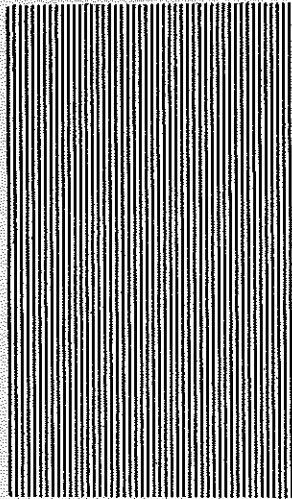


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**CRAWFORD  
COUNTY,  
IOWA - 1976**

**SUBDIVISION REGULATIONS  
ZONING ORDINANCE**





CRAWFORD COUNTY  
BOARD OF SUPERVISORS

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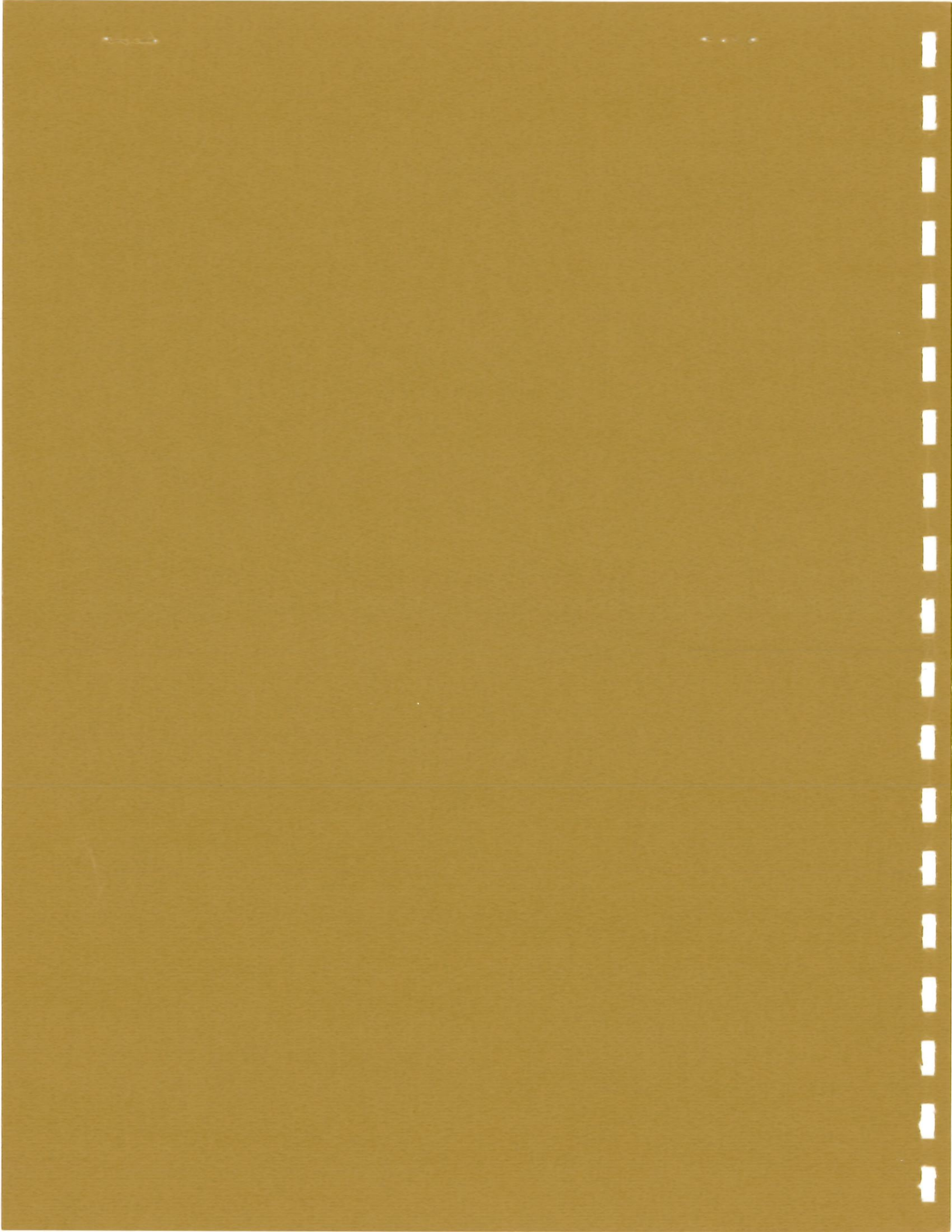
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RECOMMENDED LAND USE POLICY STATEMENT  
CRAWFORD COUNTY, IOWA

Purpose

The purpose of the Land Use Policy is to set out the basic philosophy of the county with regard to future land use and development practices within the unincorporated areas of the county.

The formal recognition and endorsement of such a policy will represent a major step in establishing the framework for guiding future development within the county. It will serve as the basis for preparing the zoning ordinance and will serve as a guide for the County Zoning Commission, the Board of Supervisors and other public and private agencies in making decisions relating to land use.

The Recommended Land Use Policy Statement is comprised of several general policies which are presented on the following pages.

Recommended Land Use Policy

Preservation of agricultural land

Prime agricultural cropland shall not be used for non-agricultural development unless it can be demonstrated that the site or area is equally or more appropriately suited for the proposed use because of location, proximity or other characteristics.

Protect ground and surface water resources

Every effort shall be made to avoid contamination of ground water supplies and rivers and streams through the installation of adequate waste disposal facilities and by encouraging urban development to locate in or near urban areas where adequate waste disposal facilities are available.

Maintain availability of mineral deposits

Major deposits of minerals such as sand and gravel shall be protected from incompatible uses or over-uses that might, at some future date, preclude their extraction or utilization.

Preservation of woodlands

The development of woodlands and timbered areas which would result in their destruction shall be discouraged.



Protect flood plains from encroachment

The location of buildings in areas subject to flood shall be discouraged in order to minimize potential threat to life and property. The placement of fill or other material upon the flood plain which would restrict the passage of flood waters shall be discouraged.

Protect roads and highways from encroachment

Encroachment upon roads and highways which would impede the flow of traffic or which would create potential traffic hazards shall be discouraged in favor of frontage roads, clustered development or other means.

The condition and capacity of roads and highways shall be taken into account when development is proposed in order to avoid exceeding the capacity of such roads.

Encourage future development to take place in a compact and orderly manner

Compact or clustered development which utilizes land efficiently shall be encouraged in favor of scattered or strip development.

Future land uses shall be compatible with one another and located in areas where such development is compatible with existing land uses.

Encourage urban development to locate near population centers

Where appropriate, proposed development shall be encouraged to locate in or adjacent to cities and towns where municipal utilities and services are presently available, or will become available.

Protect existing agricultural uses from encroachment

Existing agricultural uses such as farmsteads, and livestock and poultry operations shall be protected from encroachment by incompatible uses.

Adoption of Land Use Policy Statement

In order for the Land Use Policy Statement to serve its intended purpose, it should be given official sanction by the County Zoning Commission and the Board of Supervisors. This can be accomplished with the adoption of the policy (by resolution) by both bodies, stating that the policy is the Official Land Use Policy of Crawford County.



CRAWFORD COUNTY  
ZONING ORDINANCE





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ZONING ORDINANCE  
OF  
CRAWFORD COUNTY, IOWA

AN ORDINANCE to regulate and restrict the location and the use of buildings, structures, and land for trade, industry, residence and other purposes; to regulate and restrict the height, number and size of buildings and other structures; to establish minimum lot areas; to regulate the density of population; to require off-street parking; to regulate the location, size and number of signs; to divide the unincorporated area of the County into districts for such purposes; to provide for the administration and enforcement of its provisions; to create a Board of Adjustment; to prescribe penalties for the violation of its provisions, all in accordance with Chapter 358A, Code of Iowa; and to be known and cited as "The Zoning Ordinance of Crawford County, Iowa.

WHEREAS, the Board of Supervisors of Crawford County, Iowa, deems it necessary to prevent and to lessen congestion in the streets and highways; to secure safety from fire, flood, panic and other dangers; to protect the public health and general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population to facilitate the adequate provision of transportation, water, sewerage and other public requirements; to conserve and protect the environment, agricultural lands, woodlands and other natural resources; and to encourage the most appropriate use of land throughout the County, all in accordance with a Comprehensive Zoning Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF CRAWFORD COUNTY, IOWA.





CHAPTER 1

DISTRICT REGULATIONS

- 1.1 Establishment of Districts. The following districts are hereby established for the unincorporated areas of the County:

A-1	Agricultural
R-1	Residential
C-1	Highway Commercial
M-1	Limited Industrial
M-2	General Industrial

The locations and boundaries of these districts are shown on the Official Zoning Map.

- 1.2 Adoption of Official Zoning Map. The Official Zoning Map and the explanatory material thereon, is hereby adopted by reference and declared to be a part of this ordinance.
- 1.3 Identification of Official Zoning Map. The Official Zoning Map shall be identified by the signature of the Chairman of the Board of Supervisors and attested to by the County Auditor under the following statement:

"This is to certify that this the Official Zoning Map referred to in Chapter 1, Section 1.2, of the Zoning Ordinance of Crawford County, Iowa, as adopted the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

The Official Zoning Map shall be on file in the office of the County Auditor and shall be the final authority as to the current zoning status of land, buildings and other structures in the County.

- 1.4 Changes in Official Zoning Map. No changes in the Official Zoning Map shall be made except as may be required by amendments to this ordinance under Section 3.2 herein. If required, such changes shall be promptly made and the ordinance number, nature of change, and date of change shall be noted on the map, with the signature of the Chairman of the Board of Supervisors approving such change in the Official Zoning Map. No amendment to this ordinance which



involves matter portrayed on the Official Zoning Map shall become effective until after such change and entry has been made on said map.

Any unauthorized change of any kind whatsoever in the Official Zoning Map by any person or persons shall constitute a violation of this ordinance and be punishable as provided in Section 2.4 of this ordinance.

1.5 Interpretation of District Boundaries. Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following the centerline of streets, highways, or alleys shall be construed to follow such centerlines.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following township lines or section lines shall be construed as following said township lines or section lines.
4. Boundaries indicated as approximately following railroad lines shall be construed to be midway between the main tracks.
5. Boundaries indicated as following shore lines of streams or other bodies of water shall be construed to follow such shore lines, and in the event of change in the shore line, shall be construed as moving with the actual shore line; boundaries indicated as approximately following the centerlines of streams, rivers or other bodies of water shall be construed to follow such centerlines, and in the event of change in the centerline, shall be construed as moving with the actual centerlines.
6. Boundaries indicated as parallel to or extensions of features indicated in subsections 1 through 5 above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.



R-1 RESIDENTIAL DISTRICT

MINIMUM LOT AREA AND WIDTH	MINIMUM YARD REQUIREMENTS	MAXIMUM HEIGHT
<p>Dwellings and Institutional uses except as provided elsewhere in this ordinance</p> <p>Area.... 20,000 square feet Width... 100 feet</p> <p>Where served by community or municipal water supply and sewage disposal systems, the minimum lot area and width for dwellings shall be not less than:</p> <p>Area.... 12,000 square feet Width... 80 feet</p>	<p>Front..... 30 feet Rear..... 35 feet Side..... 10 feet Street side, Corner Lot..... 25 feet</p>	<p>2½ stories or 35 feet</p>

PERMITTED SIGNS

1. Identification signs not to exceed 4 square feet in area.
2. Church or public bulletin boards not to exceed 16 square feet in area.
3. Farm home occupation signs and agricultural service business signs identifying the business or service on the premises not to exceed 16 square feet in area.
4. Temporary signs advertising the sale or lease of the premises not to exceed 16 square feet in area.
5. No use shall have more than 1 of each type of sign permitted for that use on each street or road frontage, however, each sign may be a double-faced or back to back sign.
6. Permitted signs shall be located at least 20 feet from any lot line or not more than 5 feet from the main building.
7. Illumination of signs and bulletin boards shall be indirect, non-intermittent lighting.
8. All signs shall be maintained in a neat, safe and presentable condition and in the event their use shall cease, they shall be promptly removed.

SPECIAL REQUIREMENTS

1. Prior to the issuance of a permit for any use in this district, the applicant shall submit plans for water supply and sewage disposal systems and shall provide evidence to the Administrative Officer that such facilities, including sewage lagoons, where needed, are adequate for the proposed use. Water supply and sewage disposal facilities shall be approved by the County Health Department.



STATEMENT OF INTENT

The Highway Commercial District is intended to provide areas for commercial development which primarily serve the traveling public. This district is also intended to accommodate certain other commercial uses which ordinarily require access to a major street or highway.

PERMITTED PRINCIPAL USES AND STRUCTURES

REQUIRED PARKING

1. Automotive, truck, farm implement or mobile home sales, service or repair.....	} 1 space for every 300 square feet of sales, service or office floor space
2. Motorcycle, boat and recreation vehicle sales, service or repair.....	
3. Animal hospitals or kennels.....	
4. Drive-in banks.....	3 spaces plus storage for 3 vehicles outside each teller lane
5. Hotels and motels.....	1 space per unit
6. Plant nurseries and garden centers.....	} 1 space per 100 square feet of floor area
7. Antique shops.....	
8. Restaurants, nightclubs and taverns.....	
9. Drive in restaurants and refreshment stands.....	5 spaces per 100 square feet of floor area
10. Recreational & amusement activities such as bowling alleys, miniature golf courses, driving ranges, skating rinks, dance halls.....	Bowling - 5 spaces per lane; miniature golf - 3 spaces per green; other - 1 space per 100 square feet of floor area
11. Drive-in theaters.....	Storage lanes outside ticket booth to accommodate 10% of theater capacity.
12. Building Material Sales and Distribution.....	5 spaces plus 1 space for each employee on the site plus 1 space for each company vehicle

PERMITTED ACCESSORY USES AND STRUCTURES

1. Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district.
2. Storage warehouses in conjunction with the permitted principal uses or structures of this district.
3. Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the construction work.
4. Dwelling units in a commercial structure provided that an open yard of at least 2,400 square feet is reserved and maintained for each dwelling unit and that 2 off-street parking spaces per unit be provided.

SPECIAL EXCEPTION USES AND STRUCTURES

Subject to Section 2.15-2 and the requirements contained herein, the Board of Adjustment may permit the following:

1. Railroads and Public utilities but not including equipment storage or maintenance yards, provided that any substation or building shall meet the front and rear yard requirements for this district and shall provide side yards of not less than 25 feet, and that 2 off-street parking spaces per substation or 1 per employee at the site be provided.
2. Communications stations and towers provided that they are not closer to a dwelling or place of public assembly than a distance equal to one-half their height, that they will not interfere with the operation of any airport or landing strip, and that 1 off-street parking space per employee and 1 off-street space for each company vehicle be provided.
3. Commercially operated campgrounds or tourist camps on sites of not less than 5 acres provided that no campsite shall be located within 50 feet of a Residential District and that water and sewer disposal facilities shall be approved by County and State Health Departments.



MINIMUM LOT AREA AND WIDTH	MINIMUM REQUIRED YARDS	MAXIMUM HEIGHT
None	Front..... 30 feet Side..... 20 feet Rear..... 25 feet Street Side, .. Corner Lot... 30 feet  All required front and side yards shall be open lawn or landscaped areas except for signs and lighting fixtures as may be permitted elsewhere in this ordinance	2½ stores or 35 feet

PERMITTED SIGNS

1. Temporary signs advertising the sale or lease of the premises not to exceed 16 square feet in area.
2. Trade, business or industry identification signs for the business located on the site provided that:
  - a. One free standing sign per business not exceeding 25 feet in height and 50 square feet per face;
  - b. Signs attached to a building shall not project more than 5 feet above the height of the building or more than 4 feet from the wall of the building;
  - c. No sign shall exceed 100 square feet in area or cover more than 10 percent of the building face on which it is located, whichever is greater.
  - d. The total combined area of all signs shall not exceed 200 square feet per business or more than 1 square foot of sign area for every lineal foot of lot frontage, whichever is greater.
3. No sign shall be located in, overhang or project into a required yard.
4. All signs shall be maintained in a neat, safe and presentable condition and in the event their use shall cease, they shall be promptly removed.

SPECIAL REQUIREMENTS

1. Overhead or area light fixtures shall be located and focused so as to avoid casting direct light upon any adjacent residential property.
2. Prior to the issuance of a certificate for any use in this district, the applicant shall submit plans for water supply and sewage disposal systems and shall provide evidence to the Administrative Officer that such facilities, including sewage lagoons, where needed, are adequate for the proposed use. Water supply and sewage disposal facilities shall be approved by the County Health Department.



STATEMENT OF INTENT

The Limited Industrial District is intended principally for manufacturing, processing, storage, wholesaling, distribution and related uses that are generally contained within a building. It is further the intent of this district to accommodate such uses in appropriate locations which will not adversely affect existing and future land uses in other districts.

PERMITTED PRINCIPAL USES AND STRUCTURES

REQUIRED PARKING

<p>1. Manufacturing &amp; processing uses that are contained within a building and have no exterior storage, create no offensive noise, dust, odor, vibration or electrical interference.....</p>	<p>1 space for every 2 employees on the maximum shift plus 1 space for each company vehicle</p>
<p>2. Animal hospitals or kennels.....</p> <p>3. Contract construction office, maintenance shop or storage yard.....</p> <p>4. Farm implement or truck sales, service and repair..</p> <p>5. Lumber yards and building material sales and storage.....</p>	<p>1 space for every 300 square feet of sales, service or office floor area</p>
<p>6. Wholesaling and warehousing but not including the bulk storage of liquid fertilizer or petroleum products under pressure.....</p> <p>7. Truck and freight terminals.....</p> <p>8. Grain storage bins, elevators and feed mills.....</p> <p>9. Welding, machine and repair shops.....</p> <p>10. Automobile paint and body shops.....</p> <p>11. Plumbing, heating, air conditioning and sheet metal shops.....</p> <p>12. Railroads and public utilities including storage and maintenance yards.....</p>	<p>1 space for each employee plus 1 space for each company vehicle</p>
<p>Loading Space (all uses); 1 space per 10,000 square feet of floor area or fraction thereof</p>	

PERMITTED ACCESSORY USES AND STRUCTURES

1. Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this district.
2. Temporary buildings used in conjunction with construction work provided that such buildings are removed promptly upon completion of the construction work.
3. Dwelling units for watchmen or caretakers employed on the premises provided that an open yard of at least 2,400 square feet is reserved and maintained for use by the occupants.

SPECIAL EXCEPTION USES AND STRUCTURES

- Subject to Section 2.15-2 and the requirements contained herein, the Board of Adjustment may permit the following:
1. The bulk storage of liquid fertilizer and petroleum products under pressure; provided that such use is located not closer than 1000 feet to any existing dwelling other than that of the owner or operator or any park, school, church or place of public assembly; that it is located so that prevailing winds will not cause gases, or odors to create a nuisance or hazard for developed properties in the vicinity; that 1 parking space for each employee and 1 space for each company vehicle be provided and at least 1 loading space be provided for each 10,000 square feet of floor area.
  2. Communications stations and towers provided that they shall not be closer to a dwelling or place of public assembly than a distance equal to one-half their height, that the height and location shall not interfere with the operation of any airport or landing strip, and that 1 off-street space per employee and 1 off-street space for each company vehicle be provided.



6. Proposed Use Not Covered in Ordinance. Any proposed use not covered in this ordinance as a permitted use or special exception shall be referred to the Zoning Commission for a recommendation as to the proper district in which such use should be permitted and the ordinance amended as provided in Section 3.2 before a permit is issued for such proposed use.
  
7. Buildings to Have Access. Every building hereafter erected shall be on a lot or parcel having frontage on a public street or road, or on a private road established and approved as part of an approved and recorded subdivision plat, such approval shall be by the Board of Supervisors and by the City Council of the adjacent municipality where such municipality has extra-territorial subdivision control authority.  
  
Construction Compliance Certificates shall not be issued for structures abutting a half street and located on that side from which the required dedication has not been secured.
  
8. Hedges and Fences. Fences or hedges in any district shall not exceed four (4) feet in height in any required front yard and fences shall not exceed six (6) feet in height in any required side or rear yard, subject to further restriction of Subsection 1 above.
  
9. Off-Street Parking. No parking space required by this ordinance shall be provided in any required front yard in a residential district and no required parking space, drive-way nor any merchandise, display or exterior storage shall be provided in any required front yard or in the first five (5) feet inside the property line of any required side or rear yard in a commercial or industrial district.
  
10. Existing Farm Dwellings. Nothing in this ordinance shall require any person or persons occupying a farm dwelling at the date of passage of this ordinance to vacate the dwelling or involuntarily sever it from the remainder of the farm. If the dwelling is voluntarily severed from the farm to be used and maintained as a non-farm residence by the occupant or for sale or lease to others, it shall conform insofar as possible to the lot area and yard requirements of the district in which it is located.



11. Flood Plain Regulations. It is the intent of the flood plain regulations to limit development on the flood plain in order to minimize the danger to life and property which results from development undertaken without full realization of such danger. It is further the intent of this regulation to protect the flood plain from encroachments or developments which would obstruct, contain, or divert the passage of flood waters.

- a. Application. The flood plain overlies various zoning districts. Where such overlapping occurs, uses and structures in the underlying zoning district shall be permitted only when the additional requirements imposed by the flood plain regulations have been met.

Existing uses and structures located in the flood plain prior to the adoption of this ordinance which are not in compliance with the flood plain regulations shall be deemed nonconformities.

- b. Interpretation. The flood plain encompasses those areas subject to inundation by flood waters which can be expected to occur a frequency of once in 100 years.

Where flood elevations are not shown or cannot be determined from the official zoning map, the applicant shall be responsible for providing sufficient evidence to the Administrative Officer, either by survey or other suitable means, that the floor elevation of any proposed structure is not lower than the elevation of a 100 year flood.

- c. Special Requirements. Any building, structure, or deposit proposed to be placed on the flood plain shall first receive approval of the Iowa Natural Resources Council and shall be located in such a manner so as not to obstruct the passage of flood waters. Buildings and structures not intended for human occupancy may be located on the flood plain provided the construction methods and materials are such that little or no damage will result in the event of flood.



Such buildings or structures shall be designed and intended for occupancy or use by uses which would suffer little or no damage in the event flooding should occur.

1.9 Application of District Regulations. Subject to Section 1.7 the regulations and restrictions of this ordinance shall apply as follows:

1. Regulations to be Uniformly Applied. The regulations set by this ordinance shall apply uniformly to each class or kind of structure or land, and particularly within each district, except as hereinafter provided.
2. All Uses and Structures to Conform. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located.
3. Height, Density or Yards Shall Not Be Violated. No building or other structure shall hereafter be erected or altered to exceed the height, to accommodate or house a greater number of families, or to have narrower or smaller rear yards, front yards, side yards, or other open spaces, than herein required or in any other manner contrary to the provisions of this ordinance.
4. Separate Yards, Open Space and Off-Street Parking Required. No part of a yard or other open space or off-street parking, or loading space required about or in connection with any building for the purpose of complying with this ordinance shall be included as part of a yard, open space or off-street parking or loading space similarly required for any other building.
5. Minimum Yard and Lot Areas May Not Be Reduced. No yard or lot existing at the time of passage of this ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirements established by this ordinance.



6. New Areas. All territory which may hereafter become a part of the unincorporated area of the County shall be classified in the A-1 Agricultural District until otherwise classified, provided, however, that the Zoning Commission may recommend the appropriate district classification prior to such territory becoming a part of the County, and upon the holding of a public hearing and approval by the Board of Supervisors, the territory, upon becoming a part of the County, may be immediately so classified.

1.10 Nonconformities. Within the districts established by this ordinance or amendments that may later be adopted, there exist lots, structures and uses of land and structures which were lawful before this ordinance was passed or amended, but which would be prohibited, regulated or restricted under the terms of this ordinance or future amendment.

Subject to Section 1.7, it is the intent of this ordinance to permit these nonconformities to continue until they are removed, but not to encourage their continuation. Such uses are declared by this ordinance to be incompatible with permitted uses in the district involved. It is further the intent of this ordinance that nonconformities shall not be enlarged upon, expanded or extended, not be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

A nonconforming use of a structure, a nonconforming use of land or water, or a nonconforming use of a structure and land in combination shall not be extended or enlarged after passage of this ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be prohibited generally in the district involved.

To avoid undue hardship, nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner, except that where demolition or removal of an existing building, such demolition



or removal shall be deemed to be actual construction, provided that work shall be diligently carried on until completion of the building involved.

- 1.11 Nonconforming Lots of Record. In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance, provided, however, that the sewage disposal system and water supply shall first be approved by the County Health Department. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and other requirements, not involving area or width or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of area, width and yard requirements shall be obtained only through action of the Board of Adjustment.

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this ordinance, and if all or part of the lots do not meet the requirements for lot width and area as established by this ordinance, the land involved shall be considered to be an undivided parcel for the purposes of this ordinance and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this ordinance, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this ordinance.

- 1.12 Nonconforming Uses of Land. Where, at the effective date of adoption or amendment of this ordinance, lawful use of land exists that is made no longer permissible under the regulations imposed by this ordinance as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:



1. No such nonconforming use shall be enlarged or increased nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance;
2. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this ordinance;
3. If any such nonconforming use of land ceases for any reason for a period of more than six (6) months, any subsequent use of land shall conform to the regulations specified by this ordinance for the district in which such land is located.

1.13 Nonconforming Structures. Where a lawful structure exists at the effective date of adoption or amendment of this ordinance that could not be built under the terms of this ordinance by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lots, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such structure may be enlarged or altered in a way which increases its nonconformity.
2. Should such structure be destroyed by any means to an extent of more than 50 percent (50%) of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this ordinance.

1.14 Nonconforming Uses of Structures. If a lawful use of a structure, or of structure and premises in combination exists at the effective date of adoption or amendment of this ordinance, that would not be allowed in the district under the terms of this ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.



2. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this ordinance, but no such use shall be extended to occupy any land outside such building.
  3. If no structural alterations are made, any nonconforming use of a structure, or structure and premises in combination may be changed to another nonconforming use provided that the Board of Adjustment, either by general rule or by making findings in the specific cases, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Board of Adjustment may require appropriate conditions and safeguards in accordance with the provisions of this ordinance.
  4. Any structure or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located and the nonconforming use may not thereafter be resumed.
  5. When a nonconforming use of a structure, or structure and premises in combination is discontinued or abandoned for twelve (12) consecutive months, the structure thereafter, shall not be used except in conformity with the regulations of the district in which it is located.
  6. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.
- 1.15 Repairs and Maintenance. On any building devoted in whole or in part to any nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring or plumbing, to an extent not exceeding ten percent (10%) of the current replacement cost of the building provided that the cubic content of the building as it existed at the time of passage or amendment of this ordinance shall not be increased.



Nothing in this ordinance shall be deemed to prevent the strengthening of or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

- 1.16 Uses Under Exception Provisions Not Nonconforming Uses. Any use permitted as a special exception in this ordinance shall not be deemed a nonconforming use, but shall, without further action, be deemed a conforming use in such district.



## CHAPTER 2

### ADMINISTRATION

- 2.1 Administration and Enforcement. An Administrative Officer designated by the Board of Supervisors shall administer and enforce this ordinance. He may be provided with the assistance of such other persons as the Board of Supervisors may direct.

If the Administrative Officer shall find that any of the provisions of this ordinance are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to insure compliance with or to prevent violation of its provisions.

- 2.2 Appeals from Decision of Administrative Officer. Appeals from any decision of the Administrative Officer may be taken to the Board of Adjustment as provided in Section 2.13.
- 2.3 Interpretation of Provisions. In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, adopted for the promotion and protection of the public health, safety, morals and general welfare. Wherever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive, or that imposing the higher standards, shall govern.
- 2.4 Violation and Penalties. Any person, firm or corporation who shall violate or fail to comply with the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars (\$100.00) or imprisoned for not more than thirty (30) days. Each day such violations continue shall constitute a separate offense.



- 2.5 Separate Offenses May Be Charged. The Owners or tenant of any building, structure, land or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains a violation may each be charged with a separate offense and upon conviction suffer the penalties herein provided.
- 2.6 Injunction, Mandamus. Nothing herein contained shall prevent the County from taking other lawful action as is necessary to prevent or remedy any violation.
- 2.7 Construction Compliance Certificate. Subsequent to the adoption of this ordinance a Construction Compliance Certificate shall be obtained from the Administrative Officer before any building or structure shall be erected, reconstructed, or structurally altered to increase the exterior dimensions, height, floor area, number of dwelling units or to accommodate a change in use of the building and/or premises or part thereof. The Construction Compliance Certificate shall state that the proposed construction complies with all provisions of this ordinance, and no subsequent modifications shall be made to plans or to actual construction that would be in violation of this ordinance.
- 2.8 Occupancy Compliance Certificate. Subsequent to the effective date of this ordinance, no change in the use or occupancy of land nor any change in use or occupancy of an existing building, other than for single-family dwelling purposes shall be made, nor shall any new building be occupied for any purpose other than a single-family dwelling until an Occupancy Compliance Certificate has been issued by the Administrative Officer. Every Occupancy Compliance Certificate shall state that the new occupancy complies with all provisions of this ordinance and no subsequent modifications shall be made to the occupancy, use, or method of operation that would be in violation of this ordinance.
- 2.9 Application for Compliance Certificates. Applications for Compliance Certificates shall be made prior to beginning construction or assuming occupancy on fully completed application forms obtained from the Administrative Officer, accompanied by such plans and information necessary to determine that the proposed construction or occupancy complies with all applicable provisions of this ordinance. The Administrative Officer shall within seven (7) days thereof, approve or deny said applications. If denied, the Administrative Officer shall submit his reasons thereof in writing to the applicant.



- 2.10 Fees. The Administrative Officer is directed to issue a Construction Compliance Certificate and/or Occupancy Compliance Certificate as required by this ordinance for proposed construction, reconstruction or alteration which complies with all provisions contained herein and to charge a fee of five dollars (\$5.00) for each Construction Compliance Certificate or Occupancy Compliance Certificate issued separately. Only one (1) five dollar (\$5.00) fee shall be charged for a Construction Compliance Certificate and Occupancy Compliance Certificate issued jointly.

There shall be no fees charged to the United States Government, the State of Iowa, or any political subdivision thereof.

All fees are required and shall be paid to the Administrative Officer, who shall keep a complete and accurate record of fees received and shall forthwith deposit them to the credit of the general revenue fund of the County.

- 2.11 Board of Adjustment Created. A Board of Adjustment is hereby established. The Board shall consist of five (5) members to be appointed by the Board of Supervisors for a term of five (5) years, except that when the Board shall first be created one member shall be appointed for a term of five (5) years, one for a term of four (4) years, one for a term of three (3) years, one for a term of two (2) years, and one for a term of one (1) year. Members of the Board of Adjustment may be removed from office by the Board of Supervisors for cause upon written charges and after public hearing. Vacancies shall be filled by the Board of Supervisors for the unexpired term of the member.
- 2.12 Proceedings of the Board of Adjustment. The Board of Adjustment shall adopt rules necessary to the conduct of its affairs, and in keeping with the provisions of this ordinance. Meetings shall be held at the call of the chairman and at such other times as the Board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel attendance of witnesses. All meetings shall be open to the public.

The Board of Adjustment shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the Board.



2.13 Hearings; Appeals; Notice. Appeals to the Board of Adjustment concerning interpretation or administration of this ordinance may be taken by any person aggrieved or by any officer or bureau of the governing body of the County affected by any decision of the Administrative Officer. Such appeals shall be taken within a reasonable time, not to exceed sixty (60) days or such lesser period as may be provided by the rules of the Board, by filing with the Administrative Officer and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The Administrative Officer shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.

The Board of Adjustment shall fix a reasonable time for the hearing of appeal, give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing any party may appear in person or by agent or attorney.

A fee of twenty-five dollars (\$25.00) shall be paid to the Administrative Officer at the time the notice of appeal is filed, which the Administrative Officer shall forthwith pay over to the credit of the general revenue fund of the County.

2.14 Stay of Proceedings. An appeal stays all proceedings in furtherance of the action appealed from, unless the Administrative Officer from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal is filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application and notice to the Administrative Officer from whom the appeal is taken and on due cause shown.

2.15 The Board of Adjustment: Powers and Duties. The Board of Adjustment shall have the following powers and duties:

1. Administrative Review. To hear and decide appeals where it is alleged there is error in any order, requirement decision, or determination made by the Administrative Officer in the enforcement of this ordinance.
2. Special Exceptions: Conditions Governing Applications: Procedures. To hear and decide only such special exceptions



as the Board of Adjustment is specifically authorized to pass on by the terms of this ordinance; to decide such questions as are involved in determining whether special exceptions should be granted; and to grant special exceptions with such conditions and safeguards as are appropriate under this ordinance, and to deny special exceptions when not in harmony with the purpose and intent of this ordinance.

In granting any special exception, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this ordinance and punishable under Section 2.4 of this ordinance. The Board of Adjustment shall prescribe a time limit within which the action for which the special exception is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special exception.

A special exception shall not be granted by the Board of Adjustment unless and until:

- a. A written application for a special exception is submitted indicating the section of this ordinance under which the special exception is sought and stating the grounds on which it is requested.
- b. Notice shall be given at least fifteen (15) days in advance of the public hearing by publication in a newspaper of general circulation in the County.
- c. The public hearing shall be held. Any party may appear in person, or by agent or attorney.
- d. In reviewing an application for a special exception, the Board of Adjustment shall consider the most appropriate use of the land; the conservation and stabilization of property values; adequate open spaces for light and air; concentration of population; congestion of public streets; the promotion of the public safety, morals, health, convenience and comfort; and the general welfare of the persons residing or working in the general area.



- e. The Board of Adjustment shall make a finding that it is empowered under the section of this ordinance described in the application to grant the special exception, and that the granting of the special exception will not adversely affect the public interest.

Before any special exception is granted, the Board shall make written findings certifying compliance with any specific regulations governing individual special exceptions and that satisfactory provision and arrangement has been made concerning the following, where applicable:

- (1) Ingress and egress to property with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
- (2) Off-street parking, loading and service areas where required;
- (3) Economic, noise, dust, heat, glare, or odor effects of the special exception on surrounding properties;
- (4) Utilities, with reference to locations, availability, adequacy and compatibility;
- (5) Screens and buffers with reference to type, dimensions, character and adequacy;
- (6) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with surrounding properties;
- (7) Required yards and other open spaces;
- (8) General compatibility with surrounding properties.

Variances: Conditions Governing Application, Procedures. To authorize upon appeal in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest where, owing to the special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship. A variance from the terms of this ordinance shall not be granted by the Board of Adjustment unless and until:



- a. A written application for a variance is submitted demonstrating:
  - (1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
  - (2) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance;
  - (3) That the special conditions and circumstances do not result from the actions of the applicant;
  - (4) That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district. No nonconforming use of neighboring lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.
- b. Notice of public hearing shall be given as in Section 2.15.2 (b) above.
- c. The public hearing shall be held. Any party may appear in person, or by agent or by attorney.
- d. The Board of Adjustment shall make findings that the requirements of Section 2.15.3(a) have been met by the applicant for a variance.
- e. The Board of Adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.
- f. The Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.



In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance and punishable under Section 2.4 of this ordinance. Under no circumstances shall the Board of Adjustment grant a variance to allow a use not permitted in the district involved, or any use expressly or by implication prohibited by the terms of this ordinance in said district.

- 2.16 Decisions of the Board of Adjustment. In exercising the above mentioned powers, the Board of Adjustment may, so long as such action is in conformity with the terms of this ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as ought to be made, and to that end shall have powers of the Administrative Officer from whom the appeal is taken. The concurring vote of three members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Administrative Officer, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance, or to effect any variation in application of this ordinance.
- 2.17 Appeals from the Board of Adjustment. Any person or persons, or any board, taxpayer, department, board or bureau of the County aggrieved by any decision of the Board of Adjustment may seek review by a court of record of such decision, in the manner provided by the laws of the State and particularly by Chapter 358A, Code of Iowa.



## CHAPTER 3

### GENERAL PROVISIONS

- 3.1 Definitions. For the purpose of this ordinance, certain terms and words 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; and the word "shall" is mandatory and not directory.
1. Accessory Use or Structure. A use or structure subordinate to the principal use of a structure or land on the same lot or parcel of ground and serving a purpose customarily incidental to the use of the principal structure or use of land.
  2. Agriculture. The use of land for agricultural purposes, including farming, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for treating or storing the produce, provided however, that any such accessory uses shall be secondary to that of normal agricultural activities. Agriculture shall not include commercial animal or poultry feeding or raising in confined lots or buildings as defined herein.
  3. Alley. A public thoroughfare which affords only a secondary means of access to abutting property.
  4. Alteration, Structural. Any change in the supporting members of a building such as bearing walls, columns, beams or girders.
  5. Basement. A story having part but not more than one-half ( $\frac{1}{2}$ ) of its height below grade. A basement is counted as a story for the purpose of height regulation.
  6. Billboard. An advertising sign for a business, commodity or service located or offered elsewhere than upon the premises where such sign or billboard is located.
  7. Board. The Zoning Board of Adjustment of Crawford County, Iowa.



8. Building, (Structure). Anything constructed, erected, or built, the use of which requires a location on the ground and designed for the support, enclosure, shelter or protection of persons, animals, chattels, or property of any kind, including but without limiting the generality of the foregoing, installations such as signs, billboards, radio towers, and other facilities not designed for storage of property or occupancy by persons.
9. Campground. An area providing spaces for two or more travel trailers, camping trailers, or tent sites for temporary occupancy, with necessary incidental services, sanitation, and recreation facilities to serve the traveling public.
10. Cellar. A story having more than one-half ( $\frac{1}{2}$ ) its height below grade. A cellar is not included in computing the number of stories for the purpose of height measurement.
11. Commercial Feedlot. The feeding or raising of livestock, poultry or other animals in confined feedlots, dry lots, pens, cages or buildings as a commercial enterprise when not in conjunction with an adjacent farming operation.
12. Commission. The Zoning Commission of Crawford County, Iowa.
13. County. The unincorporated portions of Crawford County, Iowa.
14. Drive-In-Restaurant. Any place or premises used for the sale, dispensing, or serving of food, refreshments, or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages on the premises.
15. Dwelling. Any building or portion thereof which is designed for or used exclusively for residential purposes.
16. Dwelling, Single Family. A building designed for or occupied by one (1) family.



17. Dwelling Unit. One (1) room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.
18. Family. One (1) or more persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from a group occupying a boarding house, lodging house or hotel. A family as defined herein, shall include not more than four (4) unrelated persons.
19. Farm. An area which is used for the growing of the usual farm products such as vegetables, fruits and grains and their storage on the area, as well as for the raising thereon of the usual farm poultry and farm animals. The term "farming" includes the operation of such area for one or more of the above uses with the necessary accessory uses for treating or storing the produce, provided, however, that the operation of any such accessory uses shall be secondary to that of the normal farming activities and such accessory uses do not include commercial feed-lots as defined herein.
20. Farm Dwelling, Principal. A dwelling located on a farm and occupied by the owner or operator of the farm on which it is located.
21. Farm Dwelling, Secondary. A dwelling located on a farm that is under the same ownership as the principal farm dwelling and other buildings and lands used in conjunction with the farming operation and occupied by a person or family employed thereon.
22. Floor Area. The square feet of floor space within the outside line of walls, including the total of all space on all floors of a building. Floor area shall not include porches, garages or space in a basement or cellar which is used for storage or incidental use.



23. Frontage. All the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street, or if the street is dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.
24. Grade. The average level of the finished surface of the ground adjacent to the exterior walls of the building except when any wall approximately parallels and is not more than five (5) feet from a street line, then the elevation of the street at the center of the wall adjoining the street shall be grade.
25. Height of a Building. The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.
26. Home Occupation. An occupation or a profession which
- a. is customarily carried on in a dwelling unit, and
  - b. is carried on by a member of the family residing in the dwelling unit, and
  - c. is clearly incidental and secondary to the use of the dwelling unit for residential purposes, and
  - d. does not employ more than one (1) person outside the immediate family on the premises, and
  - e. has no exterior display, no exterior storage of materials and no other exterior indication of the home occupation or variation from the residential character of the principal building other than one (1) sign not exceeding three (3) square feet in area, and
  - f. does not occupy more than 30% of the area of one floor of the dwelling unit, and
  - g. produces no offensive noise, vibration, smoke, dust, odors, heat or glare rendering such buildings or premises objectionable or detrimental to the residential character of the neighborhood.



27. Home Occupation, Farm. An occupation customarily engaged in on a farm, as a supplementary source of income, which
- a. is clearly incidental and secondary to the operation of the farm, and
  - b. is carried on by a member of the family residing in the farm dwelling, and
  - c. does not employ more than one (1) person outside the resident family on the premises, and
  - d. is conducted within or adjacent to the farm dwelling or the customary farm out buildings, and
  - e. has no exterior displays, or storage of materials visible from the public road, or other exterior indication or variation from the agricultural character of the farm other than not more than one (1) sign identifying the product or service available, which sign shall not exceed twelve (12) square feet in area, and
  - f. produces no offensive noise, vibration, smoke, dust, odors, heat, glare or electrical interference detectable within the limits of the nearest neighboring farm dwelling.
28. Junk Yard. Any area where waste, discarded, or salvaged materials are bought, sold, exchanged, baled or packed, disassembled, stored, abandoned, or handled, including the dismantling or "wrecking" of automobiles or other machinery, used lumber yards and places or yards for storage of salvage, house wrecking and structural steel materials and equipment; but not including areas where such uses are conducted entirely within a completely enclosed building.
29. Kenel. An establishment where dogs are boarded for compensation or where dogs are bred or raised for commercial purposes or sale.
30. Loading Space. A space within the main building or on the same lot providing for the standing, loading or unloading of trucks, having a minimum dimension of twelve (12) by thirty-five (35) feet and vertical clearance of at least fourteen (14) feet.



31. Lot. A parcel of land occupied or intended for occupancy by one or more main buildings together with accessory buildings, officially approved and having its principal frontage upon a dedicated street or an approved private street. The boundaries of the lot shall be determined by its lot lines. The adjoining street or road right-of-way, whether established by easement or under public or private ownership shall not be considered as part of the lot area for the purposes of this ordinance.
32. Lot, Corner. A lot abutting upon two (2) or more streets at their intersection.
33. Lot, Depth of. The mean horizontal distance between the front and rear lot lines.
34. Lot of Record. A lot which is a part of a subdivision, the plat of which has been recorded in the office of the County Recorder.
35. Lot Width. The width of a lot measured at the rear of the required front yard and at right angles to its depth.
36. Mobile Home. A vehicle or vehicles used, or so originally constructed as to permit being used, as a conveyance upon the public streets or highways and duly licensed as such, and constructed in such a manner as will permit occupancy for human habitation, dwellings, or sleeping places for one or more persons, provided further that this definition shall refer to and include all portable contrivances used or intended to be used generally for living and sleeping quarters and which are capable of being moved by their own power, towed, or transported by another vehicle or vehicles. This definition shall also include and apply to such vehicles or structures that are located on a permanent or temporary foundation but shall not include mobile homes converted to real estate as defined herein.
37. Mobile Home Converted to Real Estate. An unencumbered mobile home which has been attached to a permanent foundation on real estate owned by the mobile home owner, which has had the vehicular frame modified or destroyed, rendering it impossible to revert to a mobile home and which has been inspected by the assessor, the mobile home title, registration, and license plates collected from the owner and the property entered on the tax rolls of the County.



38. Mobile Home Park. Any site, lot, field, or tract of land upon which two (2) or more occupied mobile homes are harbored either free of charge or for revenue purposes including any building, structure, vehicle, or enclosure intended for use as part of the equipment of such mobile home park.
39. Parking Space. A surfaced area, enclosed in the main building or in any accessory building, or un-enclosed, having an area of not less than one hundred and eighty (180) square feet exclusive of driveways, permanently reserved for the temporary storage of one automobile and connected with a street or alley by a surfaced driveway which affords satisfactory ingress and egress for automobiles.
40. Place. An open unoccupied space or a public or private thoroughfare, other than a street or alley, permanently reserved as the principal means of access to abutting property.
41. Premises. The land together with any buildings or structures located thereon.
42. Sewer System, Community. A public or private sewerage collection system with treatment and disposal facilities providing secondary treatment meeting applicable County and State effluent standards. A community sewer system as herein defined shall not include septic tanks.
43. Signs. Any device designed to inform or attract the attention of persons not on the premises on which the sign is located, provided, however, that the following shall not be included in the application of the regulations herein:
  - a. Signs not exceeding two (2) square feet in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations.
  - b. Flags and insignia of any government except when displayed in connection with commercial promotion.



- c. Legal notices, identification, informational, or directional signs erected or required by governmental bodies.
  - d. Signs directing and guiding traffic and parking on public or private property but bearing no advertising matter.
  - e. Warning signs, no trespassing, no hunting and similar signs not to exceed two (2) square feet in area located on the premises.
  - f. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights.
  - g. Temporary signs relating to construction not to exceed sixteen (16) square feet.
44. Special Exception. A use or structure that would not be appropriate generally or without restriction throughout the zoning division or district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning division or district as special exceptions, if specific provisions for such special exceptions are made in this zoning ordinance.
45. Story. That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it.
46. Story, Half. A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than three (3) feet above the floor of such story, except than any partial story used for residence purposes, other than for a janitor or caretaker or his family, or by a family occupying the floor immediately below it, shall be deemed a full story.
47. Street, (Road). A public or private thoroughfare which affords the principal means of access to abutting property.
48. Street Line. The right of way line of a street.



49. Structure (Building). Anything constructed, erected, or built, the use of which requires a location on the ground and designed for the support, enclosure, shelter or protection of persons, animals, chattels, or property of any kind, including, but without limiting the generality of the foregoing, installations such as signs, billboards, radio towers, and other facilities not designed for storage of property or occupancy by persons.
50. Travel Trailer or Camping Trailer. A vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed to permit the vehicle to be used as a place of human habitation by one or more persons. Said vehicle may be up to 8 feet in width and any length provided its gross weight does not exceed 4,500 pounds, which shall be the manufacturer's shipping or the actual weight of the vehicle fully equipped, or any weight provided its overall length does not exceed 28 feet. Such vehicle shall be customarily or ordinarily used for vacation or recreation purposes and not used as a place of human habitation for more than 90 days in any 12 month period, or it shall be classed as a mobile home, regardless of the size and weight limitation provided herein. This definition shall also include house cars and camp cars having motive power and designed for temporary occupancy as defined herein.
51. Variance. A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, area, and size of structure or size of yards and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district.
52. Water System, Community. A public or private water distribution system having a common source of supply and necessary treatment facilities.



53. Yard. An open space between a building and the adjoining lot lines unoccupied and unobstructed by any portion of a structure from two and one half ( $2\frac{1}{2}$ ) feet above the ground upward except as otherwise provided herein.

In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard, or the depth of a rear yard, the minimum horizontal distance between the lot lines and the main building shall be used.

54. Yard, Front. A yard extending across the front of a lot and being the minimum horizontal distance between the street or place line and the main building or any projection thereof, other than the projection of the usual uncovered steps, uncovered balconies, or uncovered porch. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension, except where the owner shall elect to front his building on the street parallel to the lot line having the greater dimension.
55. Yard, Rear. A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projection thereof other than the projections of uncovered steps, unenclosed balconies or unenclosed porches. On all lots the rear yard shall be in the rear of the front yard.
56. Yard, Side. A yard between the main building and the side line of the lot and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of the main building or any projection thereto, except on the street side of a corner lot, the side yard shall extend from the required front yard to the rear lot line.

- 3.2 Changes and Amendments. The regulations imposed and the districts created by this ordinance may be amended from time to time by the Board of Supervisors and after a report has been made upon the amendment by the Commission. At least fifteen (15) days notice of the time and place of such hearing shall be published in a newspaper having general circulation in the County. In case the Commission does not approve the change or, in the case of a protest filed with the Board of Supervisors against a change in district boundaries signed by the owners of twenty (20) percent or



more either of the area of the lots included in such proposed change, or of those immediately adjacent thereto and within five hundred (500) feet of the boundaries thereof, such amendment shall not be passed except by the favorable vote of sixty (60) percent of all the members of the Board of Supervisors.

3.3 Change of Zoning District Boundaries, Application and Procedures.

Any person may submit to the Board of Supervisors an application requesting a change in the zoning district boundaries as shown on the Official Zoning Map.

1. Such application shall be filed with the Administrative Officer accompanied by a fee of fifty dollars (\$50.00) and shall contain the following information:
  - a. The legal description and local address of the property.
  - b. The present zoning classification and the zoning classification requested for the property.
  - c. The existing use and proposed use of the property.
  - d. The names and addresses of the owners of all property within five hundred (500) feet of the property for which the change is requested.
  - e. A plat showing the locations, dimensions and use of the applicant's property and all property within five hundred (500) feet thereof, including streets, alleys, railroads, and other physical features.
  - f. A statement of the reasons why the applicant feels the present zoning classification is no longer valid.

All fees shall be deposited to the general revenue fund of the County. Failure to approve the requested change shall not be deemed cause to refund the fee to the applicant.

2. Upon receipt of the application by the Administrative Officer a copy shall be forwarded immediately to the Commission for study and recommendation. The Commission shall give notice of a public hearing of the proposed change to be held before the Commission. At least fifteen (15) days notice of the time and place of such hearing shall be published in



a newspaper having general circulation in the County. Upon holding the hearing, but prior to making a recommendation the Commission shall determine the following:

- a. Whether or not the current district classification of the property to be rezoned is valid.
- b. Whether there is a need for additional land zoned for the purpose requested.
- c. Whether the proposed change is consistent with the current land use plan or policy.
- d. Whether the proposed change would result in a population density or development which would in turn cause a demand for services or utilities in excess of the capacity planned for the area.
- e. Whether the proposed change would result in the generating of traffic in excess of the capacity of existing or planned streets in the vicinity.

3. The Commission shall submit its recommendations to the Supervisors within forty-five (45) days from receipt of the application stating the reasons therefore, except that when no report issues within that time, the application will be deemed approved by the Commission. The Supervisors may then consider the matter as provided in Section 3.2 of this ordinance.

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

3.5 Repeal of Conflicting Ordinances. All ordinances or parts of ordinances in conflict with this zoning ordinance or inconsistent with the provisions of this ordinance, are hereby repealed to the extent necessary to give this ordinance full force and effect.



3.6 Effective Date. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT AFTER ITS PASSAGE AND PUBLICATION AS PROVIDED BY LAW.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_ A.D.

Signed: \_\_\_\_\_  
Chairman, Board of Supervisors

Attest: \_\_\_\_\_  
County Auditor

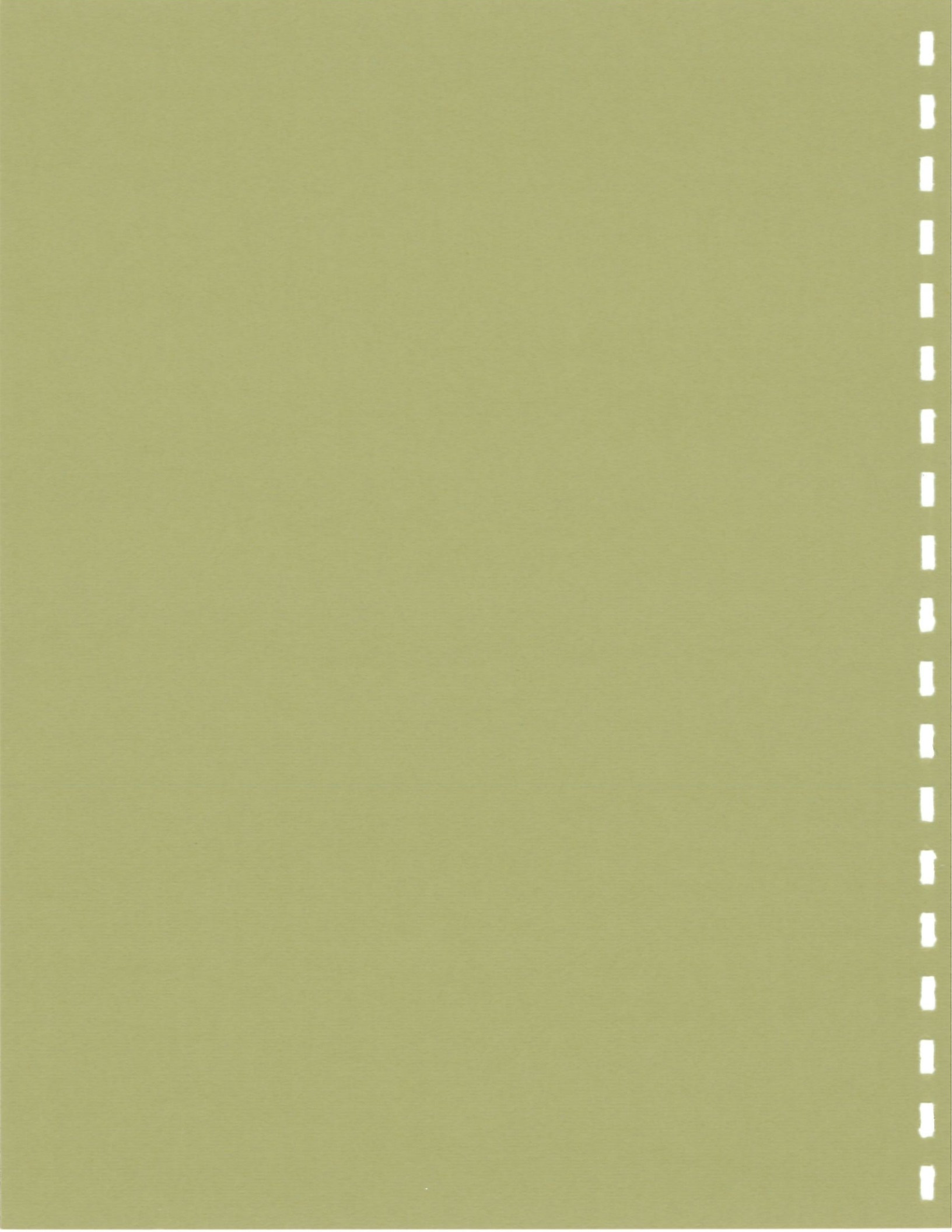






CRAWFORD COUNTY, IOWA  
SUBDIVISION REGULATIONS







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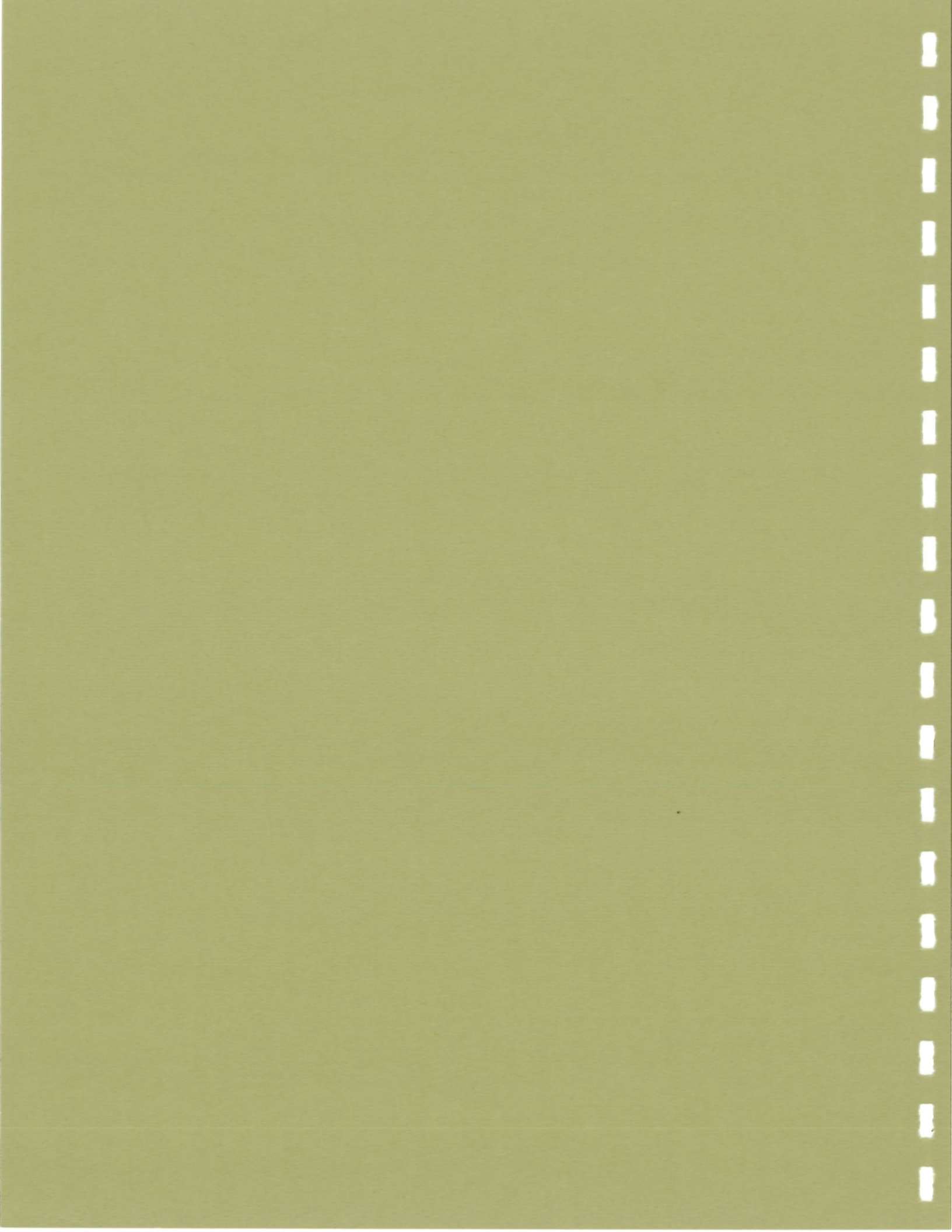
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## CHAPTER I

### PURPOSE AND JURISDICTION

- 1.1 Purpose. The purpose of this ordinance is to provide rules and regulations for the subdivision of land within the unincorporated areas of Crawford County, Iowa; to prescribe minimum standards for the design and development thereof; to establish procedures for the approval of preliminary and final plats and requiring as a condition of approval, certain improvements; all for the purpose of promoting the safety, health and general welfare of the public and to facilitate the adequate provision of transportation, water, sewerage and other public requirements.
- 1.2 Title. This ordinance shall be known and may be referred to as the Crawford County Subdivision Ordinance.
- 1.3 Jurisdiction. All plats, replats, or subdivision of land into three or more parts in the unincorporated areas of Crawford County for other than agricultural purposes, including the laying out of suburban lots or additions within two (2) miles of any city having a planning commission or if a new road is created, any division of a parcel of land, shall be submitted to the Board of Supervisors and the County Zoning Commission in accordance with the procedures established by this ordinance, and shall be subject to the requirements established herein, and in Chapter 306 of the Code of Iowa.

All plats, replats, or subdivisions of land as defined above, that are within two (2) miles of any incorporated community having a planning commission shall be submitted to the council and planning commission of such communities, and shall be subject to the procedures and requirements of such community and Chapter 409 of the Code of Iowa as well as the requirements established herein.







## CHAPTER II

### PLATTING PROCEDURES AND PLAT REQUIREMENTS

#### 2.1 Preliminary Platting Procedure

1. The subdivider of any tract of land to be subdivided shall cause a preliminary plat to be prepared containing the information specified herein and shall file six (6) copies and a reproducible sepia or tracing of the plat with the Administrative Officer.
2. The Administrative Officer shall immediately transmit three (3) copies of the preliminary plat to the Zoning Commission and one (1) copy each to the County Engineer and County Health Officer for study and recommendation.
3. The Zoning Commission shall hold a public hearing on the preliminary plat; consider the recommendations of the County Engineer and County Health Officer as well as the following factors:
  - a. The relation of the proposed subdivision to the public interest.
  - b. The effect of the proposed subdivision on adjacent property values.
  - c. The consistency of the proposed subdivision with the provisions of this ordinance.
  - d. The suitability of the area for the proposed development, with special attention to topographic and subsurface conditions, and to the availability of utility services.
  - e. The relation of the population density resulting from the proposed subdivision to the density contemplated by the ordinance and to the public interest.
  - f. The use of sound planning and engineering practices in designing the subdivision.
  - g. Access to existing highways and the nature of the altered traffic pattern that will result from the proposed subdivision.



4. The Commission shall, within forty-five (45) days of receipt of the plat, submit its recommendations to the Board of Supervisors whether of approval, modification or disapproval, stating its reasons therefore. The subdivider, may, however, agree to an extension of time not to exceed sixty (60) days. A copy of the recommendations shall be forwarded to the subdivider.
5. The Board of Supervisors, upon receipt of the Commission's recommendation, or after the forty-five (45) days or any extension thereof shall have passed, shall by resolution grant approval of or reject the preliminary plat. If the preliminary plat is rejected, the Board of Supervisors shall advise the owner or developer of any changes which are desired or should have consideration before approval will be given. Approval of the preliminary plat by the Supervisors shall constitute approval to proceed with preparation of the final plat but shall not be deemed approval of the subdivision.

## 2.2 Final Platting Procedure

1. A final plat shall be submitted within twelve (12) months of the approval of the preliminary plat, or such approval shall expire and the preliminary plat shall be resubmitted for approval prior to preparation of a final plat.
2. Procedures for final plats shall be the same as set out for preliminary plats in Section 2.1 above except that a public hearing is not required.
3. Upon approval of the final plat, a certification of approval signed by the Chairman of the Board of Supervisors and attested by the County Auditor shall be affixed to the original tracing of the final plat and copies of the same filed with the County Auditor and County Recorder, along with such other certifications and instruments as may be required by law.

## 2.3 Plats Within Two Miles of a City

The procedure for plats within two (2) miles of a city having a planning commission shall be the same as set out for preliminary and final plats in Sections 2.1 and 2.2 except as hereinafter provided.



1. The subdivider shall also file such plats with the affected municipality in accordance with its established procedures.
2. The County Zoning Commission shall submit its recommendations to the municipality.
3. If action by the municipality is in accord with the recommendations of the Commission, the Board of Supervisors shall concur with such action, provided that the design standards and improvements required by the municipality are not less than those established herein.

#### 2.4 Professional Assistance

The Board of Supervisors or the Zoning Commission may request such professional assistance as it deems necessary to properly evaluate the plats as submitted.

#### 2.5 Preliminary Plat Requirements

The preliminary plat shall contain the following information:

1. A location map showing:
  - a. The subdivision name.
  - b. An outline of the area to be subdivided.
  - c. The existing roads and public or community utilities, if any, on adjoining property.
  - d. North point and scale.
2. A preliminary plat of the subdivision drawn to the scale of fifty (50) feet to one inch (1"), provided that if the resulting drawing would be over thirty six (36) inches in shortest dimension, a scale of one hundred feet (100') to one inch (1") may be used said preliminary plat to show:
  - a. Legal description, acreage and name of proposed subdivision.
  - b. Name and address of the owner.
  - c. Name of person who prepared the plat, and date thereof.
  - d. Location of existing lot lines, roads, public utilities, water mains, sewers, drain pipes, culverts, water courses, bridges, railroads and buildings in the proposed subdivision.



- e. Location and widths, other dimensions and names of the proposed roads, utility easements and other open spaces or reserved areas.
- f. A statement concerning the location and approximate size or capacity of utilities proposed to be installed.
- g. A statement from applicable utility companies indicating their approval of the utility easements shown on the plat.
- h. Layout of proposed blocks (if used) and lots including the dimensions of each, and the lot and block number in numerical order.
- i. Contours at vertical intervals of not more than two (2) feet if the general slope of the site is less than ten percent (10%) and at vertical intervals of not more than five (5) feet if the general slope is ten percent (10%) or greater.
- j. Tract boundary lines showing dimensions, bearings, angles, and references to known lines or bench marks.
- k. Names of adjacent property owners.
- l. Proposed building lines.
- m. Grades of proposed roads.
- n. A cross section of the proposed roads showing the roadway location, the type and width of surfacing, the type drainage and other improvements to be installed.
- o. The size, type and location of proposed wells and/or water mains and sewage disposal system if a public or community system is used.
- p. The drainage of the land including location of proposed storm sewers, ditches, culverts, bridges and other structures.
- q. North point and graphic scale.
- r. Layout of lots showing approximate dimensions and number.
- s. A statement from the Crawford County Soil Conservation District approving the proposed plan or methods and/or techniques to be used in controlling soil erosion during construction and development of the subdivision.



## 2.6 Final Plat Requirements

The final plat shall meet the following specifications:

1. It may include all or only part of the preliminary plat.
2. The plat shall be drawn to the scale of fifty feet (50') to one inch (1") provided that if the resulting drawing would be over thirty-six inches (36") in shortest dimension, a scale of one hundred feet (100') to one inch (1") may be used.
3. The final plat shall contain the following:
  - a. Accurate boundary lines, with dimensions and angles, which provide a survey of the tract, closing with an error of not more than one (1) foot in three thousand (3,000) feet.
  - b. Accurate references to known or permanent monuments, giving the bearing and distance from some corner of a congressional division of the County of which the subdivision is a part.
  - c. Accurate locations of all existing and recorded roads intersecting the boundaries of the tract.
  - d. Accurate metes and bounds description of the boundary.
  - e. Road or street names.
  - f. Complete curve notes for all curves included in the plat.
  - g. Road right-of-way lines with accurate dimensions in feet and hundredths of feet with angles to right-of-way lines and lot lines.
  - h. Lot numbers and dimensions.
  - i. Block numbers, if used.
  - j. Accurate locations of easements for utilities and any limitations on such easements.
  - k. Accurate dimensions for any property to be dedicated or reserved for public, semi-public or community use.
  - l. Building lines and dimensions.
  - m. Location, type, material and size of all monuments and markers.
  - n. Name of the subdivision.



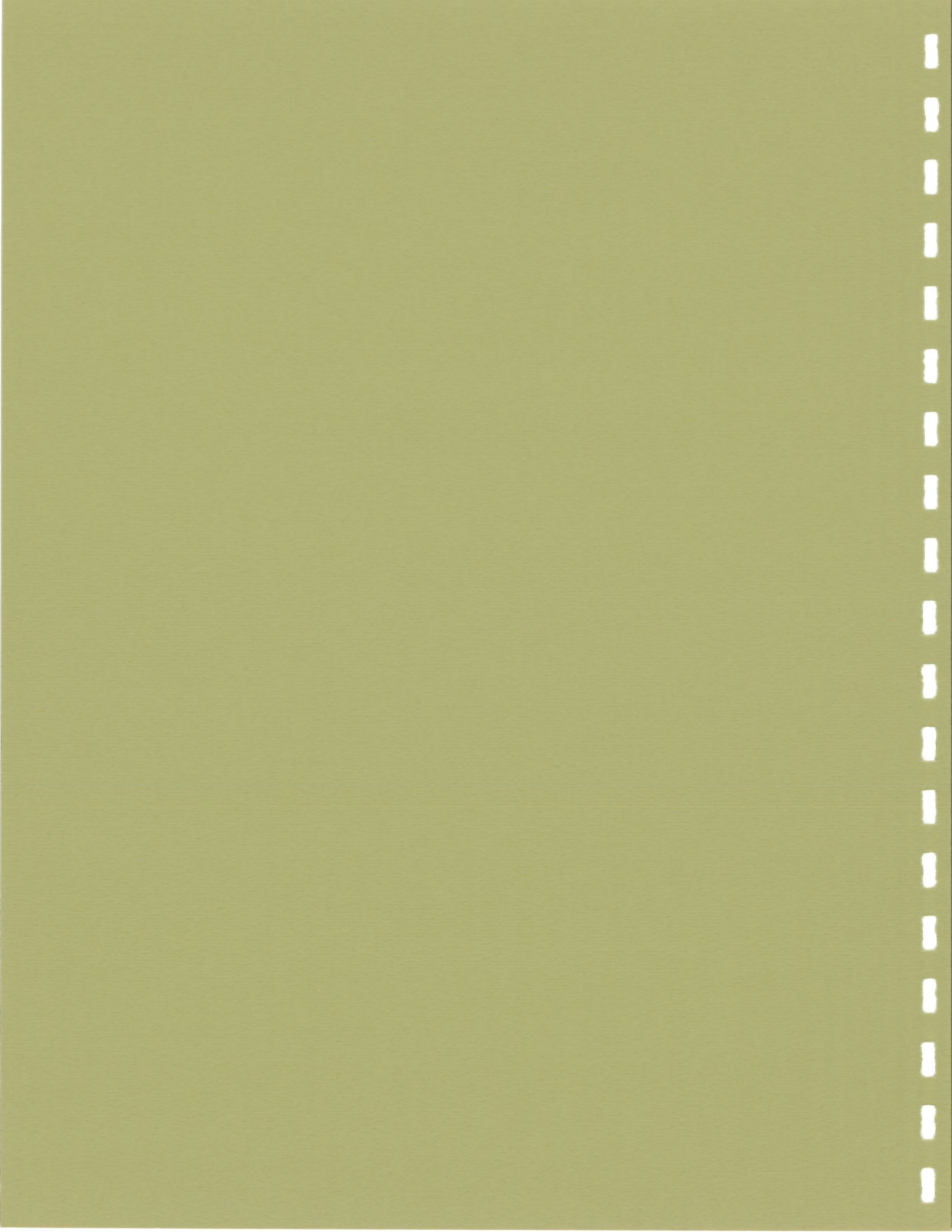
- o. Name and address of owner and subdivider.
  - p. North point, scale and date.
  - q. Certification by a registered land surveyor of the State of Iowa.
  - r. Certification of dedication of roads and other public property.
  - s. Resolution and certificate for approval by the Board and signatures of the Chairman and County Auditor.
  - t. If the subdivision is within two (2) miles of a city that has a planning commission, a Resolution and Certificate of approval by the Council of the affected city shall also accompany the final plat.
4. The final plat shall be accompanied by the following instruments:
- a. A certified statement from the owner and the owner's spouse, if any, that the subdivision as it appears on the plat is with their free consent and is in accordance with the desires of the proprietor and the proprietor's spouse.
  - b. (1) A certificate bearing the approval of the Board of Supervisors stating that all improvements and installations in the subdivision required by this ordinance have been made or installed in accordance with the County specifications, or  
(2) A surety bond with the County which will insure the County that the improvements will be completed by the subdivider within two (2) years after official acceptance of the plat. The form and type of bond shall be approved by the County Attorney and the amount of the bond shall not be less than the amount of the estimated cost of the improvements as determined by the County Engineer plus ten percent (10%), and the amount of the estimate must be approved by the Board of Supervisors. If the improvements are not completed within the specified time, the Board may use the bond or any necessary portion thereof to complete the same. If the subdivision is within two (2) miles of a city having jurisdiction, the bond shall be with the city.



The final plat shall state that the subdivision its grantees, assignees, and successors in interest agree that public services including but not limited to road maintenance, snow and ice removal, and any other services normally provided by the County, will not be extended to this subdivision until the road is completed and accepted by the County.

- c. Copy of Restrictive Covenants to be attached to the lots of the subdivision.
  - d. Plans, profiles, cross sections and specifications for road improvements and utility systems to be installed.
5. The final plat shall also be accompanied by the following at the time it is presented for filing with the County Auditor and Recorder:
- a. A complete abstract of title and an opinion from an attorney-at-law showing that the fee title is in the proprietor and that the land platted is free from encumbrance, or is free from encumbrance other than that secured by a bond as provided in Section 409.11 of the Code of Iowa.
  - b. If the land platted is encumbered in the manner set out in Section 409.11 of the Code of Iowa, there shall also be filed a certificate showing that an encumbrance bond in an amount double the amount of the encumbrance and approved by the Recorder and Clerk of the District Court and which runs to the County for the benefit of the purchasers of the land subdivided has been filed with the Recorder.
  - c. A certified statement from the Treasurer of the County that it is free from taxes.
  - d. A certified statement from the Clerk of the District Court that the land platted is free from all judgements, attachments, mechanic's or other liens as appears by the record in his office.
  - e. A certified statement of the County Recorder that the title in fee is in such proprietor and that it is free from encumbrance other than that secured by the bond provided for in Section 409.11 of the Code of Iowa, as shown by the records of his office.







CHAPTER III  
DESIGN STANDARDS

3.1 Roads

1. Design Considerations:

- a. The road layout shall provide access to all lots and parcels of land within the subdivision.
- b. Road jogs of less than 150 feet shall be avoided.
- c. Cul-de-sacs shall not exceed 750 feet in length.
- d. Proposed roads shall be adjusted to the contour of the land so as to produce useable lots and streets of reasonable gradient.
- e. New subdivisions shall make provisions for continuation and extension of roads. Trunk and trunk collector roads shall extend through the subdivision to the boundaries thereof.
- f. Where access to adjoining properties is deemed necessary by the County, area service or other local roads shall be extended to the subdivision boundaries.
- g. No dead end roads or alleys will be permitted except at subdivision boundaries adjoining undeveloped areas, in which case a temporary turn-around shall be provided.
- h. Alleys shall be discouraged in residential areas but shall be provided in commercial and industrial areas unless other suitable public or private access to loading and service areas is provided.
- i. Intersection of road center lines shall be between 80 degrees and 100 degrees.
- j. Intersection of more than two roads at a point shall not be permitted.
- k. Where parkways or special types of roads are proposed, the commission may apply special standards for the design of such parkways or roads.
- l. Proposed roads that are extensions of or in alignment with existing roads shall bear the name of the existing road.



2. Minimum rights-of-way shall be provided as follows:
  - a. Trunk or trunk collector roads - 80 feet
  - b. Area service or local roads - 60 feet
  - c. Frontage roads - 40 feet
  - d. Cul-de-sacs - 110 feet in diameter
  - e. Alleys - 20 feet
3. Road Surfacing:
  - a. Road surfacing in subdivisions within two (2) miles of a city having a planning commission shall be in accordance with the standards established by the municipality but in no case shall the standards be less than established herein.
  - b. Surfacing on all classes of roads shall be in accordance with one of the following:
    - 1) An urban-type cross section with portland cement concrete curb and gutter with a surface width of not less than twenty-five (25) feet from back of curb to back of curb.
    - 2) A rural cross section utilizing ditches in lieu of curb and gutter. In such case a surfaced roadway of not less than twenty-four (24) feet in width shall be constructed on a thirty (30) foot wide subgrade top. Foreslopes, backslopes and width and depth of ditches shall be in accordance with current county standards and specifications for similar work.
  - c. Cul-de-sacs - 85 feet in diameter
  - d. Alleys - 20 feet
4. Grades. No road grade shall be less than one-half of one percent and shall not exceed the following limits:
  - a. Trunk or trunk collector roads and frontage roads - 7 percent
  - b. Area service or local roads - 10 percent

### 3.2 Blocks

1. The length of blocks shall not be less than 500 feet and not more than 1,250 feet in length.



2. Blocks shall be of sufficient width to permit two (2) tiers of lots of appropriate depth and in no case shall the width be less than 220 feet, except where a single tier of double frontage lots parallels a limited access highway, a thoroughfare, railroad or other barrier, the width shall be not less than 150 feet.
3. Crosswalks may be required in blocks over 800 feet long or in areas where curved roads require excessive out-of-distance travel. If required, they shall be constructed by the developer.

### 3.3 Lots

1. All lots shall abut on a street or place.
2. Side lines of lots shall approximate right angles to straight street lines and radial angles to curved street lines except where a variation will provide better street and lot layout.
3. Lots with double frontage shall be avoided, except in specific locations where good planning indicates their use. In that event a planting screen shall be provided along the rear of the lot.
4. Corner lots shall not be less than 90 feet in width, and interior lots shall not be less than 80 feet in width at the building line.
5. No lot shall have less area than required by the zoning ordinance for the district in which it is located.

### 3.4 Easements and Utility Locations

1. Easements not less than eight (8) feet in width shall be provided along each side of the rear lot lines of all lots and along such other lot lines as may be required by public and private utility companies.
2. Easements of greater width may be required for trunk lines, pressure lines, open drainage courses, or high voltage lines and shall be provided as determined by the affected utility or by the County Engineer.
3. All utility lines shall be placed underground except main or feeder electric distribution lines may be overhead where deemed necessary by the utility company.



3.5 Erosion Control

1. The subdivider shall be responsible for controlling soil erosion and surface water runoff within the subdivision during its construction and development and shall provide interim erosion and runoff control measures as work progresses on site grading, the installation of street surfacing, sewers, or other improvements and stages of work.
2. The subdivider shall be responsible for providing permanent erosion control measures along streams, waterways, and other water courses which will ultimately become a permanent part of the subdivision.
3. Methods for controlling erosion may, where appropriate, include mulches, temporary or permanent vegetative cover, the use of terraces, diversion ditches, impoundments, subsurface drainage pipes, or other structures which will intercept, divert, retard or otherwise control runoff and soil erosion.

The plan and methods and/or techniques for controlling soil erosion and siltation shall be approved by the Crawford County Soil Conservation District.



## CHAPTER IV

### IMPROVEMENTS REQUIRED

- 4.1 Sanitary Sewers. The subdivider shall provide the subdivision with sanitary sewage facilities in accordance with one of the following:
1. Public Collection System. Where reasonably available the subdivider shall provide the subdivision with a complete sanitary sewer system which shall connect with the sanitary sewer system of a municipality. In such case the sewer system shall be approved by the affected municipality and shall be designed and constructed in accordance with the municipal specifications.
  2. Local or Community Treatment System. Where it is not practical to connect the subdivision sanitary sewer system to a municipal sewer, the subdivider shall install a local or community treatment system in accordance with the requirements of the County and State Boards of Health.
  3. Private Disposal Systems. If it is demonstrated that the above are not practical, the Board of Supervisors may, upon request, permit the subdivider to install on each lot, a septic tank and absorption field or other system approved by the County Board of Health, provided such lots meet the area requirements established for such systems under the County Zoning Ordinance. In no case, however, shall private disposal systems be permitted where rock, impervious clay, or ground water is closer than 30 inches to the surface of the ground.
- 4.2 Water. The subdivider shall provide the subdivision with an approved water supply and distribution system in accordance with one of the following:
1. Public Water System. Where reasonably available, the subdivider shall provide the subdivision with a complete water main supply system including hydrants, valves and other appurtenances which shall extend into and through the subdivision to the boundary lines, and which shall provide for a water connection to each lot, and shall be connected to a public or municipal water system or an approved rural water system.

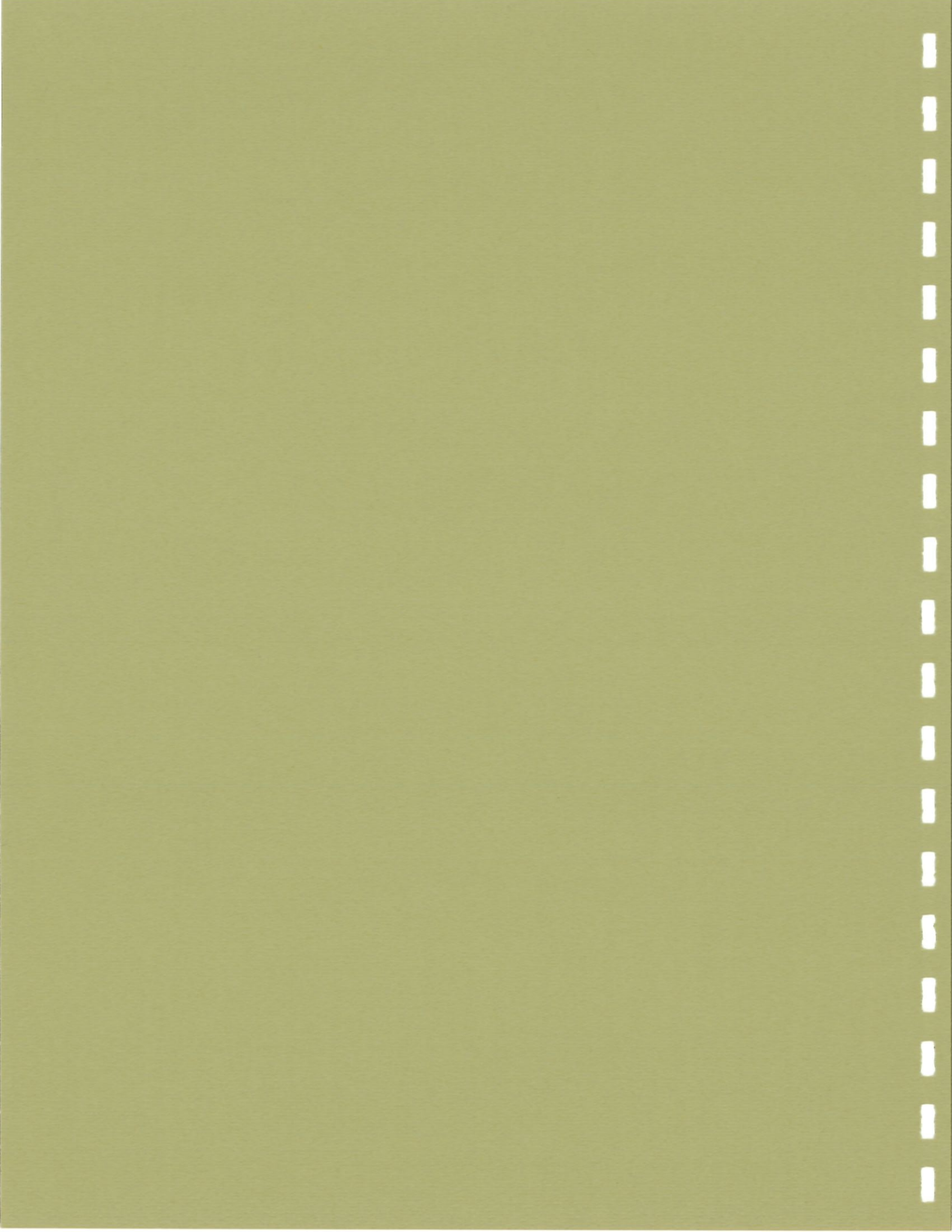


2. Local or Community Water System. Where a public water system is not available, the subdivider shall install a local or community water supply and distribution system, including all necessary mains, valves, hydrants and other appurtenances, in accordance with the standards and requirements of the County and State Boards of Health.
3. Individual Water System. If it is demonstrated that the above are not practical, the Board of Supervisors may, upon request, permit the subdivider to install individual wells on each lot, or other water system approved by the County Board of Health, provided such lots meet the area requirements established for such systems under the County Zoning Ordinance.
- 4.3 Storm Drains. The subdivider shall provide the subdivision with adequate drains, ditches, culverts, complete bridges, storm sewers, intakes, and manholes to provide for the collection and removal of all surface waters, and these improvements shall extend to the boundaries of the subdivision so as to provide for extension by adjoining properties.
- 4.4 Erosion Control. The subdivider shall provide plans approved by the Soil Conservation District regarding the following:
  1. Temporary measures for controlling erosion and siltation during development of the subdivision.
  2. Permanent measures for controlling erosion along streams, waterways, and other water courses which will become a permanent part or fixture within the subdivision
- 4.5 Markers. An iron rod not less than one-half ( $\frac{1}{2}$ ) inch in diameter and twenty-four (24) inches in length shall be placed as follows:
  1. At the intersection of all lines forming angles in the boundary of the subdivision.
  2. At block and lot corners and changes in direction of block and lot boundaries.
- 4.6 Grading. All roads within the platted area which are dedicated for public use shall be brought to the grade approved by the County Engineer.



- 4.7 Surfacing. All roads being dedicated for public use shall be surfaced to the width required by Section 3.1-3. Surfacing shall be not less than a double coat of oil and chips over a six inch (6") rolled stone base and shall be constructed in accordance with design and specifications, and at grades approved by the Board of Supervisors and the County Engineer.
- 4.8 Specifications. The type of construction, materials, methods and standards of subdivision improvements shall be equal to the current specifications of the County for like work. Plans and specifications shall be submitted to the Board for approval prior to construction and construction shall not be started until the plans and specifications have been approved.
- 4.9 Inspection. The Board shall cause the installation of all improvements to be inspected to insure compliance with the requirements of this ordinance. The cost of said inspection shall be borne by the subdivider and shall be the actual cost of the inspection to the County.
- 4.10 Improvements Within Two (2) Miles of a City. Improvements in subdivisions within two (2) miles of a city having a planning commission shall be in accordance with the requirements of the affected city, but shall not be less than those required by the County provided further that all road and drainage construction plans shall be approved by the Board of Supervisors and the County Engineer.







## CHAPTER V

### GENERAL PROVISIONS

5.1 Definitions. For the purpose of this ordinance, certain terms and words and hereby defined as follows:

1. Alley. A permanent public service way or right-of-way, designed to provide a secondary means of access to abutting property.
2. Auditor. The County Auditor of Crawford County, Iowa.
3. Board. The Board of Supervisors of Crawford County, Iowa.
4. Building Line. A line established on a plat as a restrictive covenant, beyond which no building may be placed. The building lines need not correspond to the front, side, or rear yard requirement established in the zoning ordinance, and where they do not, the most restrictive requirement will control.
5. Commission. The Zoning Commission of Crawford County, Iowa.
6. County. Crawford County, Iowa
7. Cul-de-Sac. A short minor road having one end open to motor traffic, and other end being permanently terminated by a vehicular turnaround.
8. Easement. Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.
9. Final Plat. The map or drawing, on which the subdivision plan is presented in the form which, if approved by the Board and Zoning Commission, will be filed and recorded with the County Recorder.
10. Preliminary Plat. A study, or drawings indicating the proposed manner or layout of the subdivision which is submitted to the Board and Zoning Commission for consideration.
11. Separate Tract. A parcel of land or a group of contiguous parcels of land under one ownership on the effective date of this ordinance.



12. Road or Street. A right-of-way other than an alley dedicated or otherwise legally established to and accepted for the public use, usually affording the principal means of access to abutting property. A road may be designated as a street, highway, thoroughfare, parkway, avenue, lane, drive, place or other appropriate designation.
  13. Trunk or Trunk Collector Road. A street or road intended to carry vehicular traffic from area service or local roads to highways, thoroughfares or traffic generators, as defined by the Iowa functional roads and streets classification system.
  14. Area Service or Local Road. A road used primarily for access to abutting property and includes area service roads as defined by the Iowa functional roads and streets classification system.
  15. Right-Of-Way. The area measured between property lines, dedicated to and accepted for public use and providing access to abutting properties.
  16. Subdivider. Any person, firm, corporation, partnership, or association who shall layout, for the purpose of sale or development, any subdivision or part thereof as defined herein, either for himself or others.
  17. Subdivision. The division of a separate tract of land into three (3) or more lots or parcels for the purpose of transfer of ownership or building development, or, if a new road is involved, any division of a parcel of land.
- 5.2 Fees. Each preliminary plat submitted for approval shall be accompanied by a fee of fifty (50) dollars, which shall be credited to the General Fund of the County.
- 5.3 Variances. Where the strict application of standards or requirements established by this ordinance would cause substantial hardship or impose unreasonable restrictions on the development of a tract of land because of natural or physical conditions or limitations, not created by the owner or developer, the Zoning Commission may recommend and the Board of Supervisors may grant such variances from these standards or requirements as may be necessary to permit the reasonable development of the land while preserving the intent of this ordinance.



5.4 Enforcement. In addition to other remedies and penalties prescribed by law the provisions of this ordinance shall be enforced as follows:

1. No plat or subdivision within the unincorporated areas of the County shall be recorded or filed with the County Auditor or County Recorder, nor shall any plat or subdivision have any validity until it complies with the provisions of this ordinance and has been submitted to the County Board of Supervisors for approval as prescribed herein, and if applicable, the Council of the city having two (2) mile jurisdiction over the platted area.
2. Not more than two building permits shall be issued for each separate tract existing at the effective date of this ordinance unless the tract shall have been platted in accordance with the provisions contained herein.
3. No public improvements over which the Board of Supervisors has control shall be made with county funds, nor shall any county funds be expended for road maintenance, road improvements, or other services in any area that has been subdivided after the date of adoption of this ordinance unless such subdivision and roads have been approved in accordance with the provisions of this ordinance and the road accepted by the Board of Supervisors as a public road.
4. Any person who shall hereafter dispose of or offer for sale or lease any lots in any subdivision unless the plat thereof has been approved in accordance with this ordinance and recorded shall forfeit and pay fifty dollars (\$50.00) for each lot or part of lot sold or disposed of, leased, or offered for sale.

5.5 Amendments. This ordinance may be amended from time to time by the Board of Supervisors. Such amendments as may be proposed shall first be submitted to the Zoning Commission for study and recommendation. The Commission shall report within thirty (30) days, after which the Board shall give notice of and hold a public hearing on the proposed amendment. The amendment shall become effective from and after its adoption and publication as required by law.

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



5.7 Effective Date. This ordinance shall be in effect from and after its adoption and publication as required by law.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_

Signed: \_\_\_\_\_  
Chairman, Crawford County  
Board of Supervisors

Attest: \_\_\_\_\_  
County Auditor



