

**GUIDELINES FOR THE SUBDIVIDING AND PLATTING OF  
LAND WITHIN HARDIN COUNTY, IOWA**

Be it resolved by the Hardin County Zoning Commission:

**SECTION 1. Short Title.** This ordinance shall be known and may be cited as "The Land Subdivision Ordinance of Hardin County".

**SECTION 2. Purpose.** The purpose of this ordinance is to establish rules, regulations, and minimum standards for the design, development, and improvement of all new subdivisions and re-subdivisions within the county subject to the provisions of Chapter 409 Code of Iowa, 1979, in order to promote the public health, safety, convenience, and general welfare. It shall be administered in order to insure the orderly growth and development, the conservation, protection, and the proper use of land and for adequate provisions for public utilities, services, and circulation.

**SECTION 3. Definitions.** For the purpose of this resolution certain terms and words are hereby defined. Other terms and words are defined in Section IV of the Hardin County Zoning Ordinance.

1. **Block:** shall mean an area of land within a subdivision that is entirely bounded by streets or highways and/or the exterior boundaries of the subdivision.
2. **Building Lines:** shall mean a line on a plat between which line and public or private right-of-way no buildings or structures may be erected.
3. **Cul-de-sac:** shall mean a street having one end open to traffic and terminated by a vehicular turn-around.
4. **Easement:** shall mean a grant of the right to use a strip of land for specific purposes by the general public, or corporation or certain persons.
5. **Engineer:** a registered engineer authorized and licensed by the State of Iowa.
6. **Final Plat:** a map or drawing and required certification, on which the subdivider's plan of the subdivision of land is presented in the form which, if approved by the Board of Supervisors, shall be filed and recorded with the County Recorder. The map or drawing shall comply to each of the provisions in Chapter 409 of the Code of Iowa.
7. **Preliminary Plat:** a map, drawing, or study indicating the proposed manner or layout of the subdivision of land which is submitted to the zoning commission and Board of Supervisors for their review.

8. **Subdivider:** a person, firm, or corporation undertaking the subdivision or re-subdivision of a tract or parcel of land.

9. **Subdivision:** the division of land into three (3) or more lots or other division of land for the purpose, whether immediate or future, of transfer of ownership or building development. The term, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided, or the re-subdivision of land heretofore divided or platted into lots or other divisions of land.

10. **Surveyor:** a registered surveyor authorized and licensed by the State of Iowa.

11. **Zoning Commission:** the Board, Commission or group of people appointed by the Hardin County Board of Supervisors, under the provision of Chapter 358-4.8, Code of Iowa, 1979.

12. **Board:** Shall refer to the Hardin County Board of Supervisors.

13. **Board of Adjustment:** a duly appointed Board appointed by the Hardin County Board of Supervisors to act on special exemptions to the Zoning Ordinance.

**SECTION 4. Plats within two miles of a city or town.** For preliminary and final plats of land within two miles of a city or town having a planning commission, the plats shall be filed with the municipality in accordance with its established procedures, prior to or at the same time as filing with the county. The municipality shall review said plat and transmit its recommendations and approval or disapproval to the county zoning commission. The municipality may require modification of said plat to meet its requirements, if stricter than those requirements of the county. Approval by the municipality shall in no way constitute approval by the county Board of Supervisors.

**SECTION 5. Preliminary Platting Procedure and Requirements.** The owner or developer of any tract or parcel of land who shall subdivide or plat the same within the county shall cause a preliminary plat of such area to be prepared in the form, and containing the information, specified herein. The subdivider shall file with the county zoning administrator eight (8) copies of the preliminary plat of adequate scale and size showing the following:

1. Title, scale, north point, and date.
2. Subdivision to boundary lines, showing dimensions, bearings, angles, and references to section, townships, and range lines or corners.

3. Present and proposed streets and roads, alleys, and sidewalks, with their right-of-ways, in or adjoining the subdivision, including widths, approximate gradients, types and widths of surfaces, curbs, and planting strips.

4. Proposed layout of lots, showing numbers, dimensions, radii, chords, and the square foot areas or acreage of lots that are not rectangular.

5. Building setback or front yard lines.

6. Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds, or other public, semi-public, or community purposes.

7. Present and proposed easements, showing locations, widths, purposes, and limitations.

8. Present and proposed utility systems, in accordance with the following:

A. Common utility system. Where common sewer and/or water systems are utilized, all water lines, wells, sewer lines, lift stations, sewage treatment facility, or connection to existing sewer and water systems, shall be shown, including size, capacity, invert elevation and location of each.

B. Individual utility system. Where individual and/or private water and sewer systems are utilized, the subdivider shall include information from the Hardin County Health Department regarding percolation rates, suitability for septic tanks and wells, and any other pertinent information.

9. Proposed name of the subdivision which shall not duplicate or resemble existing subdivision names in the county, and proposed names of all roads, which shall not duplicate or resemble existing road or street names.

10. Names and addresses of the owner, subdivider, builder, and engineer, surveyor or architect who prepared the preliminary plat, and the name and address of the registered land surveyor who will prepare the final plat.

11. A general summary description of any protective covenants or private restrictions to be incorporated in the final plat.

12. 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, unless the

Commission waives this requirement.

13. Existing and proposed zoning of the proposed subdivision and adjoining property.

14. The Hardin County Zoning Commission may waive any of the above requirements, at it's option.

**SECTION 6. Referral of Preliminary Plat.** Upon receipt of the preliminary plat, the zoning administrator shall refer one copy each to the County Engineer, the County Health Department, and District Soil Conservationist.

Each of the aforementioned offices shall examine the plat as to its compliance with the laws and regulations of Hardin County, and submit their findings to the zoning administrator.

**SECTION 7. Review by the Zoning Commission.** Upon receipt of the report of the various offices referred to in Section 6, as soon as possible, but not more than sixty (60) days after initial receipt of the plat by the zoning administrator, the zoning commission shall review said plat, consider said reports, negotiate with the subdivider on changes deemed adviseable and the kind and extent of improvement to be made by him, and take action upon the preliminary plat as originally submitted or modified in the form of a recommendation to the Board of Supervisors.

**SECTION 8. Action by the Board.**

1. The Board of Supervisors shall, after receipt of the recommendation of the zoning commission, review said plat and take action for approval or disapproval.

2. If approved, the Board shall express its approval as "Conditional Approval" and state the conditions of approval, if any. The "Conditional Approval" by the Board shall not constitute final acceptance of the addition or subdivision by the county, but shall constitute approval of all proposals and plans submitted with the preliminary plat and an authorization to proceed with the preparation of the final plat.

3. The action of the Board shall be noted on five (5) copies of the preliminary plat. Two (2) copies shall be returned to the subdivider and the other copies retained by the Board, auditor, and zoning administrator, respectively.

**SECTION 9. Final Plat Requirements and Procedure.**

1. The subdivider shall, within twelve (12) months of the "Conditional Approval" of the preliminary plat by the Board prepare and file eight (8) copies of the final plat and other

required documents with the zoning administrator as hereafter set forth, and upon failure to do so within the time specified, the "Conditional Approval" of the preliminary plat shall be null and void unless an extension of time is applied for and granted by the zoning commission.

2. The final plat shall conform substantially to the preliminary plat as approved, and if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which he proposes to record and develop at the time, provided however, that such portion conforms to all requirements of these regulations.

**SECTION 10. Referral of Final Plat.** Upon receipt of the final plat and the other required attachments, the zoning administrator shall file five (5) copies of the plat for public inspection and use by the zoning commission. The administrator shall also transmit one (1) copy of the plat to each of the offices referred to in Section 6, for their comments and recommendations.

**SECTION 11. Requirements of the Final Plat.** The final plat shall be clearly and legibly drawn conforming to all of the following provisions, and Section 409, Code of Iowa, 1979, where applicable:

1. The plat shall be a permanent copy of a photographic print made on a stable plastic film. Exact copies of the plat to be recorded shall be provided by the subdivider to the county, recorder, assessor, and auditor for filing.

2. The size of each sheet, showing any portion of the subdivided lands shall not be greater than twenty-four inches (24") by thirty-six inches (36") nor less than eight and one-half inches (8½") by eleven inches (11").

3. Whenever more than one sheet is used to accurately portray the lands subdivided, each sheet shall display both the number of the sheet and the total number of sheets included in the plat, as well as clearly labeled match lines indicating where the other sheets adjoin. An index sheet shall be provided to show the relationship between the sheets.

4. A maximum scale of one hundred feet (100') to one inch (1") shall be used unless permission to use a different scale is obtained in writing from the zoning commission. The scale used shall be clearly stated and graphically illustrated by a bar scale drawn on every sheet showing any portion of the lands subdivided.

5. Subdivisions shall be designated, by name or as otherwise prescribed, in bold letters inside the margin at the top of each

sheet included in the plat.

6. An arrow indicating the northern direction shall be drawn in a prominent place on each sheet included in the plat.

7. All monuments to be of record shall be adequately described and clearly identified on the plat. When additional monuments are to be established subsequent to the recording of the plat, the location of the additional monuments shall be shown on the plat.

8. Sufficient survey data shall be shown to positively describe the bounds of every lot, block, street, easement, or other areas shown on the plat, as well as the outer boundaries of the subdivided lands.

9. All distances shall be shown in feet to the nearest one-hundredth of a foot, and in accordance with the definition of a foot adopted by the United State Bureau of Standards. All measurements shall refer to the horizontal plane.

10. The course of every boundary line shown on the plat shall be indicated by a direct bearing reference or by an angle between the boundary line and an intersecting line having a shown bearing, except when the boundary line has an irregular or constantly changing course, as along a body of water, or when a description of the boundary line is better achieved by measurements shown at points or intervals along meander line having a shown course. All bearings and angles shown shall be given to at least the nearest minute of arc.

11. Curve data shall be stated in terms of radius, central angle, and tangent, or length of curve, and curve data for streets of uniform width may be shown only with reference to the center line, and lots fronting on such curves may show only the chord bearing and distance of such portion of the curve as is included in their boundary. In all other cases, the curve data must be shown for the line affected.

12. The minimum unadjusted acceptable error of closure for all subdivision boundaries shall be 1:10,000 and shall be 1:5,000 for any individual lot.

13. When any lot or portion of the subdivision is bounded by an irregular line, the major portion of that lot or subdivision shall be enclosed by a meander line showing complete data with distances along all lines extending beyond the enclosure to the irregular boundary shown with as much certainty as can be determined or as "more or less", if variable. In all cases, the true boundary shall be clearly indicated on the plat.

14. All interior excepted parcels shall be clearly indicated

and labeled "not a part of this plat".

15. All adjoining properties shall be identified, and where such adjoining properties are a part of a recorded subdivision, the name of that subdivision shall be shown. If the subdivision platted is a re-subdivision of a part or the whole of a previously recorded subdivision, sufficient ties shall be shown to controlling lines appearing on the earlier plat to permit an overlay to be made. Re-subdivisions shall be labeled as such in a subtitle following the name of the subdivision wherever the name appears on the plat.

16. The purpose of any easement shown on the plat shall be clearly stated and shall be confined to only those easements pertaining to public utilities including gas, power, telephone, water, sewer, and such drainage easements as are deemed necessary for the orderly development of the land encompassed within the plat. All such easements relative to their usage and maintenance shall be approved by the zoning commission prior to the recording of the plat.

17. A strip of land shall not be reserved by the subdivider unless the land is sufficient size and shape to be of some practical use or service as determined by the zoning commission.

18. The purpose of all areas dedicated to the public must be clearly indicated on the plat.

19. The plat should be signed and acknowledged by the subdivision land owner and his or her spouse.

20. A sealed certification of the accuracy of the plat by the registered land surveyor who drew the final plat shall accompany the plat.

**SECTION 12. Final Plat Attachments.** The final plat shall have the following attached to it:

1. A correct description of the subdivision land.
2. A certificate by the owner and his spouse, if any, that the subdivision is with the free consent, and is in accordance with the desire of the owner and spouse. This certificate must be signed and acknowledged by the owner and spouse before some officer authorized to take the acknowledgements of deeds.
3. A complete abstract of title and an attorney's opinion showing that the fee title to the subdivision land is in the owner and that the land is free from encumbrances other than those secured by an encumbrance bond.
4. A certificate from the County Treasurer that the

subdivision land is free from taxes.

5. A certificate from the clerk of the district court that the subdivision land is free from all judgements, attachments, or mechanics or other liens of record in his office.

6. A certificate from the County Recorder that the title in fee is in the owner and that it is free from encumbrances other than those secured by an encumbrance bond.

7. A certificate of dedication of streets and other public property, if applicable.

8. A statement of restrictions of all types that run with the land and become covenants in the deeds of lots.

9. Resolution and certificate for approval by the Board and for signatures of the chairperson and auditor.

10. Profiles, typical cross sections, and specifications of street improvements and utility systems, to show the location, size, and grade. These should be shown on a fifty (50) foot horizontal scale and a five (5) foot vertical scale with west or south at the left.

**SECTION 13. Review by the Zoning Commission.** The zoning commission shall review the final plat as outlined in Section 7.

**SECTION 14. Action by the Board of Supervisors.** Upon receipt of the final plat application and the required documents from the zoning commission, the Board will consider the recommendations and advice of its offices and either approve or disapprove by resolution the final plat.

The passage of a resolution by the Board accepting the plat shall constitute final approval of the platting of the area shown on the final plat, but the subdivider or owner shall cause such plat to be recorded in the office of the County Recorder of Hardin County before the county shall recognize the plat as being in full force and effect.

**SECTION 15. General Design Requirements.** The following general design requirements shall be adhered to by all subdividers.

1. Street Plans.

- A. The arrangement, character, extent, width, grade, and location of all streets shall be considered in their relation to existing and planned streets, topographic conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of

the land to be served by such streets.

- B. Private streets, not dedicated to and accepted by the county, are discouraged. If private streets are utilized, they shall be platted as such and be under the control of the subdivision and/or subdivider. Easements for road purposes shall not be allowed.

2. Subdivision Access.

- A. Where the plate submitted covers only a part of the subdivider's plat, a sketch of the prospective future system of the unsubmitted part shall be furnished and the street system of the part submitted shall be considered in the light of the adjustments in connection with the street system of the part not submitted.
- B. Where the parcel is subdivided into larger tracts than for building lots, such parcels shall be divided so as to allow for the ultimate extension of streets.
- C. Where a subdivision abuts or contains an existing or proposed arterial road, the zoning commission may require marginal 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.
- D. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the zoning commission 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, or for commercial or industrial purposes in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

3. Street Geometrics.

- A. All streets and roads shall have sufficient right-of-way to incorporate the road design. A minimum width of sixty-six feet (66') is required.

- B. All streets and roads shall include a driveway into each lot and driveways shall be provided with culverts designed for a twenty-five year (25) flood (minimum size - eighteen (18") diameter).
- C. When water courses cross the lines of any proposed street, provisions shall be made to provide for natural drainage with culverts or bridges of adequate size and design (fifty (50) year flood standards required, with a minimum size of twenty-four inches (24").
- D. Maximum grade shall be seven per cent (7%); minimum radius curve shall be one hundred fifteen feet (115'); maximum degree curve shall be fifty degrees (50°).
- E. All streets or roads which end at or near the limits of a subdivision and channel surface water onto adjacent private property or county roads or streets, shall be provided with all necessary storm drains, sewers and intakes to dispose of such water without causing damage to said adjacent property or said county road. Surface runoff drainage shall be shown on plans; drainage easements may be required.
- F. Dead end streets should be avoided. If such streets are necessary, a cul-de-sac with the following design minimums must be provided:
  - 1. 100' diameter right-of-way
  - 2. 65' diameter for paving with 3' shoulders
  - 3. 71' diameter b-b curb
- G. Any streets or roads intended to be dedicated to public use and accepted into the county secondary system, shall in addition to the proceeding, meet the following criteria:
  - 1. All streets shall be built with a driving surface no less than twenty-four (24) feet in width.
  - 2. The following types of construction will be approved:
    - Type I - 24 feet pavement with 3 feet rock shoulders and open ditches as used on county roads. See Figure 1.

Type II - 24 feet pavement with concrete curb and gutter, plus storm sewage systems as necessary. See Figure 2.

3. Twenty-four feet (24') wide by six inch (6") Class B Portland Cement concrete pavement will be considered a minimum for normal soil conditions.
  4. Twenty-four feet (24') wide by six and one-half inch (6½") asphaltic concrete pavement may be used with minimum thicknesses as follows:
    - a. Surface course = 2½" Type A asphaltic concrete
    - b. Base course = 4" asphalt treated base or 4" of Type B
    - c. Subbase course = 4" soil aggregate subbase
  5. All road construction materials shall conform to Iowa Department of Transportation Standard Specification, current series.
  6. Plan and profile of roads shall be drawn to a scale of 1 inch = 100 feet horizontal and 1 inch = 10 feet vertical.
  7. Plans shall be approved by the County Engineer before construction proceeds.
  8. All designs, materials, inspection, results, and procedures shall be certified to the County Engineer by a duly registered engineer.
  9. Advance notice of construction is required.
4. Street Names. Streets that are in alignment with others already existing and named shall bear the name of the existing streets. The proposed names of new streets shall not duplicate or sound similar to existing street names. Street names shall be subject to approval of the Board of Supervisors.
5. Alleys.
- A. Alleys shall be provided in commercial and industrial districts, except that the zoning commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading and parking consistent with and adequate for the uses proposed.

of the Subdivider and not the County. The County, upon acceptance of the subdivision, will not assume maintenance of said lines.

- B. The subdivider will submit a written agreement concerning the maintenance of these lines, and also must provide a bond for said maintenance, if the County so desires.

#### 6. Completion of Improvements.

Before the Board will approve the final plat, all of the foregoing improvements shall be constructed and accepted by formal resolution of the Board. Before passage of said resolution of acceptance, the County Engineer and County Health Director shall report that said improvements meet all county specifications and other requirements, and the agreements between the subdivider and the County.

#### 7. County Responsibility.

Acceptance by Hardin County of the plat, only means general approval of the subdivision and in no way means the County will assume maintenance responsibility.

Any rural subdivision, in which the owner desires the County to assume the maintenance of roads and streets, must be platted to accomodate at least five residence buildings. At least three residential dwellings must be completed and occupied prior to submitting to the Hardin County Board of Supervisors a request for the County to maintain said roads and streets. Hardin County is under no obligation at any time to agree to maintain said streets.

#### 8. Permits.

All buried lines, cable and pipe are to be done in accordance with the County Engineer's specifications, after a permit has been granted.

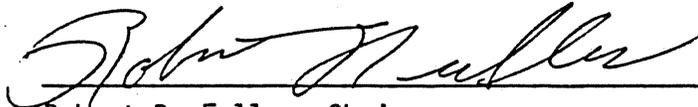
All driveways installed after the plat is approved will require written approval.

Any other work required will be done in accordance with current Secondary Road policies and procedures.

**SECTION 19. Violation and Penalty.** Refer to Section XXII of the Hardin County Zoning Ordinance.

**SECTION 20. Validity.** Refer to Section XXIV of the Hardin County Zoning Ordinance.

Passed and adopted this 6 day of May 1980.

  
Robert D. Fuller, Chairman  
Hardin County Board of Supervisors

ATTEST:

  
Michael L. Pence,  
Hardin County Auditor

- B. Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be cut off sufficiently to permit safe vehicular movement.
  - C. Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn-around facilities at the dead end, as determined by the zoning commission.
6. Blocks.
- A. The lengths, widths, and shapes of blocks shall be determined with due regard to:
    - 1. Provision for adequate building sites suitable to the special needs of the type of use contemplated;
    - 2. Requirements as to lot sizes and dimensions;
    - 3. Needs for convenient access, circulation, control, and safety of street traffic;
    - 4. Limitations and opportunities of topography.
  - B. The length of a block, being that portion of the block having the longest dimension, shall not be more than one thousand three hundred twenty (1,320) feet or less than five hundred (500) feet in length between the center lines of intersecting streets, except where, in the opinion of the zoning commission extraordinary conditions unquestionably justify a departure from these limits.
  - C. In blocks over seven hundred (700) feet in length, the zoning commission may require at or near the middle of the block a public way or easement of not less than ten (10) feet in width for use by pedestrians and/or as an easement for public utilities.
7. Lots.
- A. The lot size, width, depth, shape, and orientation shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
  - B. Minimum lot dimensions and sizes shall conform to the requirements of the Hardin County Zoning Ordinance.
  - C. The subdividing of the land shall be such as to provide, by means of a public or private street, each lot with satisfactory access to an existing

public street.

- D. Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet and across which there shall be no right of access, may be required to be provided along the line of lots abutting such a traffic artery or other disadvantageous use.

8. Building lines. Building lines conforming with zoning standards shall be shown on all lots within the platted area. Where the subdivided area is not under zoning controls, the zoning commission may require building lines in accordance with the needs of each subdivision.

9. Easements.

- A. Easements across lots or centered on rear or side lines shall be provided for utilities where necessary and shall be at least ten (10) feet wide.
- B. Where a subdivision is traversed by a water course, drainageway, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width for construction, or both, as will be adequate for the purpose. Parallel streets or parkways may be required in connection therewith.

10. Erosion Control

- A. It shall be the responsibility of the developer to seed and fertilize any land disturbed by landscaping or by the construction of a roadway.
- B. If other soil erosion control measures (such as on steep slopes) are deemed necessary by the County Engineer, they shall be done by the developer.

**SECTION 18. Required Improvements.** The subdivider shall install and construct all improvements required by this chapter. All required improvements shall be installed and constructed in accordance with the specifications and under the supervision of the Board of Supervisors and to its satisfaction.

- 1. Plat Markers. All plat markers and monumentation shall

be installed in accordance with Chapter 409.10, Code of Iowa, 1979.

2. Streets and Alleys.

- A. All streets and alleys within the platted area which are dedicated for public use shall be brought to the grade approved by the County Engineer.
- B. All private roadways shall meet the requirements of Section 15 (3), where applicable.
- C. The subdivider shall provide street signs where necessary.

3. Water lines.

- A. Where a municipal water main is reasonably accessible, the subdivider shall connect with such water main and provide a water connection for each lot with service pipe installed to
- B. Where a common private water system is utilized, the subdivider shall install the necessary wells and provide a water connection for each lot.

4. Sewers.

- A. Where a municipal sanitary sewer is reasonably accessible, the subdivider shall connect or provide for the connection with such sanitary sewer and shall provide within the subdivision the sanitary sewer system required to make the sewer accessible to each lot in the subdivision. Sanitary sewers shall be stubbed into each lot. Sewer systems shall be approved by the municipality and the State Department of Health and the construction subject to the supervision of the city engineer.
- B. Where a common private sewage treatment system is utilized, the subdivider shall construct the treatment facilities and shall provide the sewers required to make the treatment facility accessible to each lot. Sanitary sewers should be stubbed into each lot. Sewer systems shall be approved by the State Department of Health and the construction subject to the supervision of the Hardin County Health Department.

5. Maintenance of Water and Sewer Lines.

- A. All water and sewer lines will become the property