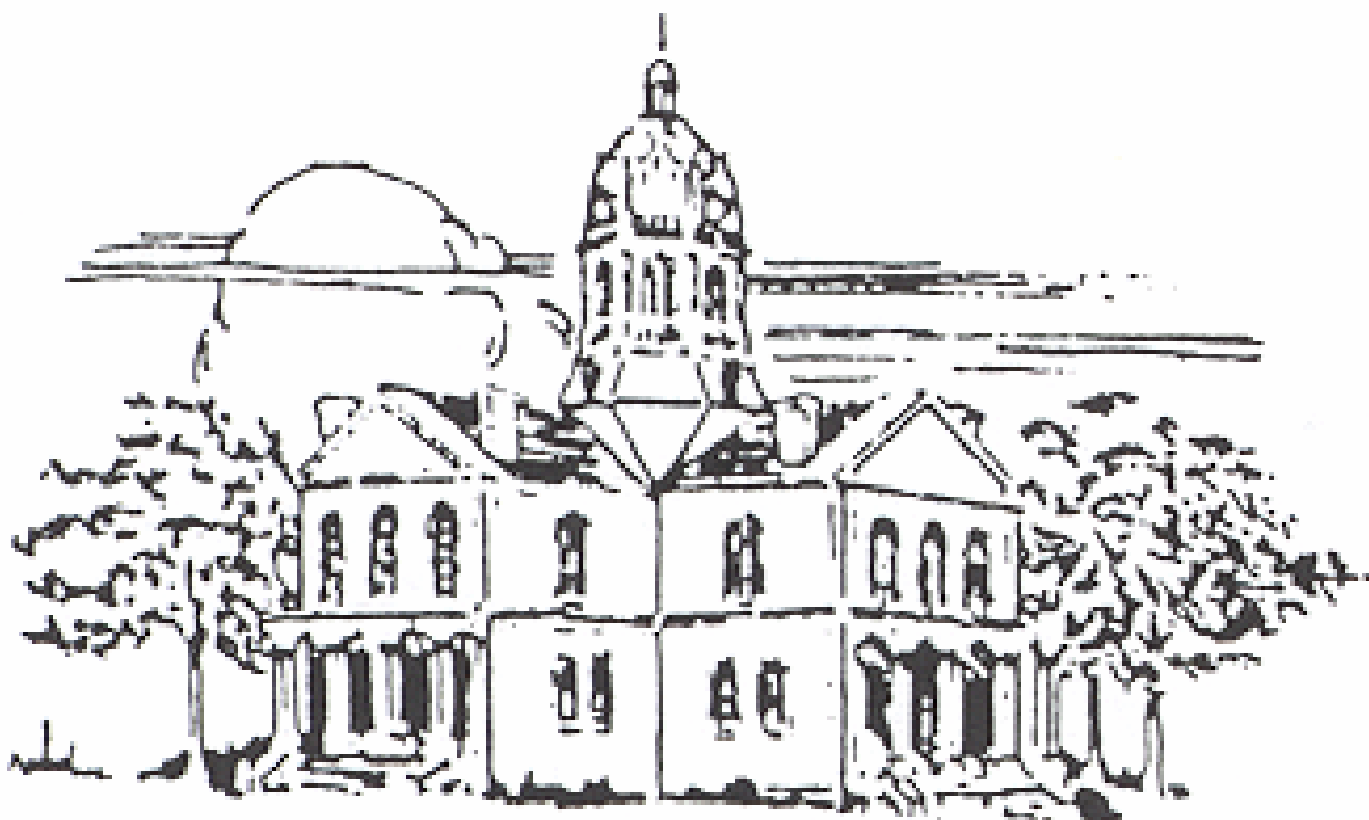


Madison County



Subdivision Regulations

April 2005

SUBDIVISION ORDINANCE MADISON COUNTY, IOWA

The Subdivision Ordinance is a set of regulations that are a part of the Madison County Zoning Ordinance. These regulations apply to the division of a lot, tract or parcel of land, into three (3) or more lots, plots or sites, each division consisting of three (3) or more acres, for the purpose whether immediate or future, of transfer of ownership or of building development. These regulations shall apply to the approval of plats, subdivisions, resubdivisions or dedications in the unincorporated areas of Madison County prescribing minimum standards for the design layout and development thereof; providing for the preliminary and final approval or disapproval thereof; providing for the enforcement of all regulations contained herein; all for the purpose of promoting the adequacy, safety and efficiency of the street and road system; and for the purpose of improving the health, safety and general welfare of the citizens; and repealing all other ordinances, regulations, or resolutions in conflict herewith.

SECTION 1

TITLE

These regulations shall be known as the SUBDIVISION REGULATIONS of Madison County, Iowa.

SECTION 2

DEFINITIONS

For the purpose of these regulations, certain words and terms are hereby defined. Words used in the present tense shall include the future, the singular number shall include the plural, and the plural the singular; the word shall is mandatory; the word may is permissive.

1. Block

A tract or area of land within a subdivision that is entirely bounded by public streets or highways.

2. Board

Board of Supervisors of Madison County, Iowa.

3. Building Line

Building lines shall be shown on all lots, the area between this line and any right-of-way line or property line shall designate an area where no building or structures may be erected.

4. Commission

The Madison County Zoning Commission

5. County

Madison County, Iowa.

6. Cul-de-sac

A short, minor street having one end open to motor traffic, the other end being permanently terminated by a vehicular turnaround.

7. Driveway

An area on private property, located outside any required road right of way, where automobiles or other vehicles are operated or allowed to stand.

8. Driveway Apron

The area, construction or improvement between the finished roadway surface and the minimum right of way line that provides ingress and egress for vehicles from the alley, street, or roadway to a definite area of the private property.

9. Driveway Apron Width

Single-family residential access driveway apron widths shall be twenty-four (24) feet in width. Street entrance type accesses for the purpose of serving high traffic volumes, as determined by the by the Madison County Engineer, are subject to review by the Madison County Engineer. A complete review of the design for this type of access is required. In addition, the approval of this type access may require the installation of traffic control devices at the owner’s expense as specified by the County Engineer.

10. Easement

A grant by the property owner of the use for a specific purpose of a strip of land by the general public, a corporation or a certain person or persons, and within the limits of which the owner of the fee shall not erect any permanent structures, but shall have the right to make any other use of the land subject to such easement which is not inconsistent with the rights of the grantee. Public utilities shall have the right to trim or remove trees that interfere with the use of such easements.

11. Engineer

A registered Engineer authorized to practice civil engineering as defined by the registration act of the State of Iowa.

12. Land Disturbing Activity

For the purposes of this ordinance, "*land disturbing activity*" means a land change such as the tilling, clearing, grading, excavating, transporting or filling of land which may result in soil erosion from water or wind and the movement of sediment and sediment related pollutants into the waters of the state or onto lands in the state but does not include the following:

- a. Tilling, planting or harvesting of agricultural, horticultural or forest crops.
- b. Preparation for single-family residences separately built unless in conjunction with multiple construction in subdivision development.
- c. Minor activities such as home gardens, landscaping, repairs and maintenance work.

- d.* Surface or deep mining.
- e.* Installation of public utility lines and connections, fence posts, sign posts, telephone poles, electric poles and other kinds of posts or poles.
- f.* Septic tanks and drainage fields unless they are to serve a building whose construction is a land disturbing activity.
- g.* Construction and repair of the tracks, right of way, bridges, communication facilities and other related structures of a railroad.
- h.* Emergency work to protect life or property.
- i.* Disturbed land areas of less than twenty-five thousand square feet unless a political subdivision by ordinance establishes a smaller exception or establishes conditions for this exception.
- j.* The construction, relocation, alteration or maintenance of public roads by a public body.

13. Lot

A portion of a subdivision or other parcel of land intended for the purpose whether immediate or future, of transfer or ownership or for building development.

14. NPDES General Permit #2

Storm water regulations were established by EPA for National Pollutant Discharge Elimination System (NPDES) permit application requirements. The Iowa Department of Natural Resources (IDNR) issues general permits for storm water discharges subject to the federal permit requirements. The intent of the federal storm water regulation is to improve water quality by reducing or eliminating contaminants in storm water. Storm water is defined as precipitation runoff, surface runoff and drainage, street runoff, and snow melt runoff.

15. Outlot

A portion of a subdivision designated as an area on a plat or survey map intended to be recorded. No structure for human habitation or for the purpose of any business or institutional function shall be located on an outlot.

16. Plat

A map, or drawing prepared by a licensed surveyor or engineer on which the subdividers plan of the subdivision is presented and which is submitted for approval and intends in final form to record.

17. Private Road

A road or street in a subdivision not dedicated and/or accepted by Madison County as a public street, but built in accordance with standard specifications of Madison County. Maintenance of said private road shall NOT be the responsibility of Madison County.

18. Resubdivison

Resubdivision shall mean the change in a map of an approved subdivision if such change affects any street layout shown on such map, affects any area reserved for public use or is labeled as an outlot or, diminishes or enlarges the size of any lot shown thereon and creates an additional building lot.

19. Subdivision

The division of a tract of land into three (3) or more lots, plots, sites, or other divisions of land for the purpose, whether immediate or future, of transfer of ownership or of building development. It also includes a resubdivision of land or lots.

20. Subdivision, Major:

The subdivision of land that creates 5 or more lots of 3 acres or more in area, for the purpose, whether immediate or future, of transfer of ownership or building development. This also includes a resubdivision of land or lots.

21. Subdivision, Minor:

The subdivision of land where the act creates 1 to 4 lots of 3 acres or more in area, for the purpose, whether immediate or future, of transfer of ownership or building development, with no private or public roads, or other public improvements in the subdivision.

22. Surveyor

A registered surveyor authorized to practice surveying, as defined by the registration act of the State of Iowa.

SECTION 3

JURISDICTION

In cases where a subdivision, or a plat of survey lies within two (2) miles of a city or town that has enacted Subdivision Regulations, or has requested review of plats of survey pursuant to section 354.8 of the Iowa Code, the Planning and Zoning Commission of such city or town and the Madison County Zoning Commission shall both review and approve the plat. In the event of a disagreement between the Municipal Commission and the County Commission, or the respective Council and Board, the decision of the Municipal Commission or the respective Council shall be final.

SECTION 4

MAJOR SUBDIVISION PROCEDURE

A.– PRELIMINARY PLAT

The Preliminary Plat of a subdivision is not intended to serve as a record plat. Its purpose is to show on a map all facts needed to enable the Zoning Administrator and Zoning Commission to determine whether the proposed layout of the land in question is satisfactory from the standpoint of the public interest. The subdivider, owner, or his representative shall arrange for a preliminary conference at the office of the Zoning Administrator in advance of the Preliminary Plat for the purposes specified.

1. Whenever the Owner of any tract or parcel of land within the unincorporated area of the County wishes to subdivide or plat the same, and prior to the filing of a preliminary plat for review, one copy of a preliminary plat or sketch plan of the area shall be submitted to the County Zoning Administrator for preliminary study and review. The County Zoning Administrator shall check for any deficiencies or issues regarding compliance with respect to these regulations or the Comprehensive Plan, and make any recommendations. This review is intended to conserve time and funds of the subdivider and the County as well as make the process easier. At this review or within 20 working days thereafter, the zoning administrator shall inform the subdivider of any additions, changes or corrections needed on the proposed plat. This submittal shall be of reasonable accuracy and drawn to an appropriate scale. Among items to be included are:
 - a. Location, including boundaries of the property being considered for development, names of adjoining property owners, name of the land surveyor, approximate lot sizes, township, range and section, date, scale of map and north arrow, all proposed roads and driveway aprons.
 - b. Existing features including zoning boundaries, roads, driveways/access points, any existing utility services and easements, waterways or ponds and any other pertinent data to the preliminary plat.
2. Once this preliminary study and review has been completed, and prior to the end of business on the third Friday of each month, five (5) copies of said preliminary plat and other required information shall be submitted to the County Zoning Administrator for review by the County Zoning Commission. The Zoning Commission's public hearing will be held the third Thursday of the month following the submittal. The preliminary plat shall contain such information and data as is outlined herein. The Zoning Commission shall study the preliminary plat to see if it conforms with the minimum requirements as outlined in these regulations and the Madison County Comprehensive Plan and shall forward a copy to County Engineer for review

and recommendations. Reasonable conditions may be attached to the Preliminary Plat. The Commission shall approve the plat as submitted, approve the plat conditionally or reject the plat within 30 days after the date of submission thereof *to the commission*, however, the subdivider may agree to an extension of time for a period not to exceed sixty (60) days. The approval of the preliminary plat by the Commission shall be null and void unless the final plat is presented to the Commission within one (1) calendar year after date of approval.

➤ **NUMBER OF COPIES AND SCALE**

1. After approval of the zoning administrator of the initial preliminary plat or sketch plan, the developer or subdivider shall submit five (5) copies of the preliminary plat to the zoning administrator for final review and submittal to the zoning commission. The scale of the map shall be one inch equals fifty feet (1" equals 50') on small subdivisions, and one inch equals one hundred feet (1" equals 100') on large subdivisions, unless otherwise authorized by the zoning administrator.

➤ **CONTENTS OF PRELIMINARY PLAT**

1. Name-of subdivision, date, compass point, scale and official description and acreage of the property being platted.
2. Name and address of recorded owner and-or developer.
3. Name and address of engineer or surveyor.
4. Existing buildings, railroads, underground utilities, easements and other rights-of-way.
5. Location, names and widths of all existing and proposed driveways, roads, alleys, streets and highways in or adjoining the area being subdivided.
6. Location and name(s) of adjoining subdivisions).
7. Proposed lot lines with approximate dimensions.
8. Area dedicated for any public use including streets, schools, parks and playgrounds.
9. Building setback lines.
10. Boundaries of the proposed subdivision shall be indicated by a heavy line.
11. Zoning classification of the area.

12. Proposed utility service.
 - (a.) Source of water supply
 - (b.) Provision for sewage disposal, drainage and flood control.
13. A vicinity sketch at a legible scale showing the relationship of the plat to its general surroundings.
14. Lot numbers
15. Easements for public utility purposes.
16. Corner radii.

➤ **ACCOMPANYING MATERIAL**

1. An abstractor's title together with an attorney's opinion, in duplicate, showing that the fee title to the subdivision is in the owners name as shown on the plat and any encumbrances that may exist against the land.
2. Filing Fee
3. Resolution from any Municipal Jurisdiction within 2 miles of its city limits
4. Plan and profile, designed by a licensed professional engineer, showing all streets and alleys at a fifty (50) foot horizontal scale and five (5) foot vertical scale and shall include the location of a driveway apron for each lot where such driveway apron is required to be installed from a public roadway. The profile shall show the location, size and grade of all conduits, sewers, pipelines, etc. proposed and their locations and demonstrate that the proposed roads or streets and driveway aprons conform to the requirements of this ordinance. Profiles shall be drawn so that North will be oriented to the top or to the left side of the drawing.
5. Consent to Plat from any mortgage holder or lienholder, 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.
6. Consent to Plat from the owner, and spouse if any, that the subdivision is with the free consent and is in accordance with the desire of the owners. This certificate must be signed and acknowledged by the owners and spouse before an officer authorized to take the acknowledgments of deeds.
7. On any subdivision consisting of more than 6 lots, a preliminary soil percolation test or soil analysis shall be submitted demonstrating each lots capabilities of supporting a conventional septic system with a lateral field. Should an insufficient number of lots, as determined by the Zoning Administrator, fail to demonstrate this ability, alternative methods of on-site wastewater disposal must be submitted.
8. One map showing contour lines at intervals of not more than five (5) feet.

Before approving a preliminary plat, the Commission will hold a Public Hearing, notice of which shall be given by publication in a local newspaper, and by posting notices at the Madison County Courthouse as required.

B. - FINAL PLAT

1. Upon approval of the Preliminary Plat, and within 12 months of the approval, prior to the end of business on the third Friday of the month, seven (7) copies of the final plat and other required information shall be submitted to the County Zoning Administrator for review by the County Zoning Commission. The Zoning Commissions pubic hearing will be held the third Thursday of the month following the submittal.
This 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 that the subdivider chooses to record and develop at the time, provided that such portion conforms to all requirements of these regulations.

Before the final plat of any area shall be approved, the subdivider shall have installed the improvements required by these regulations or shall provide performance guarantees to assure the installation of the required improvements shall be completed within one (1) year after final approval of the plat.

This performance guarantee shall be in the form of a performance bond, executed by the subdivider and by a surety company authorized to do business in the State of Iowa, or an escrow account that must be countersigned by both the subdivider and the County. This bond or escrow account shall be posted with the Zoning Administrator in sufficient amount to assure the completion of required improvements. The amount of the bond or escrow shall not be less than the estimated cost of the improvements as determined by a Registered Professional Engineer acting for the subdivider, and shall be reviewed and approved by the County Engineer. If the improvements are not completed within the specified time, the County or its designee may use the bond or draw from the escrow account any portion thereof in order to complete the required improvements.

➤ **NUMBER OF COPIES AND SCALE**

1. When and if the preliminary plat is approved, the subdivider shall submit seven (7) copies of the final plat for review by the commission. One (1) copy of the Final Plat shall be forwarded to the County Engineer for study and recommendation. The scale of the map shall be one inch equals fifty feet (1" equals 50') on small subdivisions, and one inch equals one hundred feet (1" equals 100') on large subdivisions, unless otherwise authorized by the zoning administrator.

➤ **CONTENTS OF FINAL PLAT**

1. Name of subdivision, date, compass point and scale.
2. Corner Radii.
3. Curve data including delta angle, length of arc, degree of curve, tangent, radius.
4. Boundary of subdivided area in heavy line with accurate distances, bearings, or boundary angles.
5. Exact name, location, width, and lot designation of all streets and driveway aprons within the subdivision.
6. Easements for public utilities showing width and use intended.
7. Building setback lines with dimensions.
8. Official legal description and acreage of the property being subdivided.
9. Lot numbers and dimensions.
10. Certification and seal of registered Engineer and-or Land Surveyor.
11. Description and location of all permanent monuments set in the subdivisions, including ties to original government corners.

➤ **ACCOMPANYING MATERIAL**

1. An abstractor's title together with an attorney's opinion, in duplicate, showing that the fee title to the subdivision is in the owner as shown on the plat and any encumbrances that may exist against the land.
2. An "At Completion" plan and profile of all streets, alleys and driveway aprons at a fifty (50) foot horizontal scale and five (5) foot vertical scale. If the developer posts the required bond or escrow account as otherwise required herein, the "at completion" plan and profile shall be submitted upon completion of the street, ally or driveway aprons. This profile shall show the location, size and grade of all conduits, sewers, pipelines, etc. that have been installed, and indicate that the road and any required driveway aprons have been installed and inspected by a licensed registered professional engineer. The P.E. shall certify that the roads and driveway aprons have been constructed as required per this ordinance and as approved in the preliminary plan and profile. The profile shall be drawn so that North will be oriented to the top or to the left side of the drawing.
3. Any protective covenants or restrictions to be imposed upon the Plat shall be submitted for approval.
4. A Certificate from the County Treasurer stating the subdivision land is free from certified taxes and certified special assessments.
5. Ground Water Hazard Statement.
6. Plat Certificate from Zoning Administrator
7. Resolution of the Madison County Board of Supervisors
8. An agreement between the County Engineer and the subdivider regarding the installation of any roads and driveways and other infrastructure to serve the subdivision.
10. NPDES General Permit # 2
11. Madison County Soil & Water Conservation District Land Disturbing Activity Affidavit.
12. Developers notarized statement that there is an existing or new "lawful fence" around the development areas that adjoin other private property..

➤ **IMPROVEMENTS**

1. The subdivider shall be responsible for the installation and or construction of all improvements required by this Ordinance and shall warrant the design, material, and workmanship of such improvements, installation and-or construction for a period of two (2) years from and after completion. The agreement shall assure the expedient repair or replacement of defective improvements under warranty and shall indemnify the county from all costs or losses resulting from or contributed to such defective improvements.
2. In any subdivision for which the subdivider elects to complete the required improvements in portions of the platted area after the approval of the final plat, no building permit shall be issued until the improvements required in Section 5 have been completed.

3. The subdivider shall make and install the improvements described in Section 5, in accordance with the specifications as stated herein. All improvements shall be inspected as indicated and supporting documents shall be submitted as required.
4. The Board of Supervisors may waive the requirements of this Ordinance for the construction and installation of some or all of the improvements in cases of resubdivisions where only the size, shape, or arrangement of the lots is being changed: provided however, such waivers shall be limited to existing improvements in good repair as determined by the County Engineer. Improvements not existing or in poor repair shall be made to meet the requirements of this Ordinance.

C - MINOR SUBDIVISION PROCEDURE

The purpose of the Minor Subdivision is to provide a more expedient process for reviewing small divisions of land with less land use impact than that of a Major Subdivision. For a Minor Subdivision, the subdivider shall arrange a preliminary plat or sketch plat of the proposed area which contains all the information specified in Section 4a, and submit it to the Zoning Administrator for review. The County Zoning Administrator shall check for any deficiencies or issues regarding compliance with respect to these regulations and the Madison County Comprehensive Plan. Within 10 working days of such preliminary submittal, the Zoning Administrator shall take action to approve or conditionally approve the Minor Subdivision, but shall not have the power to reject such subdivision.

If the minor subdivision proposal is approved or approved conditionally, the subdivider shall have prepared and submit 5 copies of a final plat and all other accompanying documents as required by these regulations to the Zoning Administrator for public hearing in front of the Board of Supervisors. The plat shall conform to and contain all the data and information as required on a final plat for a Major Subdivision. Once approved by the Board of Supervisors, the subdivider shall record the minor subdivision in the office of the Madison County Recorder within 30 days of the final county approval, otherwise said approval will become null and void unless an extension is requested and agreed to by the Zoning Administrator. Any resubmitted minor subdivision is subject to additional review and will be required to pay an additional minor subdivision fee.

If the minor subdivision is not approved by the Zoning Administrator, the proposal shall be placed on the Zoning Commission hearing agenda on the next available hearing date for their action. The Zoning Commission may approve, conditionally approve or reject the plat, any conditions for approval or reasons for rejection shall be stated in writing and filed with the sketch or plat by the Zoning Administrator. Minor Subdivision proposals must be submitted to city authorities if within the 2 mile review range of the municipalities city limits. The decision of the Municipal Commission or the respective Council, if in disagreement with the Zoning Administrator or Zoning Commission, shall be final.

D – EMERGENCY 9-1-1 ADDRESSING

Upon approval of the Final Plat of any subdivision, Madison County will issue an E-911 address for each lot abutting a public roadway that has no private road access, based upon the driveway apron location, and install the required location identification marker in the appropriate location.

E – RECORDING PLAT

1. There shall be five (5) copies stamped as approved by the Board of Supervisors.
 - (a.) One copy shall be retained for file by the Zoning Administrator.
 - (b.) One copy shall be filed with the County Recorder.
 - (c.) One copy shall be provided to the County Assessors Office.
 - (d.) One copy shall be provided to the County Auditors Office.
 - (e.) One copy shall be provided to the County Sheriff's Office.

SECTION 5

SUBDIVISION DESIGN STANDARDS

The standards and details of design contained herein are intended only as the minimum requirements. However, in the design and development of the plat, the subdivider should use standards consistent with the site conditions so as to assure an economical, pleasant and durable neighborhood, and shall conform with the design standards established by the County Engineer as approved by the Board of Supervisors.

For subdivisions within a city's 2 mile plat approval jurisdiction, the developer and or subdivider shall present the proposal to the city and obtain that jurisdictions approval, or a waiver of their required standards and improvements and present a resolution indicating such to the Zoning Administrator.

A - STREETS

1. Alleys

Alleys may be required in business areas and industrial districts for adequate access to block interiors and for off-street loading and parking purposes. Except where justified by unusual conditions, alleys will not be approved in residential districts. means of turning around shall be provided in dead-end alleys.

2. Circulation

The street pattern shall provide ease of circulation within the subdivision as well as convenient access to adjoining streets, thoroughfares, or unsubdivided land as may be required by the Commission or County Engineer. In a case where a street will eventually be extended beyond the plat, but is temporarily dead-ended, an interim turnaround may be required.

3. Comprehensive Plan

All proposed plats and subdivisions shall conform to the Comprehensive Plan of the County.

4. Continuation of Existing Streets

Proposed streets shall provide for continuation or completion of any existing streets (constructed or recorded) in adjoining property, at equal or greater width, but not less than sixty-six (66) feet in width, and in similar alignment unless variations are recommended by the Commission and approved by the County Engineer

5. Cul-de-sac

Whenever a cul-de-sac is proposed, it's length shall be reviewed and approved on an individual basis. If approved, the cul-de-sac shall be provided at the closed end with a turn around having a street property line diameter of at least one hundred and thirty-two (132) feet in the case of residential subdivisions. The right-of-way width of the street leading to the turnaround shall be a minimum of sixty-six (66) feet. The property line at the intersection of the turnaround and the lead-in portion of the street shall be rounded at a radius of not less than thirty (30) feet.

6. Easements

- A) Easements for utilities shall be provided along front, rear or side lot lines or along alleys, if needed. Final location to be determined in consultation with all utility providers.
- B) Access easements may be provided from a public road to provide vehicle access to no more than 2 lots intended for dwellings, provided such easement is at least 40 feet wide and designed and built as per established Madison County standards for driveways and field entrances. An access easement may be located on a property line to give access to one dwelling not fronting on a public road with such easement being at least 20 feet wide. No access easement shall be permitted for any non-residential use in a subdivision.
- C) Whenever any stream or important surface water course is located in an area that is being subdivided, a drainage way easement shall be required along both sides, the boundaries of such easement depends on the size and boundaries of water flow and the size of the drainage area, but in no case shall such boundaries be less than 50 feet back from the normal high water line on each stream bank. Such easement area may be platted as a separate outlot, and shall remain free from all but the most necessary construction and from land and stream altering activities. No such area shall be filled. Waste water disposal systems shall not be located within such easement areas. The County Conservation Director and the NRCS Conservationist shall be consulted to assist in the making of any determination required in this paragraph.
- D) A drainage way easement may be required along any other drainage way or dry run where, in the judgment of the Zoning Administrator and Zoning Commission an easement provision is necessary to accommodate the flows of storm water and to protect structures and property. The conservation authorities referenced in paragraph (C) may be consulted in making the determination.

7. Half Streets

Dedication of half streets will be discouraged. Where there exists a dedicated or platted half street or alley adjacent to the tract to be subdivided, the other half shall be platted if deemed necessary by the Commission.

8. Major Thoroughfares

Where a new subdivision, except where justified by limiting conditions, involves frontage on a heavy traffic way, limited access way, freeway or parkway, the street layout shall provide motor access to such frontage by one of the following means:

- (a) A parallel street supplying frontage for lots backing on to the traffic way.
- (b) A series of cul-de-sacs or short loops entered from the planned at right angles to such a parallel street with their terminal lots backing on to the highway.
- (c) An access drive separated by a planting strip from the highway to which motor access from the drive is provided at points suitably spaced.
- (d) A service drive or alley at the rear of the lots. Where any one of the above-mentioned arrangements is used, deed covenants or other means should prevent any private residential driveways from having direct access to the traffic way.
- (e) An easement to the County shall be given for all streets before same will be accepted for County maintenance.

9. Neighborhood Plan

If any overall plan has been made by the Commission for the neighborhood in which the proposed subdivision is located, the street system of the latter shall conform in general thereto.

10. Physical and Cultural Features

In general, streets shall be platted with appropriate regard for topography, creeks, wooded areas, and other natural features which would lend themselves to attractive treatment.

11. Railroads

If a railroad is involved, the subdivision plan should:

- (a) Be so arranged as to permit, where necessary, future grade separations at highway crossings of the railroad.
- (b) Border the railroad with a parallel street at a sufficient distance from it to permit deep lots to abut the railroad; or form a buffer strip for park, commercial or industrial use.
- (c) Provide cul-de-sacs at right angles to the railroad so as to permit lots to back there onto.
- (d) Not provide any grade crossing of subdivision streets with the railroad.

12. Street Grades

Streets and alleys shall be completed to grades which are identified in Section D, and have been officially reviewed and approved by the County Engineer.

13. Street Intersections

Street intersections shall be as nearly at right angles as possible.

14. Street Names

All newly platted streets shall be named in a manner consistent with the present street name system. A proposed street that is obviously in alignment with other existing streets, or with a street that may be logically extended, although the various portions be at a considerable distance from each other, shall bear the same name. The naming of new streets shall be coordinated with the county's E-911 addressing program. Names of new streets shall be subject to the approval of the Zoning Administrator and the Zoning Commission in order to avoid duplication or close similarity of names.

15. Street Width

The width of private roads or streets shall not be less than sixty-six (66) feet

16. Unsubdivided Portion of Plat

Where the plat to be submitted includes only part of the tract owned by the subdivider, the Commission may require topography and a sketch of a tentative future street system of the unsubdivided portion.

B. BLOCKS

1. No block shall be longer than one thousand three hundred twenty (1,320) feet.
2. At Street intersections, block corners shall be rounded with a radius of not less than thirty (30) feet. Where, at any one intersection, a curve radius has been previously established, such radius shall be used as standard.

C. LOTS

1. The lot width and area of all lots shall be equal to or greater than the minimum requirements of the Zoning District in which the subdivision is located in accordance with the Madison County Zoning Ordinance. Corner lots shall have a minimum front yard setback in accordance with the Zoning Ordinance which applies to both street sides of the lot in order to permit adequate building setbacks on both front and side streets.
2. Double frontage lots, other than corner lots, shall be discouraged except where such lots back on to a major street or highway.
3. Side lot lines shall be approximately at right angles to the street or radial to curved streets. On large size lots and except when indicated by topography, lot lines shall be straight.
4. All lots, except outlots, shall have access to a public street or road except as otherwise provided in Section 5A & 10B

D. IMPROVEMENTS

For subdivisions being developed within the unincorporated areas of the County, the following road standards shall apply as the minimum acceptable standards:

A. Stopping sight distance	550 feet
B. Maximum curvature	8 degrees
C. Maximum gradient	7 percent
D. Pavement width (granular or hard-surfaced)	22 feet
E. Shoulder width (granular or earth)	6 feet
F. Roadway top	34 feet
G. Bridge width	30 feet
H. Clear zone	10 feet
I. Foreslope	3:1
J. Backslope	2:1
K. Ditch cut	3 feet
L. Ditch bottom	4 feet
M. Culverts	new riveted corrugated metal pipe at least 18in diameter
N. Subbase (as defined by section 2111 IDOT Standards)	7 inches
O. Granular surface course	$\frac{3}{4}$ inch roadstone (limestone) 4 inches
P. Construction inspection and "as completed" road design documentation	

A graded road bed with appropriate culverts and road ditches with a minimum roadway surfacing of 7 (seven) inches of sub base rock material shall be required and all other minimum standards as specified above shall apply.

If the subdivider or developer chooses to construct streets above the minimum standards as described above, the following construction standards shall apply: Either 4 inches of asphaltic cement concrete base course placed in one lift and 3 inches of asphaltic cement base course placed in two lifts, or 7 inches of Portland cement concrete with class 3 aggregates as defined by the IDOT. In no case shall a hard surfaced road be paved until a road grade with sub base rock has been allowed to sit for at least one winter-spring period.

Water mains shall have a minimum diameter of four (4) inches with larger sizes for feeder mains. Water mains shall be at least two (2) feet outside of the curb or traveled roadway on the high side of the street; with a minimum cover of forty-two (42) inches.

Gas mains shall be laid on the opposite side of the street from the water mains and just outside of the curb or traveled roadway line.

Underground cables shall be laid either just outside of the property line or at the back lot line within the area of perpetual easement. Overhead line shall be placed at the back lot lines within the area of perpetual easement.

Sanitary sewers are optional in a subdivision unless a public sanitary sewer line is available within 200 feet of any proposed building or exterior drainage facility pursuant to Iowa Code 567 Chapter 69. Additionally, any city jurisdiction that is within 2 miles of the proposed subdivision, during its plat review, may require such development to install sanitary sewer lines and attach those lines to the city's public sewer system..

For any subdivision not served by a city sewer, a licensed professional engineer, with final approval by the Madison County Environmental Health Officer, shall make a determination that a sanitary sewer system has adequate waste disposal and treatment facilities and is compliant with IDNR requirements. The Zoning Commission and the County Board of Supervisors shall make a determination if the ownership and management of any sanitary sewer system is adequate to provide long term service to any subdivision and may attach reasonable conditions and require assurances and bonding to guarantee service. In all other subdivisions of 7 (seven) lots or more, the subdivider shall provide soil analysis or percolation test documentation to the Zoning Administrator that the proposed lots are capable of accommodating an on-site wastewater and treatment system or provide approved alternative methods for treatment and disposal. Under no circumstances shall holding tanks be approved or permitted.

Where present, sanitary sewers shall be located in the center of the street and all house laterals to the property line shall be in place before paving of the street. Sanitary sewers shall have a minimum diameter of 8 inches. There shall be a separate sanitary sewer lateral for each dwelling lot installed to the property line at the time of construction of the street.

Storm sewers shall have a minimum diameter of eighteen (18) inches and larger as the increase in drainage area demands. Storm sewers are to be located on the low side of the street well outside the curb or traveled roadway line.

Storm drainage facilities shall be provided by such types and sizes as determined by a licensed professional engineer and approved by the Madison County Engineer.

Street signs shall be required at all intersections and shall be of a type subject to the specifications adopted by the County Engineer, must be ordered from the County Engineer, and shall be installed by the County Engineer. All street signs and E 9-1-1 markers for each driveway apron abutting a public road shall be ordered, and all fees shall be paid for, prior to the recording of the subdivision.

E. FENCING REQUIREMENTS

- A. At the time of approval of the preliminary plat, the subdivider shall agree to be responsible for the construction and maintenance of a fence on all land between the subdivision and any land adjoining the subdivision not owned by, or a part of the subdivision. A required fence shall consist of the following:
- a. Three rails of good substantial material fastened in or to good substantial posts not more than ten feet apart.
 - b. Three boards not less than six inches wide and three-quarters of an inch thick, fastened in or to good substantial posts not more than eight feet apart.
 - c. Three wires barbed with not less than thirty six iron barbs of two points each, or twenty six iron barbs of four points each, on each rod of wire, or of four wires, two thus barbed and two smooth, the wires to be firmly fastened to posts not more two rods apart, with not less than two stays between posts, or with posts not more than one rod apart without such stays, the top wire to be not more than fifty four nor less than forty eight inches in height.
 - d. Wire either wholly or in part, substantially built and kept in good repair, the lowest or bottom rail, wire or board not more than twenty, nor less than sixteen inches from the ground, the top rail, wire or board to be between forty eight and fifty four inches in height and the middle rail, wire or board not less than twelve nor more than eighteen inches above the bottom rail, wire or board.
 - e. A fence consisting of four parallel, coated steel, smooth high tensile wire which meets requirements adopted by the American society for testing materials, including but not limited to requirements relating to the grade, tensile strength, elongation, dimensions, and tolerances of wire. The wire must be firmly fastened to plastic, metal, or wooden posts securely planted in the earth. The posts shall not be more than two rods apart. The top wire shall be at least forty inches in height.
 - f. Any other kind of fence which the fence viewers consider to be equivalent to a lawful fence or which meets standards established by the department of agriculture and land stewardship by rule as equivalent to a lawful fence.

These fence standards shall be considered the minimum standards required by this ordinance.

- B. At the time of sale of any portion, lot or tract of the subdivision, the recorded property owner shall assume the responsibility and maintenance of the required fence.

F. ENVIRONMENTAL PROTECTION

After approval of the preliminary plat, and prior to approval of the final plat, before beginning any construction activity, the subdivider shall

- A. File a land disturbing activity affidavit with the Madison County Soils and Water Conservation District. No Subdivision shall be proposed for approval until such affidavit is on file with the SWCD and a copy of the affidavit has been submitted to the Madison County Zoning Administrator. If it is determined that a land disturbing activity is not being conducted in compliance with the soil loss limits, a written and signed complaint may be filed with the soil and water conservation district commissioners. The complaint shall have the same effect and validity as a complaint filed by an owner or occupant of land being damaged by sediment pursuant to Iowa Code Section 161A.47. If the affidavit is filed with the district or the political subdivision, the commissioners may proceed on their own complaint. The soil and water conservation district commissioners may issue an administrative order as provided to the person conducting the land disturbing activity.
- B. Provide proof of an approved NPDES General Permit #2.

SECTION 6

SIMULTANEOUS PRELIMINARY AND FINAL PLATS

In cases of certain major subdivisions as provided herein, the subdivider may be allowed to submit simultaneous applications for preliminary and final plat consideration. This process allows the Zoning Commission to review both the preliminary and final plats at the same meeting and thus may expedite the planning process.

REQUIREMENTS FOR THE SIMULTANEOUS PLATTING SUBMITTALS

Only subdivisions which meet the following requirements are eligible for the simultaneous consideration of preliminary and final plats:

1. The subdivision will result in the creation less than 7 lots of three acres or more.
2. No more than one additional road, such road may be no longer than 1000 feet in length and must conform to all applicable standards as set forth herein and all submittal requirements must be met.
3. The proposed subdivision is consistent with the County's then applicable Comprehensive Plan and land use and development policies.
4. The proposed subdivision shall not have topography, street access, sewage disposal or design concerns that would make the normal platting process the most appropriate way to review and consider the proposal.

SECTION 8

VARIATIONS AND EXCEPTIONS

Whenever the tract proposed to be subdivided is of such unusual Topography, size or shape, or is surrounded by such development or unusual conditions that the strict application of the requirements contained in these regulations would result in substantial hardships or injustices, the Board of Supervisors upon recommendation to the Commission, may vary or modify such requirements so that the subdivider is allowed to develop his property in a reasonable manner; but so, at the same time, the public welfare and interest of the County and surrounding area are protected and the general intent and spirit of these regulations are preserved.

SECTION 9

ENFORCEMENT

- A. No plat or any subdivision or resubdivision shall be recorded in the County Recorder's Office or have any validity until it has been approved in the manner prescribed herein.
- B. The board of Supervisors shall not permit any public improvements over which it has control to be made from the County Road Fund, or any County money expended for improvements or maintenance in any area that has been subdivided or upon any street that has been dedicated after the date of the adoption of these regulations unless such subdivision or street has been approved in accordance with the provisions contained herein and accepted by the Board of Supervisors as a public highway and added to the Secondary Road System of the County. Streets of a subdivision not accepted by the Board as public highways shall remain private roads.

SECTION 10

CHANGES AND AMENDMENTS

Any provisions of these regulations may be changed and amended from time to time by the Board of Supervisors; provided, however, that such changes and amendments should not become effective until after study and report by the Commission and until after a Public Hearing has been held, public notice of which should have been given in a newspaper of general circulation at least fifteen (15) days prior to Such Hearing.

SECTION 11

VALADITY

If any section, subsection, sentence, clause or phrase of these regulations is for any reason held to be unconstitutional or void, such decision shall not affect the validity of the remaining portions of these regulations.