

# KOSSUTH COUNTY SUBDIVISION ORDINANCE

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# **KOSSUTH COUNTY SUBDIVISION ORDINANCE**

## **RESOLUTION OF KOSSUTH COUNTY BOARD OF SUPERVISORS NO. 7-23-2 ADOPTING A COUNTY SUBDIVISION REGULATION**

AN ORDINANCE PRESCRIBING RULES AND REGULATIONS, PLANS, AND SUBDIVISION OF LAND WITHIN THE UNINCORPORATED AREA OF KOSSUTH COUNTY, IOWA OR WITHIN ITS JURISDICTION, CONTAINING CERTAIN DEFINITIONS, PROVIDING FOR A PRELIMINARY PLAT, A FINAL PLAT, PRESCRIBING REGULATIONS FOR STREETS, SIDEWALKS, ALLEYS, SANITARY UTILITIES, WATER LINES, STORM SEWERS AND OTHER DRAINAGE STRUCTURES AND PUBLIC UTILITIES, PRESCRIBING PENALTIES FOR VIOLATION OF ITS PROVISIONS AND REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

**WHEREAS**, a comprehensive plan for Kossuth County, Iowa, except the City of Algona and the Towns of Titonka and LuVerne, has been made, and

**WHEREAS**, the Kossuth County Regional Planning Commission has recommended to the Kossuth County Board of Supervisors that Subdivision Regulations hereinafter set forth be adopted, and

**WHEREAS**, notice of the hearing on the adoption of the said Subdivision Regulations has been published and hearing thereon has been held as prescribed by law.

NOW, THEREFORE, BE IT RESOLVED BY THE KOSSUTH COUNTY BOARD OF SUPERVISORS that all territory lying outside of the incorporated municipalities in Kossuth County, Iowa, is subject to the following ordinance regulations:

Sections 1 through 10, together with Appendix A and Appendix B of the Subdivision Ordinance, as hereafter set forth, are hereby adopted by reference and are made a part hereof as fully as though set out herein verbatim.

# **KOSSUTH COUNTY SUBDIVISION ORDINANCE**

## **SECTION 1 – TERRITORIAL LIMITS OF REGULATIONS**

### **A. TERRITORIAL LIMITS**

The rules and standards governing plats and subdivisions of land contained in this report shall apply to all land within the incorporated and unincorporated areas of Kossuth County excepting therefrom the Cities of Algona, Titonka, Lu Verne, Burt and Ledyard. However, no plan purporting to lay out land within two (2) miles of a municipality having a duly constituted Plan Commission shall be approved until it has first been approved by the council of the municipality under whose jurisdiction the proposed subdivision falls. In the event of overlapping jurisdiction within such two (2) mile areas, the extent of jurisdiction herein under shall be a line equidistant between the incorporated municipalities. The Resolution of the Kossuth County Board of Supervisors adopting these regulations shall be effective as to the unincorporated area of said county and an Ordinance adopted by the City Council of each city adopting these Regulations shall make these Regulations effective as to the incorporated area of that particular city.

### **B. EFFECT**

Within the territorial limits of the Regulations, no person, firm, or corporation shall change, re-subdivide, or rearrange the boundary or division line of any lot or parcel of land, or divide the same by any means into lots for any purpose. Nor shall any such person, firm, or corporation begin with any construction work in a proposed subdivision, including grading, without complying with the provisions of the Regulations and before obtaining the tentative approval of the preliminary plat of the proposed subdivision as hereinafter provided.

Unless approved as a Final Plat as provided herein, no subdivision shall be entitled to be recorded in the county Auditor's or Recorder's office or have any validity; the Building Official shall not issue building or repair permits for any structure on a lot in any subdivision built in violation of the Regulations; the County Board of Supervisors or City Council shall not accept any public improvements or services in such subdivision.

### **C. VIOLATIONS**

Any person, firm, or corporation who violates, omits, neglects, or refuses to comply with or resists the enforcement of any of the provisions of the Regulations, shall be fined not less than \$15 and not more than \$50 for each offense; and each day that a violation is permitted to exist shall constitute a separate offense.

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## SECTION 2 – DEFINITIONS

For purposes of this report, certain terms are defined as follows:

- a. **Alley or Service Drive** – A passage or way affording generally a secondary means of vehicular access to abutting properties.
- b. **Area Service Road/Street** – A road or street intended to serve and provide access exclusively to abutting properties.
- c. **Arterial** – A state road which serves long-distance movements and connects long-distance traffic with arterial connectors and from other streets or roads to the freeway-expressway routes.
- d. **Arterial Connector** – A state road which provides short-distance intrastate and interstate service and connects the arterial and freeway-expressway routes.
- e. **Commission** – The Regional Planning Commission.
- f. **Comprehensive Plan** – The adopted plan for orderly growth of the county.
- g. **County Board** – The Board of Supervisors of the County.
- h. **Cul-de-sac** – An area service road or street with a turn-around.
- i. **Freeway-Expressway** – A state road which carries long-distance traffic between major urban and regional areas of the state.
- j. **Lot** – A parcel of land intended for transfer of ownership or building development, whether immediate or future. A lot shall have frontage on a public road or street.
- k. **Plats Officer** – The county employee designated by the elected officials to administer the Regulations.
- l. **Subdivision** – The division or re-subdivision of a tract or parcel of land into two (2) or more lots, plots, sites, or other divisions of land; or the consolidation of parcels, for the purpose, whether immediate or future, of transfer of ownership or building development. A re-subdivision of land or lots shall also be considered a subdivision.
- m. **Trunk** – A county road which provides intra-county and inter-county service between principal traffic generators and other trunk, arterial, or freeway-expressway routes.
- n. **Trunk Collector** – A county road which serves short-distance intra-county and inter-county traffic and provides connection between trunks and lesser county roads.

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## SECTION 3 – PROCEDURE

In planning and developing a subdivision, the general principals and requirements set forth in [Appendix A](#) of this report shall be observed and in every case the following procedure should be pursued:

### **A. SKETCH PLAN**

1. The sub-divider or his engineer shall first submit his proposed plat in sketch form to the Plats Officer to ascertain the location of proposed streets, parks, or other planned developments.

### **B. PRELIMINARY PLAT**

1. The sub-divider, after submitting the plat in sketch form to the Plats Officer shall prepare a preliminary plat of the proposed subdivision and construction plans for improvements adequate to determine that sewer, water, and street construction can be installed conforming with the requirements set forth in [Appendix B](#) of these regulations. The sub-divider shall supply black or blue line prints to all public utilities. The sub-divider shall file with the Plats Officer an application in writing seeking the approval of said plat, accompanied by five (5) black line or blue line prints. Said application shall be submitted at least one (1) week prior to a regularly scheduled meeting of the Regional Planning Commission.
2. The Plats Officer will check the preliminary plat as to its conformity with the adopted Comprehensive Plan, statutes of the county or municipality, and principles, standards, and requirements set forth in the Regulations. The Plat Officer will check the construction plans of proposed improvements.
3. The Regional Planning Commission upon receipt of the recommendations and advice from the Plats Officer concerning matters above, will approve, approve with modifications or disapprove the preliminary plat within thirty (30) days of receipt of the plat. If the preliminary plat is disapproved by the Commission, the subdivider shall be furnished with a letter and copy of the plat stating the reason for disapproval and where the plat does not conform to county or municipal regulations including the Comprehensive Plan. Such notifications shall take place within the thirty (30) day period. Upon approval of the preliminary plat, one (1) copy of the approved or conditionally approved plat shall be returned to the sub-divider within ten (10) days following Commission action, one (1) copy of the approved plat transmitted to the Superintendent of the school district in which the proposed subdivision is located, one (1) copy to the County or Municipal Engineer, one (1) copy to the appropriate elected officials, and the final copy retained in the Commission's files.

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## **C. IMPROVEMENTS**

1. The sub-divider, after approval of the preliminary plat, may (a) secure from the Plats Officer the necessary permits to proceed with the street and sanitary improvements after approval of final construction drawings; or in lieu of this, (b) shall, to insure the satisfactory installation of said improvements in accordance with the Commission's regulations post with the County Auditor a surety bond, in form prescribed by the elected officials sufficient to cover the full cost of said improvements based upon estimate approved by a registered engineer.

## **D. FINAL PLAT**

1. The sub-divider, upon completion of all improvements required by the Regulations, or upon posting of a bond, shall file with the Regional Planning Commission the final or record plat for final approval. The plat must conform in every respect with the requirements specified in [Section 6](#) of this report. The sub-divider shall submit the final plat not later than one (1) year after approval of the preliminary plat. A final or record plat may be a portion of a larger sub-division for which a preliminary plat had been previously approved. However, improvements shall be made for all parts of the subdivision to be submitted for final approval.
2. The sub-divider shall file with the Plats Officer five (5) black lines or blue line prints, the original tracing, and a formal request for approval, along with two (2) copies of all covenants or restrictions pertaining to the plat.

The Plats Officer will check the final plat and plans and specifications for improvements. If found satisfactory, the original tracing shall be forwarded to the Commission, with a certificate showing that (a) the technical details of the plat itself have been checked and found satisfactory (b) all required improvements have been satisfactorily completed or, in lieu thereof, a surety bond has been posted, assuring their installation.

3. After receiving notification from the Plats Officer that improvements are in order and after being satisfied that the final plat is in conformity with the approved preliminary plat and the Regulations, the Commission shall approve and certify the final plat and forward it to the County Board of Supervisors or City Council for appropriate action. The Commission and elected officials shall have sixty (60) days from the date of submission in which to take action on the final plat.

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4. After approval of the plat by the County Board or City Council, four (4) approved prints and original tracing of the final plat shall be returned to the Plats Officer. The Plats Officer shall transmit one (1) copy of the approved plat to the County or City Engineer, one (1) to the Superintendent of the school district in which the subdivision is located, one (1) to the Building Official and retain one (1) for Commission files. The original tracing shall be transmitted to the sub-divider for recording.
5. The subdivider shall post a maintenance bond covering any improvement to be accepted for maintenance by the County or City. Such bond shall be held by the County Auditor and shall become effective upon acceptance of the final plat by the County Board or City Council, unless otherwise stipulated. Maintenance bonds shall run for two (2) years on street paving and two (2) years on sewer and water improvements.

## **E. FEES**

1. At the time of filing of a plat or replat for approval, the sub-divider shall pay to the County Treasurer a fee according to the following schedule:

<b><u>No. of Lots in Subdivision</u></b>	<b><u>Fees</u></b>	
1 to 10	<del>\$25</del>	\$200 (resolution dated May 25, 2010)
11 or more lots	<del>\$ 3 per lot</del>	\$200 (resolution dated May 25, 2010)

2. All fees shall be deposited in the General Fund. No fees shall be charged for processing preliminary plats.



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## **SECTION 4 – THE PRELIMINARY PLAT**

1. The preliminary plat of the proposed subdivision, five (5) black line or blue line prints prepared by a registered land surveyor, shall accompany an application in writing to the Plats Officer for preliminary approval of the subdivision in order that permits may be secured for the installation of improvements and processing for final approval of the plat may proceed thereafter. All public utilities shall be supplied with copies of the preliminary plat.
2. A vicinity sketch at a scale of four hundred (400) feet or less to the inch shall be drawn or shall accompany the preliminary plat. Such vicinity sketch shall show all adjacent existing subdivisions and their names, the tract lines of acreage parcels of land together with the names of record owners of such parcels, and all street and alley lines immediately adjoining the proposed subdivision and between it and the nearest existing highways or thoroughfares.
3. The horizontal scale of the preliminary plat shall be one hundred (100) feet or less to the inch.
4. The preliminary plat should clearly show and include the following features and information:
  - a. The proposed name of the subdivision, which shall not duplicate or closely approximate the name of any other subdivision in the County.
  - b. An accurate description of the property involved according to the real estate records of the County.
  - c. The names and addresses of the owners of record, the sub-divider, and the registered surveyor who prepared the plat.
  - d. The names of adjoining subdivisions and the names of record owners of adjoining parcels of unplatted land.
  - e. The boundary lines, accurate in scale, of the tract to be subdivided.
  - f. The location, widths, and names of all existing or platted streets or other public ways and easements within or immediately adjacent to the tract, corporation lines, section and quarter-section lines, and other important features such as existing permanent buildings, water courses, railroad lines, etc.
  - g. Existing sewers, water mains, culverts, and other underground structures within the tract and immediately adjacent thereto, with pipe sizes and grades indicated.

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- h. Contours, with intervals of two (2) feet reference to United States Geological North American Datum-Mean Sea level Elevation Datum.
  - i. The layout, proposed names and widths of proposed streets, alleys, and easements; the location and approximate sizes of proposed catch basins, culverts, and other drainage structures; the layouts, numbers, and approximate dimensions of proposed lots.
  - j. Proposed front-yard set-back or other set-back lines.
  - k. The width and approximate dimensions of all parcels of land intended to be dedicated or reserved for public use, or to be reserved in the deeds for the common use of property owners in the subdivision, with the purpose, conditions, or limitations of such dedication or reservation indicated
  - l. North-point, scale, and date.
  - m. Copies of any proposed restrictions.
  - n. Notation stating “Preliminary Plat – Not for Record.”
5. Construction drawings. The sub-divider’s engineer shall prepare preliminary plans for all proposed improvements in such form as to enable the Plats Officer to determine that sewers, water and streets may be constructed according to [Appendix B](#) of this report.

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## SECTION 5 – IMPROVEMENTS

Minimum improvements shall be installed, unless a surety bond is filed, prior to request for final approval of the plat, in accordance with the requirements of [Appendix B](#) of the Regulations.

## SECTION 6 – THE FINAL OR RECORD PLAT

After improvements have been installed, or a surety bond filed, in accordance with [Appendix B](#) of these regulations, five (5) black line or blue line prints and the original tracing or record plat of the subdivision shall be submitted to the Regional Planning Commission with a formal request for approval. The final plat shall be drawn at the scale of one hundred (100) feet or less to the inch, and shall clearly show the following features and information:

- a. Legal description of the property, including reference to the section, township, and range; section lines and corners; quarter-section lines.
- b. All plat boundary lines with lengths of courses to hundredths of a foot and bearings or angles based on an accurate survey in the field.
- c. The exact locations and the widths along the property lines of all existing or recorded streets or roads intersecting or paralleling the boundaries of the tract.
- d. Bearings and distances to nearest established street or road bounds, other established survey lines, or other official monuments, which monuments shall be located or accurately described on the plat. Any established survey or corporation lines shall be accurately monument-marked and located on the plat, and their names shall be lettered on them.
- e. The accurate location and materials of all permanent reference monuments. Such monuments shall be concrete cylinders or rectangular prisms, not less than four (4) inches in diameter or square, and twenty-four (24) inches long, located at extreme corners of the subdivision. Other markers shall be steel rods not less than three-quarter (3/4) inches long, located at all street corners, at all points where street lines intersect the plat boundary lines and at angle points and points of curve in each street; and shall be one-half (1/2) inch square iron pins, twenty-four (24) inches in length, at all lot corners. Any pins disturbed by construction or grading shall be reset.

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- f. The exact layout including: (1) street and alley lines – their names, bearings, angles of intersection and widths (including widths along the line of any obliquely-intersecting street); (2) the lengths of all arcs –radii, points of curvature and tangent bearings; (3) all easements or right-of-ways, when provided for or owned by public services (with the limitation of easement rights definitely stated on the plat); (4) all lot lines with dimensions in feet and hundredths, and bearings or angles if other than right angles to the street and alley lines.
- g. Lots numbers in numerical order, and blocks also numbered in numerical order.
- h. The accurate outline of all property which is offered for dedication for public use, and of all property that may be reserved by covenant in the deeds for the common use of the property owners in the subdivision, with the purpose indicated thereon.
- i. Front yard set-back lines need not be shown. Lines of future streets or roads as shown on the adopted Transportation Plan and those set-back lines stipulated in deed restrictions shall be shown.
- j. Private restrictions, if any: (1) boundaries of each type of use restrictions; (2) other private restrictions for each restricted section of the subdivision.
- k. Name of the subdivision and name or number of the largest subdivision or tract of which the tract being subdivided forms a part.
- l. Names and locations of adjoining subdivisions.
- m. Names and addresses of the owner or owners of record, the sub-divider, and of the registered land surveyor who prepared the plat.
- n. North-point, scale and date.
- o. Certification by the registered land surveyor who prepared the plat to the effect that the plat represents a survey made by him, that all monuments indicated thereon actually exist and that their location, size, and material are correctly shown.
- p. Other certificates, required by law, including certificate of title showing ownership of the tract of land included in the subdivision, also certificate showing that all taxes have been paid.

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## SECTION 7 – MODIFICATIONS AND EXCEPTIONS

1. The general principles of design and minimum requirements for the laying out of subdivisions, set forth in [Appendix A](#), may be varied by the Regional Planning Commission in the case of a subdivision large enough to constitute a more or less self-contained neighborhood which is to be developed in accordance with a comprehensive plan safeguarded by appropriate restrictions, and which, in the judgment of the Commission, makes adequate provision for all essential community requirements; provided, however, that no modification shall be granted by the Commission which would conflict with the proposals of the Transportation Plan, the Public Facilities Plan, or with other features of the adopted Comprehensive Plan, or with the intent and purposes of said general principles of design and minimum requirements.

In any particular case where the sub-divider can show that, by reason of exceptional topographic or other physical conditions, strict compliance with any requirements of the Regulations could cause practical difficulty or exceptional and undue hardship, the Regional Planning Commission may relax such requirements to the extent deemed just and proper, so as to relieve such difficulty or hardship; provided such relief may be granted without detriment to the public good and without impairing the intent and purposes of the Regulations or the desirable general development of the county. Any modification thus granted shall be entered in the minutes of the Commission setting forth the reasons which, in the opinion of the Commission, justified the modification.

2. In the case of a subdivision of less than five (5) lots and where all lots can be adequately served by existing streets, situated in a locality where conditions are well-defined, the Regional Planning Commission may exempt the sub-divider from complying with some of the requirements stipulated in [Section 4](#) pertaining to the preparation of the preliminary plat.

## SECTION 8 - Severability Clause

If any of the provisions of this Ordinance or the application thereof to any person or circumstances are held invalid, such invalidity shall not affect the provision or applications of this Ordinance, which can give effect without the invalid provision or application and to this end the provisions of the Ordinance are declared to be severable.

## SECTION 9 - Repealer

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

## SECTION 10 - When Effective

This Ordinance shall become effective upon its passage, approval and publication as by law provided.

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## APPENDIX A

### GENERAL PRINCIPLES OF DESIGN AND MINIMUM REQUIREMENTS OF THE LAYOUT OF SUBDIVISIONS

In laying out a subdivision, the sub-divider shall comply with the following principles and requirements:

#### **A. GENERAL**

1. The layout must conform to the Transportation Plan, other parts of the adopted Comprehensive Plan and other adopted statutes of the country.
  - a. Whenever a tract to be subdivided embraces any part of a freeway-expressway, arterial, arterial connector, trunk, or trunk collector, so designated on the Comprehensive Plan, such a part of such public way must be platted by the sub-divider in the location and at the width indicated on the Plan.
  - b. Where a proposed park, playground, or other recreational area, proposed school site or public ground, shown on the adopted Public Facilities Plan or other adopted part of the Comprehensive Plan, is located in whole or in part within the proposed subdivision, such proposed public ground or part, if not dedicated to the appropriate Board of Education or other public agency, must be reserved and no action taken on the subdivision for a period of not less than ninety (90) days to allow the city, county, or other public agency the opportunity to consider and take action toward acquisition of such public ground or part by purchase or other means. If the responsible agency does not take action to acquire such land, the sub-divider may then use the land for any purpose permitted.
2. Where considered desirable by the sub-divider and held appropriate by the Regional Planning Commission, open spaces suitably located and of adequate size for parks, playgrounds, or other recreational purposes for local or neighborhood use may be provided for in the design of the proposed subdivision and if not dedicated to the public and accepted by the appropriate public body, may be reserved for the common use of all property owners in the proposed subdivision by covenant in the deeds.

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## **B. THE STREET AND BLOCK LAYOUT**

1. The street layout of the subdivision shall be in general conformity with a plan for the most advantageous development of adjoining and nearby areas.
  - a. Where appropriate to the design, proposed streets shall be continuous and in alignment with existing, planned, or platted streets with which they are to connect.
  - b. Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless, in the opinion of the Regional Planning Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision with existing layouts or the most advantageous future development of adjacent tracts. Cul-de-sacs of reasonable length will be approved where topography necessitates or where they are appropriate for the type of development contemplated.
  - c. Proposed streets shall intersect one another as nearly at right angles as topography and other limiting factors of good design permit.
  - d. Wherever there exists adjoining the tract to be subdivided a dedicated or platted and recorded half-width street or alley, the other half-width of such street or alley shall be platted.
  - e. Alleys shall ordinarily be platted: (1) in the rear of all lots to be used for business; and (2) in the rear of residential lots fronting on primary thoroughfares (unless service roads are provided in front thereof) as a means of safe access to such lots.
2. Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depth, at least one hundred fifty (150) feet, unless, in the opinion of the Regional Planning Commission, prevented by exceptional topography or other physical conditions.
  - a. The lengths of blocks shall be such as are appropriate, in the opinion of the Commission, for the locality and the type of development contemplated, but shall not exceed sixteen hundred (1600) feet.
  - b. In any block over nine hundred (900) feet in length, the Commission may require that a crosswalk or pedestrian way, not less than ten (10) feet wide, be provided near the center and entirely across such block.

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- c. Cul-de-sacs shall not exceed five hundred (500) feet in length measured along the centerline from the intersection at origin through the end of the circle to the end of the right-of-way.

## **C. MINIMUM RIGHT-OF-WIDTHS OF STREETS, ALLEYS, AND EASEMENTS FOR UTILITIES**

1. Freeways-Expressways : 288 feet wide  
Freeway-Expressway Extensions: 110 feet wide
2. Arterials: 160 feet wide  
Arterial Extensions: 66 feet wide
3. Arterial Connectors: 120 to 160 feet wide  
Arterial Connector Extensions: 66 feet wide
4. Trunks: 120 feet wide  
Trunk Extensions: 66 feet wide
5. Trunk Collectors: 100 to 120 feet wide  
Trunk Collector Extensions: 66 feet wide
6. Area Service: 66 to 120 feet wide  
Municipal Service: 66 feet wide

Area Service roads or streets with curb and gutter may be permitted at fifty (50) feet. All dead-end streets shall terminate in a circular turnaround having a minimum right-of-way diameter of one hundred (100) feet.

7. Alleys and Service Drives: Twenty (20) feet.
8. Easements for utilities, where required, should be at least ten (10) feet wide centered on rear or side lot lines.

## **D. MINIMUM PAVEMENT WIDTHS**

1. The portion of the pavement required to be installed at the sub-divider's expense shall be as follows:
  - a. Freeways-expressways, arterials, arterial connector, trunks, trunk collectors designated as such on the Transportation Plan, and area service roads/streets, twenty-five (25) feet wide, back to back of curb. Overall pavement widths shall be as designated by the Transportation Plan, and the differences, if any, between the cost of the portion to be provided at the expense of the sub-divider and that of the total width designated by the Transportation Plan shall be borne by the county or city, unless it



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shall be determine by the Commission that such greater width will benefit the sub-divider in proportion to its cost; provided, however, that the cost of curb and gutter should be borne by the sub-divider in any case. The pavement of a turning circle at the end of a cul-de-sac shall have a minimum outside diameter of eighty (80) feet. A “T” or “Y” shaped paved space, when approved by the Commission may be used as a temporary measure at the end of a dead-end street until such time as the street is continued.

- b. Alleys and service drives shall be paved to a width of sixteen (16) feet.

## **E. STREET GRADES, CURVES, AND SIGHT DISTANCE**

1. The grades of streets shall not be less than five-tenths (0.5) percent nor exceed the following:
  - a. Freeways-expressways, arterials, arterial connectors, and trunks, designated as such on the Transportation Plan: five (5) percent unless prevented by topography.
  - b. Trunk collectors and area service roads/streets, service drives, and alleys: ten (10) percent
  - c. Pedestrian ways or crosswalks: twenty (20) percent, unless steps of an acceptable design are to be constructed.
2. All changes in street grades above one (1) percent shall be connected by vertical curves of a minimum length equal to thirty (30) times the algebraic difference in the rate of grade for thoroughfares and one-half of this minimum for all other streets.
3. The radii of curvature on the centerline shall not be less than the following:
  - a. Freeways-expressways, arterials, arterial connectors, trunks, and trunk collectors : Three hundred fifty (350) feet
  - b. Area service road/streets, service drives, and alleys: One hundred fifty (150) feet.

## **F. INTERSECTIONS**

1. Curb returns at street intersections shall be rounded by radii of at least twenty-five (25) feet.

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2. Streets shall intersect as close to a ninety (90) degree angle as possible. Minimum radii of curb returns shall be increased where the angle of intersection is less than ninety (90) degrees.

## **G. LOTS**

1. The size, shape, and orientation of lots shall be appropriate for the location of the proposed subdivision and for the type of development contemplated.
2. Excessive depth in relation to width ordinarily shall be avoided.
3. Every lot shall abut on a public right-of-way dedicated for street purposes.
4. Lots for residence purposes shall be at least fifty (50) feet wide at the front lot line and shall be adequate for a building of practicable width.
5. Lots larger than the minimum called for by health and land use regulations may be required where topographic or other considerations may limit the buildable or usable portion of such lots.
6. Corner lots for residential use ordinarily should be platted wider than interior lots in order to permit conformance with the required set-backs.
7. Residential lots fronting on highways, thoroughfares, and parkways should have extra depth to permit deep set-backs for the buildings.
8. Double-frontage lots and reversed-frontage lots ordinarily should be avoided.
9. Side lot lines shall be approximately at right angles to the right-of-way line of the street on which the lot fronts.
10. Side lot lines on curved streets shall be radial to the right-of-way line of the street on which the lot front.
11. Lots not served by public sewer systems and/or public water systems shall meet all requirements established to protect public health in the county.
  - a. Lots lacking both services shall ordinarily be at least 40,000 square feet in size and at least 200 feet wide at the building line.
  - b. Lots having either public water or sewer shall be at least 20,000 square feet in size and at least 120 feet wide.
  - c. Percolation tests and related public health measures shall be used in all cases and the above stated minimum requirements may be modified upon

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report of appropriate State or County agencies. (See [Appendix B](#), Subsection C 3b.)

- d. Lot sizes as stated in the Regulations are subject to requirements of the zoning district in which they are located.

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## APPENDIX B

### MINIMUM REQUIREMENTS FOR THE INSTALLATION OF IMPROVEMENTS IN SUBDIVISION

Improvements shall be installed in accordance with the following minimum requirements and regulations prior to the filing of the final plat for final approval:

#### **A. GENERAL**

1. All of the improvements required under the Regulations shall be constructed under contract approved by the jurisdiction's engineer in respect to construction details and proper inspection of the improvements to be installed, and shall be completed prior to the filing with the Commission of the final or record plat and request for final approval, in accordance with the specifications and under the supervision of the jurisdiction's engineer or his duly designated representative.
2. In Lieu of completing all the improvements as required in Paragraph 1 above, the sub-divider shall furnish the county or city with a surety bond, sufficient to cover the cost of any or all of the improvements required to be installed by the sub-divider, based on estimates approved by the jurisdiction's engineer thereby to secure the actual construction and installation of such improvements within one (1) year after the approval of the final plat, subject to extension by the Commission.

#### **B. STREETS, SIDEWALKS, AND ALLEYS**

1. Construction plans for improvements to be installed shall be prepared by a registered professional engineer, whose seal shall appear thereon, and two (2) prints furnished, in accordance with specifications of the Commission and shall be revised as may be necessary and receive approval of the jurisdiction's engineer and other agencies having jurisdiction before improvements are installed:
  - a. Plan and profile of each street, referenced to United States Geological Survey datum, at a horizontal scale of twenty (20) feet or less to the inch, and a vertical scale of five (5) feet or less to the inch, with tentative grades indicated; including plans and profiles of proposed sanitary sewers, also storm water sewers if required, with grades and sizes indicated.
  - b. Typical cross-section of each proposed street, at a horizontal and vertical scale of five (5) feet or less to the inch, showing the width of pavement, the location and width of any sidewalks and the location of utility mains.
  - c. Complete grading plan.

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- d. Plan of the proposed water distribution system, showing pipe sizes and location of valves and fire hydrants.
2. Streets shall be graded to full right-of-way width. The surfacing shall be seven (7) inches of Portland cement concrete or equivalent or in accordance with specifications of the jurisdiction in which the subdivision is located. Such surfacing shall not be less than twenty-five (25) feet wide, back to back of curb, and with concrete curb and gutter, or as otherwise required under D. 1. a. of [Appendix A](#), all in accordance with the specifications and meeting the approval of the jurisdiction's engineer.
3. Sidewalks, if required, shall be constructed of Portland cement concrete four (4) inches in thickness, and not less than four (4) feet in width.
4. Alleys and service drives shall be graded to the full width of the right-of-way and shall be provided with an all-weather surface satisfactory to the jurisdiction's engineer. Such surfaced width shall be four (4) feet less than the dedicated right-of-way unless otherwise specified.

## **C. WATER SUPPLY AND SEWERAGE**

1. Every subdivision shall be provided with a complete water distribution system adequate to serve the area being platted including a service connection to within one (1) foot of a lot line of each lot and appropriately spaced fire hydrants, the entire water system designed to meet the approval of the jurisdiction's engineer and the State Department of Health.
2. Every subdivision shall be provided with a storm-water sewer or drainage system adequate to serve the area being platted for a five (5) year design storm and otherwise meeting the approval of the jurisdiction's engineer.
3. In every subdivision, provision shall be made for the satisfactory disposal of sanitary sewage:
  - a. Where a public sanitary sewer main is reasonably accessible, in the opinion of the Commission, the subdivision shall be provided with a complete sanitary sewer system connected with such sewer main, including a service connection to within one (1) foot of a lot line of each lot. Such system shall be approved by the County Health Board and the State Department of Health.

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- b. Where in the opinion of the Commission, a public sanitary sewer main is not reasonably accessible, proper provisions shall be made for the disposal of sanitary waste subject to approval of the County Health Board. If individual disposal systems are provided, they shall be located on each lot. The absorption of the soil, surface drainage, and topography shall be the criteria for determining whether or not the installations of individual septic tank disposal systems are feasible. Feasibility shall be ascertained by the sub-divider whenever individual systems are proposed. At least two (2) percolation tests shall be made on each lot at the approximate location of the septic system absorption field. Such tests shall be performed in accord with the requirements of the Commission, the County Health Board, and the State Department of Health. The results of these tests shall be certified by a registered professional engineer and made known to the County Health Board, the Commission, and the State Department of Health.
- c. Backfilling of trenches. Wherever excavations for storm sewer, sanitary sewer, and/or water mains and appurtenances thereto may lie beneath existing or proposed pavement, sidewalk, or drive areas, such excavation shall be backfilled by a method and with trench fill of a type approved by the jurisdiction's engineer.

### **D. UTILITIES, MONUMENTS**

1. Poles or underground conduits for electric lights, telephone lines or other utilities shall be placed in easements provided along rear or side lot lines, wherever this is practicable.
2. Monuments shall be placed in accordance with the requirements of subsection e. of [Section 6](#).

### **E. "AS BUILT" CONSTRUCTION DRAWINGS**

Where the construction as performed varies from the plans filed and approved as hereinbefore required, "as-built" construction drawings shall be filed with the Commission. If such construction does not vary from said plans, an affidavit executed by a registered professional engineer so certifying shall be filed prior to acceptance of a final plat or acceptance of improvements for maintenance.

PASSED, ADOPTED AND APPROVED this 23 day of July, 1973. By  
Lawrence Newbrough – Chairman, Kossuth County Board of Supervisors.

ATTEST: Delores Dodds – County Auditor