveways, to include final grades for all improvements and to include associated temporary and permanent erosion control measures, prepared by an engineer licensed to practice in Iowa. For plats of eight (8) lots or fewer, the County Engineer may reduce or waive these requirements.
- b. If improvements have been completed prior to final plat approval, a copy of the resolutions of the Board of Supervisors approving their plans and specifications and acknowledging satisfactory completion of such improvements.
- c. Entrance permits for all proposed entrances to public roads.
- d. Construction permits for all proposed grading in public right-of-way.
- e. For all boundary fences with adjacent farm land bordering the subdivision, a recorded fence agreement.
- f. A copy of any restrictions that run with the land and become covenants in the deeds of lots, as may be desired by the developer or required elsewhere by this Ordinance.

6-1-24 FINAL PLAT ATTACHMENTS. Plats presented to the County Recorder for recording shall conform to section 354.6 of the Code of Iowa and shall not be accepted for recording unless accompanied by the following documents:

1. A statement by the proprietors and their spouses, if any, that the plat is prepared with their free consent and in accordance with their desire, signed and acknowledged before an officer authorized to take the acknowledgment of deeds. The statement of the proprietors may also include a dedication to the public of all lands within the plat that are designated for streets, alleys, parks, open areas, school property, or other public use, if the dedication is approved by the governing body.

2. A statement from the mortgage holders or lien holders, if any, that the plat is prepared with their free consent and in accordance with their desire, signed and acknowledged before an officer authorized to take the acknowledgment of deeds. An affidavit and bond as provided for in section 354.12 of the Code of Iowa may be recorded in lieu of the consent of the mortgage or lien holder. When a mortgage or lien holder consents to the subdivision, a release of mortgage or lien shall be recorded for any areas conveyed to the Board of Supervisors or dedicated to the public.

3. An opinion from an attorney-at-law who has examined the abstract of title of the land being platted. The opinion shall state the names of the proprietors and holders of mortgages, liens, or other encumbrances on the land being platted and shall note the encumbrances, along with any bonds securing the encumbrances. Utility easements shall not be construed to be encumbrances for the purpose of this section.

4. A certified resolution by the Board of Supervisors and the City Council of any city having the right to review the plat under Sections 354.8 and 354.9 of the Code of Iowa, either approving the plat or waiving its right to review.

5. Certification from the County Treasurer that the land is free from certified taxes other than certified special assessments. If the plat includes land set apart for streets, alleys, parks, open areas, school property, or public use other than utility easements, such certification shall also certify that the land is free of certified special assessments or that any certified special assessments are secured by bond in compliance with Section 354.12 of the Code of Iowa.

6. For any improvements required by this ordinance, a copy of the resolution of the Board of Supervisors acknowledging satisfactory completion of the improvements, or certification from the County Auditor that a surety bond guaranteeing completion, as required elsewhere in this ordinance, has been approved by the County Attorney and filed with the Auditor.

7. All corner certificates required to support the plat by Iowa Code Chapter 355 and Iowa Administrative Code 193C-2, et seq.

GENERAL PROVISIONS.

6-1-25 DEFINITIONS. For the purposes of this ordinance the following terms are defined as follows:

1. Acquisition Plat: the graphical representation of the division of land or rights in land, created as the result of a conveyance or condemnation for right-of-way purposes by an agency of the government or other persons having the power of eminent domain.
2. Auditor's Plat: a subdivision plat required by either the Auditor or the Assessor, prepared by a surveyor under the direction of the Auditor.
3. Building Line: A line established on a plat as a restrictive covenant, between which line and public right-of-way no building may be placed. Building lines need not correspond to the yard requirements of the Jackson County Zoning Ordinance, and where they do not, the most restrictive covenant will control.
4. Conveyance: an instrument filed with a recorder as evidence of the transfer of title to land, including any form of deed or contract.
5. Cul-de-Sac: A short minor street having one end open to motor traffic and the other end being permanently terminated by a vehicular turnaround.
6. Division: dividing a quarter-quarter section, government lot, or parcel into two (2) parcels by conveyance or by the recording of a plat. The conveyance of an easement shall not be considered a division.
7. Easement: authorization by a property owner for the use by another and for a specified purpose of any designated part of his property.
8. Government Lot: a tract, within a section, which is normally described by a lot number as represented and identified on the township plat of the U.S. public land survey system.
9. Improvements: changes to land necessary to prepare it for building sites, carried out by a subdivider in the initial stages of development, including but not limited to grading and installation of wells, water mains, sewers, drainage structures and street surfacing. However, the term shall not apply to entrances to public roads serving only private driveways and individual private access easements as herein defined, or to survey markers.
10. Individual Private Access Easement: authorization by a property owner of use of a specified part of that owner's property by another property owner for the purpose of accessing private property. In context the term may also refer to the land specified by such authorization. It is the intent of this ordinance that no more than one lot or parcel shall be accessed by travelling over the same individual private access easement, excepting that portion of such an easement which lies within the right-of-way of a public road.
11. Lot: a parcel represented and identified by number or letter designation on an official plat.
12. Parcel: a portion of a quarter-quarter section of land or a government lot which is distinct from all adjoining land by virtue of ownership or recorded platting.
13. Plat, Final: the subdivision plat plus accompanying documents in final form which, if approved by the Board of Supervisors, will be filed and recorder by the County Recorder.

14. Plat, Preliminary: a drawing and accompanying documents showing background information about a proposed subdivision site and the developer's general proposal for development. A preliminary plat is used in the approval process for major subdivisions by the Zoning Commission and the Board of Supervisors to study subdivision proposals and approve their basic features before detailed plans and a final plat are prepared.

15. Plat, Subdivision: the graphical representation of the subdivision of land, prepared by a registered land surveyor, having a number or letter designation for each lot within the plat and a succinct name or title that is unique for the county where the land is located.

16. Public Road. A road or street which is a part of the primary or secondary public road system and which is owned and/or maintained by a governmental unit.

17. Resubdivision: subdivision of land that has previously been included in a recorded subdivision plat.

18. Right-of-Way: The entire width of a street, as distinguished from its traveled portion.

19. Street: all land between the right-of-way lines perpetually reserved for transportation on an approved and recorded subdivision plat, whether or not dedicated to and accepted by a governmental unit, intended to provide the primary means of access to abutting land. The term may also, in appropriate context, refer to the surfaced, traveled portion of such land. The definition includes roads, avenues, and other appropriate designations, but excludes private driveways from a street or public road onto a lot and individual private access easements as herein defined.

20. Structure: anything constructed, erected or built, the use of which requires a location on the ground and designed for the support, enclosure, shelter or protection of persons, animals, chattels or property of any kind, including, but without limiting the generality of the foregoing, installations such as signs, billboards, towers and other facilities not designed for storage of property or occupancy by persons.

21. Subdivider: the original proprietor or any person, firm, corporation, partnership or association who shall lay out, for the purpose of sale or development, any subdivision or part thereof as defined herein, either for himself or others.

22. Subdivision: dividing a quarter-quarter section, government lot, or parcel into three (3) or more parcels by conveyance or by the recording of a plat. The term, in appropriate context, also refers to land subdivided.

6-1-26 COMPENSATION TO THE COUNTY. When it is demonstrated that development of a subdivision will result in identifiable public costs to handle increased drainage or traffic, the Board shall require, as a condition of preliminary plat approval, the payment to the County by the subdivider of such costs, or shall require the subdivider to accomplish the work required, subject to inspection by the County Engineer.

6-1-27 UTILITY EASEMENTS REQUIRED. Easements shall be established to enable the provision of customary public utilities to each lot, with a minimum ten (10) foot total width.

6-1-28 RURAL ADDRESS SYSTEM COMPLIANCE.

1. All subdivisions shall be required to comply with the Rural Address System as adopted by the Supervisors.

2. It shall be the responsibility of the Supervisors, upon recommendation of the Engineer, to assign street names to new roads in compliance with the standards of section 4 of the Jackson County Rural Address System Ordinance. The subdivider, however, may propose street names and/or numbers. The final plat shall show the assigned street names and/or numbers. Residence or business addresses shall not be assigned until a building permit is issued.

3. Subdivision property owners on private roads and streets are responsible for the purchase, installation and maintenance of road identification markers at private road intersections within their subdivision. Specifications for the markers shall be in compliance with sections 2 (6) and 7 of the Rural Address System Ordinance. Only names and/or numbers assigned in the Property Numbering Map are allowed on private road intersections. Any other roadway designations are in violation of this Chapter and must be removed within a reasonable time period.

4. The County shall have unrestricted access to all utility and access easement areas for placement and maintenance of street signs and residence numbers as required by the Rural Address System Ordinance.

6-1-29 CLUSTERED RESIDENTIAL SUBDIVISIONS. The Board of Supervisors may approve lots of less than minimum size and width otherwise required for their zoning district, provided that these criteria are met:

1. An amount of space equal to the difference between the acreage of lots platted and the minimum acreage otherwise required for the lots is set aside by the developer as permanent undeveloped space. All lots shall be contiguous with the space set aside.

2. Maintenance of such undeveloped space is provided for in an adequate manner.

3. Plans for the provision of water and wastewater facilities are specifically approved by the Jackson County Health Department.

6-1-30 ENTRANCE PERMITS REQUIRED. All entrance permits required for the subdivision to access public roads shall be obtained by the subdivider prior to final plat approval and their locations shown on the final plat. This provision shall apply to individual lot entrances as well as individual private roadway easements and subdivision streets.

6-1-31 RESERVED STRIPS. A strip of land shall not be reserved by the subdivider unless the land is of sufficient size and shape to be of practical use or service as determined by the Board of Supervisors.

6-1-32 MARKERS. In all subdivisions, markers consisting of an iron rod not less than one-half inch in diameter and twenty-four inches in length shall be placed at all block and lot corners and at all intersections of lines forming angles in lot, block or subdivision boundaries. For the purposes of this ordinance, such markers shall not be considered improvements.

6-1-33 FEES. Each plat submitted for approval shall be accompanied by a non-refundable fee established by resolution of the Board of Supervisors which shall be credited to the General Fund of the County.

6-1-34 MODIFICATION. Where strict application of standards or requirements established by this ordinance would cause substantial hardship or impose unreasonable restrictions on the development of a tract of land because of natural or physical conditions or limitations, not created by the owner or developer, the Zoning Commission may recommend and the Board of Supervisors may grant such modification from these standards or requirements as may be necessary to permit the reasonable development of the land while preserving the intent of this ordinance.

6-1-35 ENFORCEMENT. In addition to other remedies and penalties prescribed by law, the provisions of this ordinance shall be enforced as follows:

1. No plat or subdivision within the unincorporated areas of the County shall be recorded or filed with the County Auditor or County Recorder, nor shall any plat or subdivision have any validity until it complies with the provisions of this ordinance. The County Recorder shall refuse to accept a subdivision plat presented for recording without a resolution from each applicable governing body approving the subdivision plat or waiving the right to review.

2. No public improvements over which the Supervisors have control shall be made with County funds, nor shall any County funds be expended for road maintenance, road improvements or other services in any area that has been subdivided after the date of adoption of this ordinance unless such subdivision and roads have been approved in accordance with the provisions of this ordinance and the road accepted by the Board of Supervisors as a public road.

6-1-36 AMENDMENT. When necessary to further its purpose, this ordinance shall be amended in accordance with the text amendment procedure for the Jackson County Zoning Ordinance.

6-1-37 REPEAL OF CONFLICTING ORDINANCES. The ordinance known as the Jackson County Subdivision Ordinance, as amended, which was first adopted November 14, 1977, and was readopted by Ordinance 51 as recorded in Book 1, Page 89 in the office of the County Recorder, which contains similar purpose and jurisdiction, is hereby repealed and is replaced by this ordinance. All ordinances or parts of ordinances in conflict with or inconsistent with the provisions of this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect.

6-1-38 VALIDITY. Should any section or provision of this ordinance be declared by the courts to be invalid or unconstitutional, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be invalid or unconstitutional.

6-1-39 EFFECTIVE DATE. This ordinance shall be in full force and effect after its passage and publication as required by law.