

**JONES COUNTY
PLANNING & ZONING COMMISSION
TUESDAY, OCTOBER 14, 2025 4:30 P.M.
COMMUNITY ROOM, JONES COUNTY COURTHOUSE**

4:30 p.m.

- Call meeting to order, approve agenda. Approve meeting minutes from the August 12, 2025 meeting.
- Annual appointment of administrative rules.
- Public Hearing on final plat for Mark & Rhonda Harmon, to subdivide part of the NE 1/4 of the NW 1/4 of Section 5 of Fairview Township, a three lot subdivision calling this Harmon's Addition.
- Action on final plat for Mark & Rhonda Harmon, to subdivide part of the NE 1/4 of the NW 1/4 of Section 5 of Fairview Township, a three lot subdivision calling this Harmon's Addition.
- Discussion on possible changes to the Jones County Subdivision Ordinance and changes to the Jones County Zoning Ordinance Article XI Auxiliary and Seasonal Dwelling Units
- Next meeting, November 11, 2025. Application deadline is Wednesday October 22, 2025.
- Adjourn

Jones County Planning and Zoning Commission Meeting Minutes August 12, 2025, 4:30 p.m.

Members present:

Keith Stamp

Kris Doll

Janine Sulzner

Members absent:

Tim Fay

Lowell Tiedt

Staff present:

Whitney Amos, Jones County Land Use Administrator

Visitors present:

Co-Chairperson Stamp called the meeting to order at 4:30p.m.

Motion by Sulzner seconded by Doll to approve the agenda for the meeting. All aye. Motion carried.

Motion by Doll seconded by Sulzner to approve the meeting minutes for July 1, 2025.

Discussion for tabled item for the preliminary plat for Owner CW Barner Enterprises LLC, to subdivide parcel 2019-12 in the SW 1/4 of the NE 1/4 of Section 20 of Fairview Township. A two-lot subdivision calling this CW Barner Addition.

- Variance to Section 2. Streets and Access Points,
 - There are not two access points to this subdivision. The only possible access point would be off of 230th Ave through Lot #3.
 - An easement may be required for access to lot #2 and lot #1.
- Variance to Section 3. Interior Street Standards, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance.
 - Must have an ingress/egress easement of 66 ft. through Lot#2 to access Lot #1.
- Variance to Section 7. Storm Water Pollution Prevention Plan, of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance.
 - If more than one acre is disturbed a Storm Water Pollution Prevention Plan will be required to be submitted.
- Variance to Section 5, of Article VII, Procedure for Review of Plats. Subsection P. A soil erosion control plan and drainage control plan created by a licensed engineer, filed with the Jones County Land Use Office.

- Per Jones County District Soil Conservationist, a soil erosion plan must be submitted before any land disturbing activity.

There was much discussion about access to lot#1.

Motion by Sulzner seconded by Doll to approve the CW Barner Addition preliminary plat with the listed variances along with the change to variance of Section 3. Interior Street Standards, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance, by requiring a 66 ft. easement to access lot #1 through lot# 2.

Kris Doll- aye
Keith Stamp- aye
Janine Sulzner-aye

All aye. Motion Carried.

Motion by Sulzner seconded by Doll to open the public hearing at 4:49 p.m. for the final plat for Owner Randy Caspers, to subdivide the South ½ of the SW ¼ of Section 35 of Cass Township. A one-lot subdivision calling this Caspers Acres.

All aye- motion carried

A review of the requirements within the ordinance were outlined and the following variances are noted:

- Variance to Section 2. Streets and Access Points,
 - The proposed access will be coming off of 131st Street.
- Variance to Section 3. Interior Street Standards, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance.
 - There is no proposed interior street. Therefore, there are no proposed cul-de-sacs, bus turnarounds or street names.
- Variance to Section 7. Storm Water Pollution Prevention Plan, of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance.
 - If more than one acre is disturbed a Storm Water Pollution Prevention Plan will be required to be submitted.
- Variance to Section 5, of Article VII, Procedure for Review of Plats. Subsection P. A soil erosion control plan and drainage control plan created by a licensed engineer, filed with the Jones County Land Use Office.

- Per Jones County District Soil Conservationist, a soil erosion plan must be submitted before any land disturbing activity.
-

Motion by Sulzner seconded by Doll to close the public hearing at 4:50 p.m. All aye motion carried.

Motion by Sulzner seconded by Doll to recommend approval for the final plat of Caspers Acres a one lot subdivision located in section 35 of Cass Township with the listed variances.

Kris Doll- aye

Janine Sulzner- aye

Keith Stamp – aye

All aye. Motion Carried.

Discussion was had on making changes to the subdivision ordinance as well as the auxiliary dwelling ordinance to meet in line with the new change of the Iowa State Code. The Land Use Administrator will have that ready for the next meeting to review.

The next regular meeting will be Tuesday August September 9, 2025, at 4:30 p.m. with a deadline of August 20, 2025.

Motion by Doll seconded by Sulzner to adjourn at 5:13 p.m.

All aye. Motion carried.

PLANNING AND ZONING COMMISSION
ADMINISTRATIVE RULES
JONES COUNTY
Adopted October 2025

In compliance with Iowa Code, Section 335.12 and the Jones County Zoning Ordinance, Title VI - Property & Land Use, the following rules and procedures are hereby adopted by the Jones County Planning and Zoning Commission.

MEMBERSHIP

New members of this Commission shall be appointed by the Board of Supervisors, each serving a term of three (3) years. The members shall reside in the unincorporated portion of Jones County, Iowa.

OFFICERS

The Planning and Zoning Commission shall select a chairperson at the first regular meeting in July to serve for a period of one (1) year (July 1-June 30). In his or her absence, an acting chairperson will be designated by the other members.

DUTIES

The chairperson, or in his absence, the acting chairperson, will preside at all meetings, appoint committees, administer oaths, compel the attendance of witnesses and perform such other duties as may be ordered by the Commission.

The Planning and Zoning Commission duties include updating the ordinances by recommending amendments, supplements, changes or modifications to the boundaries of the planning districts and the regulations and restrictions to be enforced.

OFFICE OF THE PLANNING AND ZONING COMMISSION

The Jones County Land Use Office is designated as the office of the Planning and Zoning Commission. The Land Use Administrator shall be responsible for the secretary's duties; record and maintain minutes of the meetings, ensure that the minutes and adopted recommendations are properly published and available to the public, and perform such other duties as the Commission may determine.

MEETINGS

The Commission shall determine regular meeting dates. All meetings of the Planning and Zoning Commission shall be open to the public. The secretary shall keep and file records of the public hearings and other official actions. The secretary will provide the Commission notice of the special meeting, purpose and time 48 hours in advance.

QUORUM

A quorum of the Commission shall consist of three (3) members. A quorum may be formed if one member of the three-person quorum is participating by teleconference. Without a quorum, no business will be transacted and no official action on any matter will take place.

PUBLIC NOTICE

On receipt of the request, the Land Use Administrator shall place the application on the next regular Planning and Zoning Commission meeting agenda and publish the public hearing notice including time and place at least five (5) days prior to the hearing, but no longer than twenty (20) days in the officially designated newspapers of the County. In addition, certified mailings shall be sent to all adjoining property owners with the time and place of the hearing.

ORDER OF BUSINESS

Call to order
Approval of agenda
Approval of minutes of previous meeting
Reports of officers, committees, staff
Unfinished business
New Business: Appeals and applications on the agenda
Time open for citizens wishing to address the Commission on matters not on the established agenda
Any other discussion or announcements
Notice of next meeting
Adjourn

CITIZEN PARTICIPATION

Persons other than Commission members shall be permitted to address the Commission on specific agenda items.

A citizen addressing the Commission shall state his name and address.

Citizens shall be limited to three minutes speaking time per item unless additional time is granted by the presiding officer. Total citizen input on any subject under Commission consideration shall be limited to a fixed period determined by the presiding officer.

Citizen comments must be directed to the subject under consideration. The presiding officer shall rule on the relevance of citizen comments. Citizens making personal, impertinent or slanderous remarks shall be barred by the presiding officer from further comment before the Commission.

The Commission may, in its discretion, allow citizens who wish to raise a matter not on the agenda to address the Commission at the end of the regular agenda.

MOTIONS

Motions may be made by anyone on the Commission except the presiding officer. The administrator shall restate the motion before a vote is taken.

DISCUSSION

A member recognized for a specific purpose shall limit remarks to that purpose. A member, after being recognized, shall not be interrupted except by the presiding officer.

The presiding officer may enter into any discussion.

Each Commission member will limit his or her remarks to a reasonable length.

The presiding officer has the right to close debate and speak last on any item.

Discussion may be closed on any item at any time by the presiding officer with concurrence of the majority of the Commission.

Voting shall be by roll call and shall be recorded by aye or nay. Every member of the Commission, including the presiding officer, is required to vote on each motion. A member shall abstain if he believes there is a conflict of interest, particularly if the conflict is of a financial nature.

Roberts Rules of Order, Revised, shall govern all Commission meetings in all cases where these rules do not provide the procedures to be followed.

PARTIES ALLOWED TO REQUEST AMENDMENT

Requests for an amendment to the Zoning Ordinance may be made by any private citizen, or any member of the Planning and Zoning Commission.

APPLICATION FORM

Requests for an amendment to this Ordinance must be in writing and filed with the Land Use Administrator. An application may only be held on file for the Planning and Zoning Commission for a period of sixty (60) days.

ETHICS

Board members are expected to attend all regular and special meetings of the Board. If a member has a valid reason for nonattendance, the member shall notify the administrator before the meeting.

Each member of the Board has an affirmative ethical duty to recuse themselves from hearing any matter before the Board in which financial, familial, intimate social interests, or public statements would call into question their ability to be impartial in the minds of a substantial portion of the general public; or in which a vote against the interests of one's family or close associates would likely cause significant tensions in those ongoing relationships.

Members of the Board have a duty to scrupulously avoid involvements with parties to applications which might call into question their impartiality. For example, gifts or gratuities from a "grateful" applicant or member of the public after a hearing in which the Board member voted in favor of or against the party should not be accepted.

Members of the Board will not consider a request (informal or not) for advice on theoretical or actual situations which potentially may later come before the Board as an appeal or application.

REVIEW BY PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission will review the application at the public hearing. If the rezoning signs were not visible during site inspection, the request maybe tabled. At the hearing the Planning and Zoning Commission shall also receive comments from the applicant and the public at large.

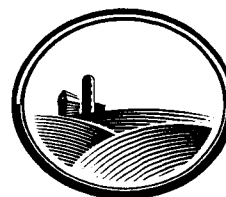
WRITTEN RECOMMENDATION

The Planning and Zoning Commission shall submit a written recommendation to the Board of Supervisors.

Adopted by the Jones County Planning and Zoning Commission on_____.

Chairperson_____

Jones County Land Use
 Rm 113 Courthouse, 500 W Main St.
 Anamosa, Iowa 52205
 Phone: 319-462-2282 Fax: 319-462-5815
 Email: landuse@jonescountyiowa.gov
 Website: www.jonescountyiowa.gov



Jones County Zoning

Subdivision Application

Use this form for any person intending to divide a parcel of land within Jones County into three (3) or more lots since April 1, 1998 for immediate or future sale or for development purposes.

The developer shall comply with the procedures established in the Jones County Subdivision Ordinance. The subdivider shall attach ten (10) copies of the preliminary plat conforming in detail to the requirements set forth in the ordinance.

The Planning and Zoning Commission shall hear each application on its agenda and transmit its recommendation to approve, disapprove, or to grant conditional approval, to the Board of Supervisors.

Preliminary Plat Fee: \$225.00

Paid \$110.00 Date: 9/2/25

Final Plat Fee: \$325.00 + \$20 per lot

Paid _____ Date: 9/2/25

All fees are non-refundable and payable to Jones County.

Date Application Filed: 9/2/25 CK#015305

| Developer Information | | | |
|-------------------------------------|--|------------------|------------------------|
| Name: Mark and Rhonda Harmon | | | |
| Address to receive mail: | House Number & Street: 23780 Ridge Road | | Apartment/Unit |
| | City: Anamosa | State: IA | Zip Code: 52205 |
| Phone: (319) 480-5166 | E-mail Address: MandRHarmon@gmail.com | | |

| Owner Information | | | |
|---------------------------------|------------------------|--------|----------------|
| Name (If different from above.) | | | |
| Address to receive mail: | House Number & Street: | | Apartment/Unit |
| | City: | State: | Zip Code: |
| Phone: () | E-mail Address: | | |

| Parcel Information | | | | | |
|-------------------------|--------------------------|-------------|------------|---|-------------------------|
| Township | T84N, R4W | Section | 5 | Property Address | 23780 Ridge Road |
| Current Zoning District | X Agricultural | Residential | Commercial | County Parcel ID(s), if known: 0905100038 | |
| | | | | | |

If the current zoning district and proposed zoning classification are different, a Rezoning Application is required before proceeding with the Subdivision Application. Please contact the Land Use Administrator with questions.

| | | |
|----------------------------|--|--|
| Legal description of area: | Part of the NE1/4 NW1/4 lying North of the Public Road in Section 5, T84N, R4W of the 5th P.M. Excepting 5 Tracts: See Attached Plat | |
|----------------------------|--|--|

| | | |
|-------------------|------------------|----------------------------|
| Name of Surveyor: | Terry L. Koelker | Number of lots proposed: 3 |
|-------------------|------------------|----------------------------|

Subdivider is to submit the name of the subdivision to the Jones County Auditor for approval.

Is the subdivision within two miles of the cities of Anamosa, Cascade or Monticello? Yes, Anamosa

The lots must comply with the minimum lot area, front, rear, and side yard setbacks, and maximum height restrictions in the applicable district, as described in the Jones County Zoning Ordinance. The Jones County Zoning Ordinance is available in the office of the Jones County Auditor, or on-line at www.jonescountyiowa.gov.

The developer is responsible for reviewing the provisions of the Jones County Zoning and Subdivision Ordinances prior to submitting this application.

Attachments to preliminary plat and application:

- A soil erosion control plan and drainage control plan created by a licensed engineer.
- A general description of all minimum improvements to be created within the subdivision.

DNR Storm Water Permits are required when development disturbs one acre or more of land. For more information, contact the Department of Natural Resources at (515) 725-8417 or Clark Ott at (563) 927-2640 and ask for storm water permit assistance.

This development is subject to, and shall be required, as a condition of final development approval, to comply with the Code of Iowa and all Jones County ordinances, requirements, and standards that are in effect at the time of final development approval.

The undersigned applicant certifies under oath and under the penalties of perjury that the foregoing information is true and correct.

Mark Harmon

2025-08-29

Developer Signature

Date

Owner Signature

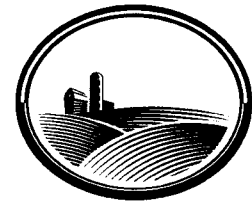
Date

QUESTIONS

WHO TO CONTACT

| | |
|---------------------------|---------------------------------------|
| Flood Plain Determination | Emergency Management (319) 462-4386 |
| Access Permit for Drive | County Engineer (319) 462-3785 |
| Well and Septic Permits | Environmental Services (319) 462-4715 |
| 911 Address | 911 Coordinator 319-462-2735 |

Jones County Land Use
Rm 113 Courthouse, 500 W Main St.
Anamosa, Iowa 52205
Phone: 319-462-2282 Fax: 319-462-5815
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Website: www.jonescountyiowa.gov



JONES COUNTY LAND USE

Date: October 14th, 2025

To: Planning and Zoning Commission

From: Whitney Amos Land Use Administrator

Re: Review of Harmon's Addition subdivision-preliminary and final plats

A review of the requirements within the ordinance were outlined and the following variances are noted:

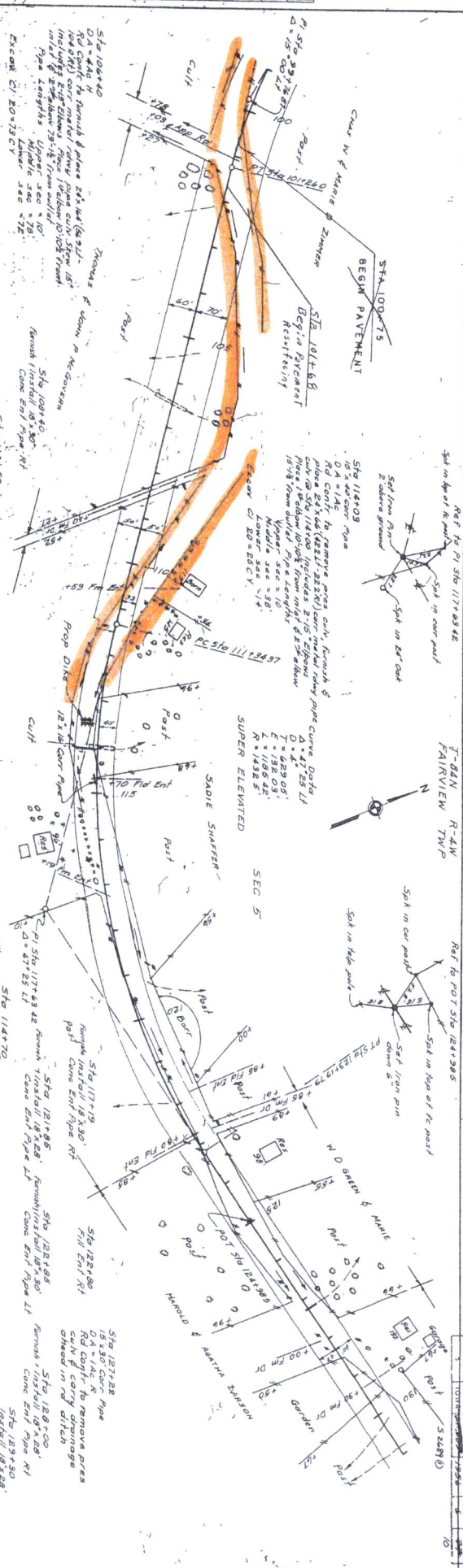
- Variance to Section 2. Streets and Access Points, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance.
 - This subdivision does not contain two access points. The Proposed access is a 40' wide recorded easement.
- Variance to Section 3. Interior Street Standards, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance.
 - There are no proposed interior streets. Therefore, there are no proposed cul-de-sacs, bus turnarounds or street names.
 - There is a 40' wide proposed easement.
- Variance to Section 7. Storm Water Pollution Prevention Plan, of Article V
 - If more than one acre is disturbed a Storm Water Pollution Prevention Plan will be required to be submitted.
- Variance to Section 5. of Article VII, A soil erosion control plan and drainage control plan created by a licensed engineer, filed with the Jones County Land Use Office.
 - Per Jones County District Soil Conservationist, a soil erosion plan must be submitted before any land disturbing activity.

Review by the Jones County Land Use Administrator

| | |
|-----------|---|
| | Jones County Engineer – Derek Snead |
| Comments: | <i>The Jones County Engineer's Office has reviewed the Final Plat for Harmon's Addition in Section 5 of Fairview Township. The Ridge Road (previously known as Trunk "B") was graded in the mid 1950's. Just east of the intersection with County Road X28 was a substantial relocation of the existing roadway alignment at that time. It is our opinion that the property line shown on the Final Plat is not consistent with the property lines from our grading documents. I have included a plan sheet from our grading plans and Plat of Property documents that reinforce our position. See Attached.</i> |
| | Jones County District Soil Conservationist – Addie Manternach |
| Comments: | <i>I do not see any major concerns/impacts of the planned Harmon's Addition at its proposed location. I'm not sure from the information provided if there will be any earthmoving or land cover disturbed as part of this proposed project. If there will be, the landowner is advised to take precautions to control soil erosion and sediment runoff from the construction site. During any construction where earthmoving occurs or existing land cover is disturbed, there is the potential for increased soil erosion from wind and rain, resulting in degraded lands. Also, runoff from heavy rain events during construction is likely to wash soil and other loose material into nearby water bodies, impairing the water quality and degrading aquatic habitat. The Jones Soil & Water Conservation District advises putting a construction site erosion control plan in place prior to starting any land disturbing activity. The plan should include the installation of practices such as silt fence and mulching to prevent on-site soil erosion and also address sediment leaving the property.</i> |
| | Jones County Sanitarian – Lisa Bogran |
| Comments: | <i>Any lots designated as private residence must apply for septic and well applications through Jones County Environmental through a licensed contractor.</i> |
| | Flood Plain Manager – Brenda Leonard |
| Comments: | <i>These proposed Lots are not in a flood plain.</i> |
| | Jones County Conservation Board - Brad Mormann |
| Comments: | <i>No comments received</i> |
| | Jones County E911 Coordinator – Gary Schwab |
| Comments: | <p><i>The Harmon's Addition Preliminary & Final Plat has been reviewed and will be compliant to Chapter 3, Uniform Rural Address System to Title IV Streets, Roads Public Ways and Transportation, as part of the Jones County Code of Ordinances with the following road name corrections as defined in the Appendix, Road Naming Protocols Item C.</i></p> <ul style="list-style-type: none"> • <i>Harmon's Court cannot be named after a living person.</i> • <i>The addresses for lot 1 and 2 would be changed to reflect addresses off (XYZ) Court not off Ridge Road E28.</i> |

5-2689

| | | | | | |
|--------|-------|-------|-------|-----|--------|
| | DRAWN | CHK'D | REV'D | APP | CIT |
| PRELIM | CLW | CLG | | | |
| FINAL | CLW | CLG | | Feb | 6-26-5 |



4-20-68 R-4W
FAIRVIEW TWP

Ref to POT 5th 124+900

| | | | | | |
|------------------|-------|----------|-------------|----------|--------------|
| FED ROAD DIST NO | STAFF | CHRO '10 | FISCAL YEAR | SHEET NO | TOTAL SHEETS |
| 3 | TOTAL | 2008 | 1996 | 6 | 10 |

To
Bridgman

Sec 5
NW 1/4

Sec 5
NW 1/4

Scale 8 1/2 miles

Johns County
from plan

NOTICE BY BOARD OF SUPERVISORS TO OWNERS AND
OCCUPANTS IN REGARD TO PROPOSED HIGHWAY

TO: John P. McGovern; Millie McGovern; and
Thomas McGovern (Owners)

TO: Bernard McGovern (Tenant), and

TO WHOM IT MAY CONCERN:

Notice is given that the Board of Supervisors of Jones County, Iowa, propose to condemn for road purposes the following described real estate in Jones County:

Commencing at the SE Corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, T-84N, R4W of the 5th P.M., thence east 16.5 feet, thence north 283.1 feet to the point of beginning, thence N 54° 18' W 170.9 feet, thence S 35° 42' W 45.0 feet, thence N 54° 18' W 200.0 feet, thence N 35° 42' E 45.0 feet, thence N 54° 18' W 397.0 feet, thence N 35° 42' W 60.0 feet, thence S 54° 18' E 88.5 feet, thence S 80° 58' E 120.3 feet, thence S 67° 03' E 310.2 feet, thence S 55° 11' E 130.0 feet, thence South 240.1 feet to the point of beginning, containing 2.42 acres, more or less, exclusive of the present established road. (Note: The east line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5 is assumed to bear due north.) Said above described premises being taken from the below described tract to improve Jones County trunk road "B", some times known as the "Ridge Road,"

which said described tract will be taken from the property located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, Township 84, North, Range 4, West of the Fifth P.M., described as:

Commencing at the SE Corner thereof, and running thence west on the South line thereof to the center of the public road running from Anamosa to Stone City; thence along the center of said road NEly and SEly until it intersects the East line of said tract; thence S on the East line thereof to the place of beginning, containing Fourteen (14) acres, more or less, ~~EX~~cepting one rod wide from the East side thereof.

The damages caused by said condemnation will be assessed by three (3) appraisers. Notice is given that the owner, or owners of said real estate may, on or before the 7th day of September, 1956, appoint one of said appraisers and that in case such right be not exercised, or if exercised and the said appointee fails to appear and qualify, the said three appraisers will be otherwise appointed as provided by law. All parties interested are further notified that said three appraisers will, when duly appointed, proceed to appraise said damages, will report said appraisement to the said Board of Supervisors and that said latter Board will pass thereon as provided by law, and that at all such times and places you may be present if you be so minded. You are further notified that at said hearing before the said Supervisors you may file objections to the use of said land for road purposes and that all such objections not so made will be deemed waived.

31 Township 85 N Range 4, and Section

the model of supervisors in the *greater* of the heretofore described highway

Signed. John T M Governor
By Bernard M Governor
Bernard M Governor

entered into this.....day of.....

A. D., 1956.

S. & John P. McGavern

.....of the County of

Jones

State of Iowa, party of the first part, and.....

Jones

County by its Board of Supervisors consisting of the following members:

Wm Dirks, Henry Adams, Wm. Bailey, Lee Crain, Henry Rickels.

Party of the Second Part.

WITNESSETH: In consideration of \$1.00, receipt of which is hereby acknowledged, the party of the first part hereby agrees to sell or give an easement to the county for use as a public highway the real estate situated in the County of.....

Jones....., State of Iowa, to-wit:

| In Section..... | Township..... | Range..... | Commencing at |
|----------------------------|-------------------------------|------------------------------|---|
| <u>5</u> | <u>84N</u> | <u>4W</u> | |
| Station..... <u>101+27</u> | to Station..... <u>102+00</u> | a strip..... <u>25'-60'</u> | feet wide..... <u>Rt.</u>side, from |
| Station..... <u>102+00</u> | to Station..... <u>103+00</u> | a strip..... <u>0'-52'</u> | feet wide..... <u>Lt.</u>side, from |
| Station..... <u>103+00</u> | to Station..... <u>106+00</u> | a strip..... <u>52'-132'</u> | feet wide..... <u>Lt.</u>side, as |
| Station..... <u>106+00</u> | to Station..... <u>107+30</u> | a strip..... <u>132'</u> | feet wide..... <u>Lt.</u>side, as |
| Station..... <u>107+30</u> | to Station..... <u>108+30</u> | a strip..... <u>132'-0'</u> | feet wide..... <u>Lt.</u>side, as |

shown on plans for Project No. S-2689

Additional Right of Way as follows:

A variable strip 25'-60' wide from Sta. 101+27 to Sta. 102+00 lying in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5; also a strip 60' wide from Sta. 102+00 to Sta. 103+50 lying in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5; also a variable strip 0'-52' wide from Sta. 102+00 to Sta. 103+00 lying in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5; also a variable strip 52'-132' wide from Sta. 103+00 to Sta. 106+00 lying in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5; also a strip 132' wide from Sta. 106+00 to Sta. 107+30 lying in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5; also a variable strip 132'-0' wide from Sta. 107+30 to Sta. 108+30 lying in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5, T84N R4W; said strips lying Southwest of the 33 $\frac{1}{2}$ line of the present road and containing 2.21 ac. more or less.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5--2.21 ac. @ \$60 = \$132.60

2.42 ac. @ \$60 = \$145.20

Party of the first part agrees that the County may take immediate possession of the above described real estate and further agrees to convey same to the County for the consideration hereinafter named, on or before the.....day of.....1956

The County agrees to purchase the above described real estate or take easement thereto for road purposes and pay therefor upon delivery of deed or easement, showing merchantable title.

Approximately.....acres at.....per acre \$.....

Approximately.....rods of new fence at \$.....per rod \$.....

Moving approximately.....rods of old fence at \$.....per acre \$.....

General damage - - - - - \$.....

Total - - - - - \$.....

Should the acreage taken for highway fencing be more or less than shown above, same is to be paid for at the agreed unit prices. Any and all verbal agreements are merged in this written contract. Should the highway as finally located require none of the real estate described, this contract becomes null and void.

Party of the first part consents to the establishment of the proposed road and relinquishes all claims for damages.

Approved: Iowa State Highway Commission,

Party of the First Part.

By.....

Date.....

Chairman, Board of Supervisors of.....

Jones

County

Party of the Second Part.

PLAT OF PROPERTY RIGHT-OF-WAY FOR PUBLIC HIGHWAY

Acquired from Thomas & John P. McGovern
(Name of owner must agree exactly with Name in which property stands of Record.)

Married or Single?

R. O. W. Area 2.21 Acres. (Give full name of sponsor)

Borrow Area 0.4821 Acres. Total Consideration \$

Acquired by Condemnation Date of Contract 19
(Easement—Deed—Condemnation)

LOCATION

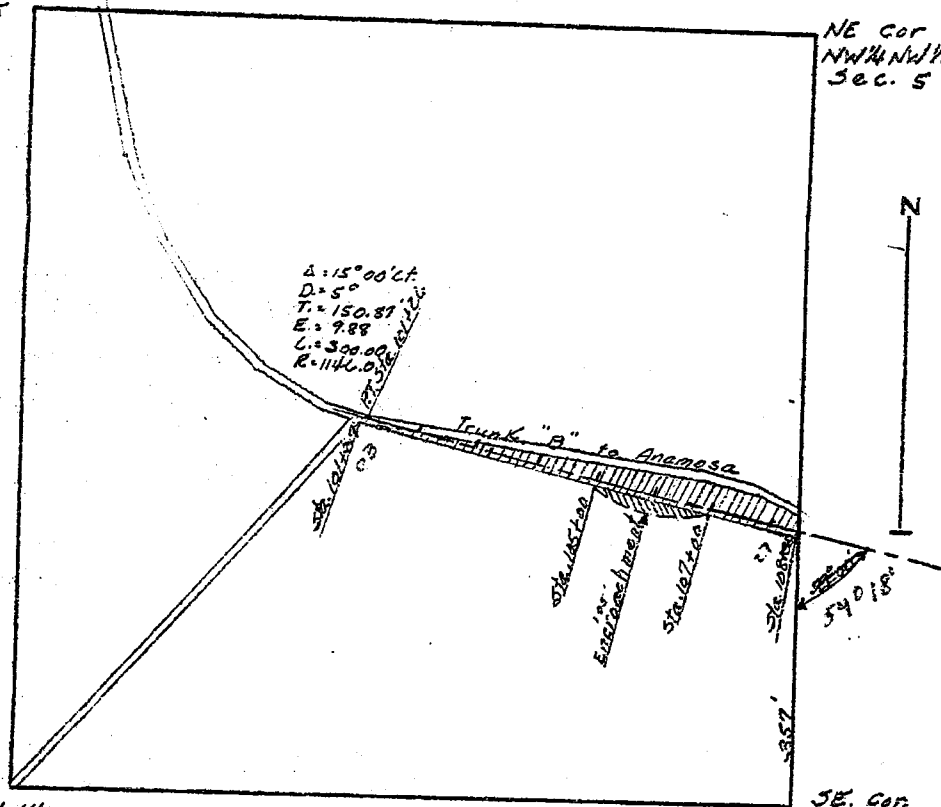
From CL Station 101 + 27 to CL Station 108 + 30
Section 5, Township 34N, Range 4W
Township (Civil) Fairview, County of Jones Iowa.

NW cor.
Sec. 5

NE cor.
NW 1/4 NW 1/4
Sec. 5

SW cor.
NW 1/4 NW 1/4
Sec. 5

SE cor.
NW 1/4 NW 1/4
Sec. 5



Jones
(County)

Project No. 5-2689



JONES COUNTY, IOWA
Harmon's
Addition
Date: 9/25/2025

This map was produced from data maintained in the Jones County Geographic Information System. For further information regarding maps, data sources or the availability of GIS products and services, please contact Jones County GIS at: (319) 462-5303.

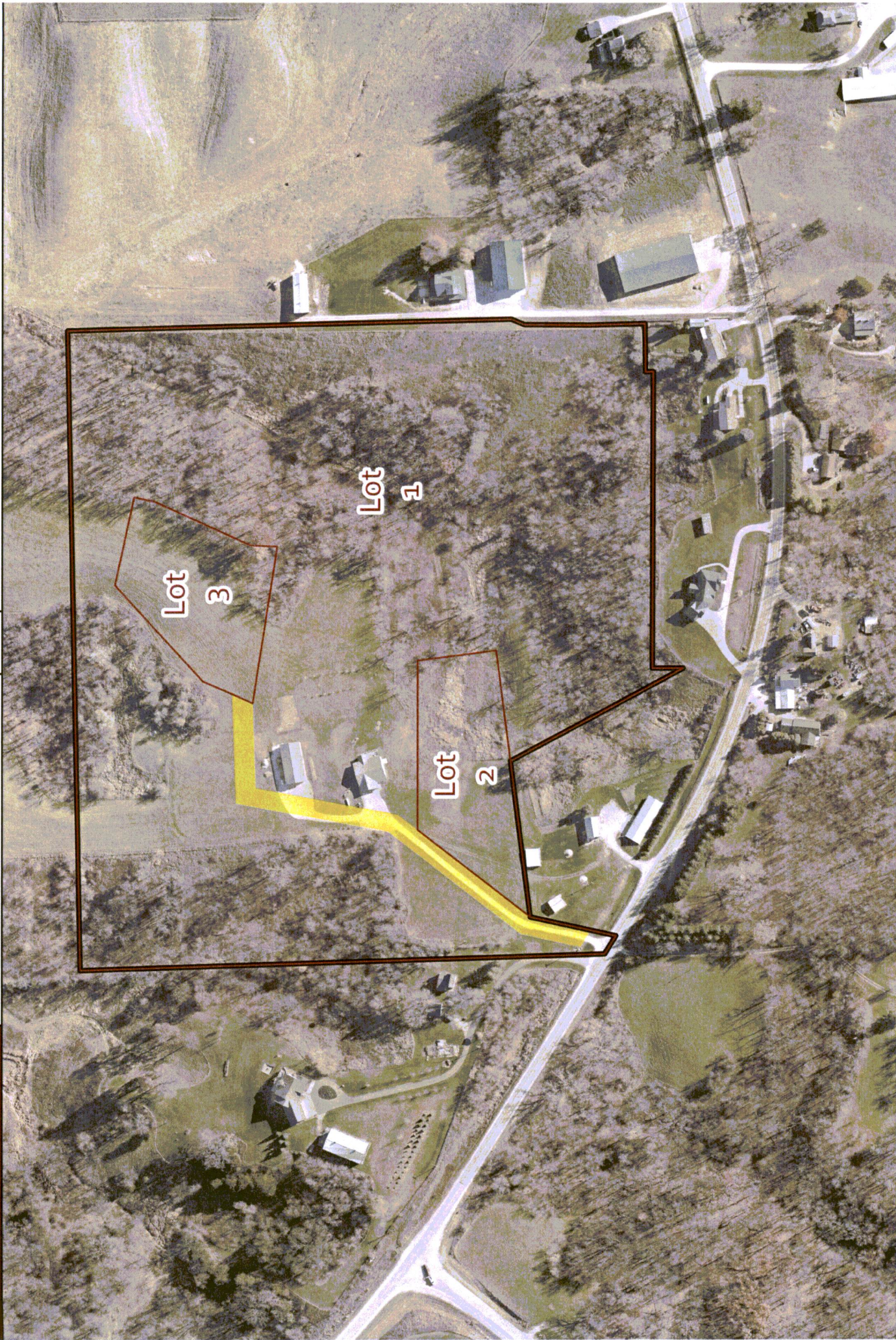
This map was produced from data maintained in the Jones County Geographic Information System. For further information regarding maps, data sources or the availability of GIS products and services, please contact Jones County GIS at: (319) 462-5303.

1"=261'

LEGEND

- Preliminary Lots
- Preliminary Subdivision Outline
- Preliminary Easements

2023 Aerial



Final Plat of:
HARMON'S ADDITION,
Jones County, Iowa

LEGAL DESCRIPTION

THIS SURVEY IS COMPRISED OF: PART OF THE NE1/4 NW1/4 LYING NORTH OF THE PUBLIC ROAD IN SECTION 5, TOWNSHIP 84 NORTH, RANGE 4 WEST, OF THE 5TH P.M., EXCEPTING THEREFROM THE FOLLOWING FIVE TRACTS:

1. PART OF THE NE1/4 NW1/4 OF SECTION 5, TOWNSHIP 84 NORTH, RANGE 4 WEST OF THE 5TH P.M. DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE CENTER OF THE PUBLIC ROAD RUNNING EAST AND WEST THROUGH SAID NE1/4 NW1/4, WHICH POINT IS 16.5 FEET WEST OF THE EAST LINE OF SAID NE1/4 NW1/4; THENCE NORTH 250 FEET; THENCE WEST 100 FEET; THENCE SOUTH 250 FEET TO THE CENTER OF SAID ROAD; THENCE EAST 100 FEET ALONG THE CENTER OF SAID ROAD TO PLACE OF BEGINNING.

2. LOTS 1 AND 2 OF WERLING FIRST ADDITION TO JONES COUNTY, IOWA PER THE SUBDIVISION PLAT FILED OF RECORD MAY 26, 2015 IN BOOK R AT PAGE 45 AS INSTRUMENT NO. 2015-1479 IN THE OFFICE OF THE JONES COUNTY RECORDER, BEING PART OF THE SE1/4 NW1/4 AND PART OF THE NE1/4 NW1/4 IN SECTION 5, TOWNSHIP 34 NORTH, RANGE 4 WEST, OF THE 5TH P.M.

3. PARCEL 2004-137, LOCATED IN THE NE1/4 NW1/4 OF SECTION 5, TOWNSHIP 84 NORTH, RANGE 4 WEST, OF THE 5TH P.M., AS SHOWN IN THE PLAT OF SURVEY RECORDED IN PLAT BOOK P, PAGE 211 (AND IN DOCUMENT NO. 2004-3395) OF THE JONES COUNTY, IOWA, RECORDS, CONTAINING 3.69 ACRES.

4. A STRIP OF LAND 16.5 FEET WIDE OFF THE EAST SIDE OF THAT PART OF THE S1/2 S1/2 NE1/4 NW1/4 WHICH LIES NORTH OF THE HIGHWAY IN SECTION 5, TOWNSHIP 84 NORTH, RANGE 4 WEST, OF THE 5TH P.M.

5. PARCEL 2008-74, LOCATED IN THE NE1/4 NW1/4 OF SECTION 5, TOWNSHIP 84 NORTH, RANGE 4 WEST, OF THE 5TH P.M., AS SHOWN IN THE PLAT OF SURVEY RECORDED IN PLAT BOOK 5, PAGE 212 (AND IN DOCUMENT NO. 2008 1594) OF THE JONES COUNTY, IOWA, RECORDS, CONTAINING 0.05 ACRES.

MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF NW 1/4 NW 1/4 OF SECTION 5, TOWNSHIP 84 NORTH, RANGE 4 WEST, ALSO BEING ON THE SOUTH SECTION LINE OF SECTION 32, TOWNSHIP 85 NORTH, RANGE 4 WEST, BEING THE POINT OF BEGINNING;

THENCE NORTH 88°50' 46" EAST ALONG SAID SOUTH SECTION LINE, A DISTANCE OF 1327.30 FEET TO THE N1/4 CORNER OF SAID SECTION 5;

THENCE SOUTH 02°14'24" EAST ALONG THE WEST LINE OF NW1/4 NE1/4 OF SAID SECTION 5, A DISTANCE OF 922.39 FEET TO THE NORTH CORNER OF PARCEL 2008--74;

THENCE SOUTH 21°06'36" WEST ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 30.82 FEET;

THENCE SOUTH 00°25'38" EAST ALONG WEST LINE OF SAID PARCEL, A DISTANCE OF 135.46 FEET TO THE
NORTHWEST CORNER OF THE EAST 16.5 FEET OF S1/2 S1/2 NE1/4 NW1/4 NORTH OF THE ROAD,

THENCE SOUTH 02°14'24" EAST ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 112.14 FEET TO THE NORTH BOUNDARY LINE OF A PARCEL DESCRIBED IN BOOK 2012, PAGE 2377;

THENCE SOUTH 88°49'39" WEST ALONG THE NORTH BOUNDARY LINE OF SAID PARCEL, A DISTANCE OF 98.51 FEET TO THE NORTHWEST CORNER OF SAID PARCEL;

THENCE SOUTH 02°13'54" WEST ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 19.76 FEET TO THE NORTHEAST CORNER OF WERLING FIRST ADDITION;

THENCE SOUTH 89°59'37" WEST ALONG THE NORTH LINE OF SAID ADDITION, A DISTANCE OF 633.70 FEET TO THE NORTHWEST CORNER OF SAID ADDITION;

THENCE SOUTH 00°12'41" EAST ALONG THE WEST LINE OF SAID ADDITION, A DISTANCE OF 64.75 FEET TO A BEND IN THE EAST LINE OF PARCEL 2004-137;

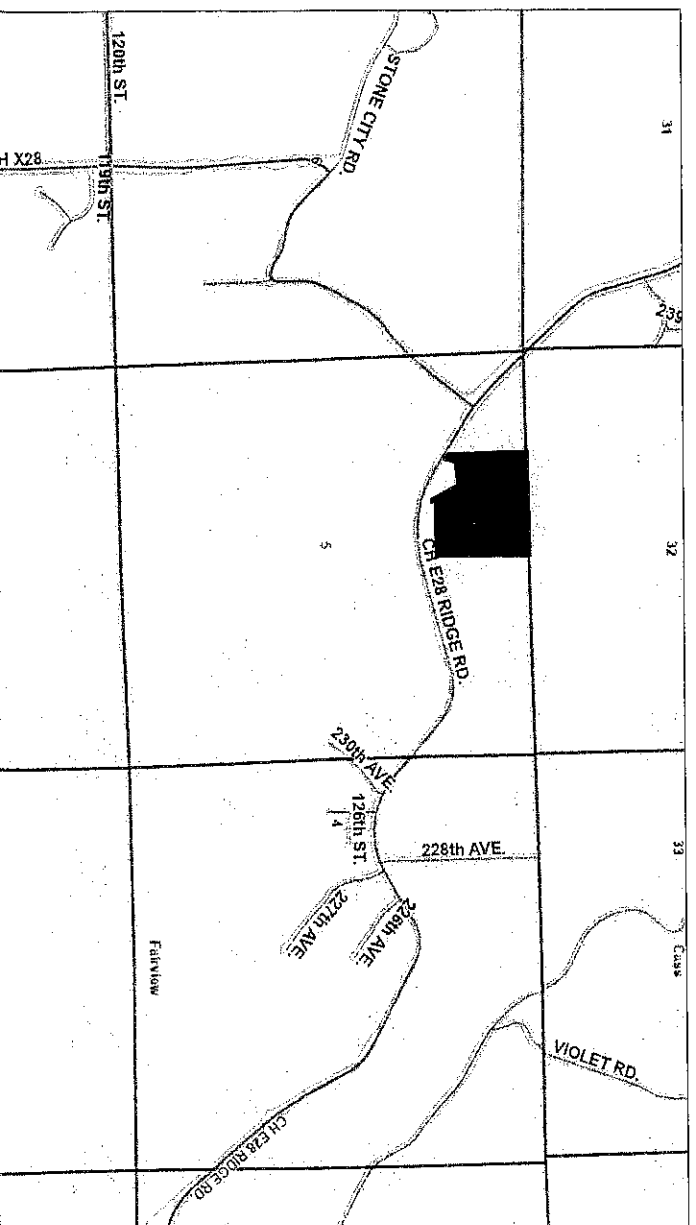
THENCE NORTH 28°11'15" WEST ALONG THE EAST LINE OF SAID PARCEL, A DISTANCE OF 409.90 FEET TO THE NORTHERNMOST CORNER OF SAID PARCEL;

THENCE SOUTH 82.35°0.3" WEST ALONG THE NORTH BOUNDARY LINE OF SAID PARCEL, A DISTANCE OF 326.94 FEET TO THE NORTHWEST CORNER OF SAID PARCEL;

THENCE SOUTH 12°19'14" WEST ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 182.08 FEET TO A POINT IN THE CENTERLINE OF RIDGE ROAD, ALSO KNOWN AS E-28;

THENCE NORTH 58°01'15" WEST ALONG SAID ROAD CENTERLINE, A DISTANCE OF 38.19 FEET TO THE SOUTHEAST CORNER OF PARCEL 2008-67, ALSO BEING THE EAST 1/4 1/4 SECTION LINE OF THE NW1/4 NW1/4 OF SECTION 5, TOWNSHIP 84 NORTH, RANGE 4 WEST;

THENCE NORTH 01°56'14" WEST ALONG SAID 1/4 1/4 SECTION LINE, A DISTANCE OF 1096.63 FEET TO THE POINT OF BEGINNING.



PREPARED BY: TERRY L. KOELKER, BUESING & ASSOCIATES
1212 LOCUST STREET, DUBUQUE, IOWA

INDEX LEGEND

Location: NE1/4 NW1/4 of Section 5, T84N, R4W of the 5th P.M., Jones County, Iowa
Requestor: Mark Hammon
Proprietor: Mark A. & Rhonda S. Hammon - 23780 Ridgic Road E28, Anamosa, IA 52205
Surveyor: Terry L. Koelker
Company: Buesing & Associates, Inc.
1212 Locust St., Dubuque, IA 52001
1212 Locust St., Dubuque, IA 52001
Return To: Buesing and Associates, 1212 Locust St. Dubuque, IA 52001

OWNERS AND APPLICANT:

MARK A. HARMON AND RHONDA S. HARMON
23780 RIDGE ROAD E28
ANAMOSA, IOWA 52205
PH: 319-480-5166
EMAIL: mandrharmon@gmail.com

SURVEYOR:

TERRY L. KOELKER
BUESING & ASSOCIATES, INC
1212 LOCUST ST.
DUBUQUE, IOWA 52001
PH: 563-556-4389
EMAIL: tlkoelker@buesing.com

NOTES

1. ALL MEASUREMENTS ARE IN FEET AND DECIMALS THEREOF.
2. TOTAL AREA OF PERIMETER SURVEYED IS 33.945 ACRES.
3. ACCESS TO LOT 2 AND LOT 3 THROUGH ACCESS EASEMENT RECORDED AS DOCUMENT NO. 2023-06099, RECORDED AT JONES COUNTY RECORDER'S OFFICE.
4. EACH LOT IS RESPONSIBLE FOR THEIR OWN WELL & SEPTIC SYSTEM.
5. THIS PLAT IS SUBJECT TO ALL EASEMENTS OF RECORD AND NOT OF RECORD.
6. BEARINGS IS BASED FROM NAD83, ZONE 1401, IOWA NORTH COORDINATE SYSTEM.

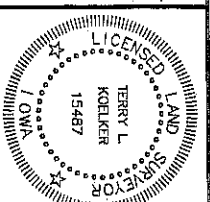
LOCATION MAP
NOT TO SCALE

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

Terry L. Kolcker
TERRY L. KOLCKER
LICENSE NUMBER 15487
8/27/2005
(DATE)

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2025

SHEETS COVERED BY THIS SEAL: SHEET 1 & 2



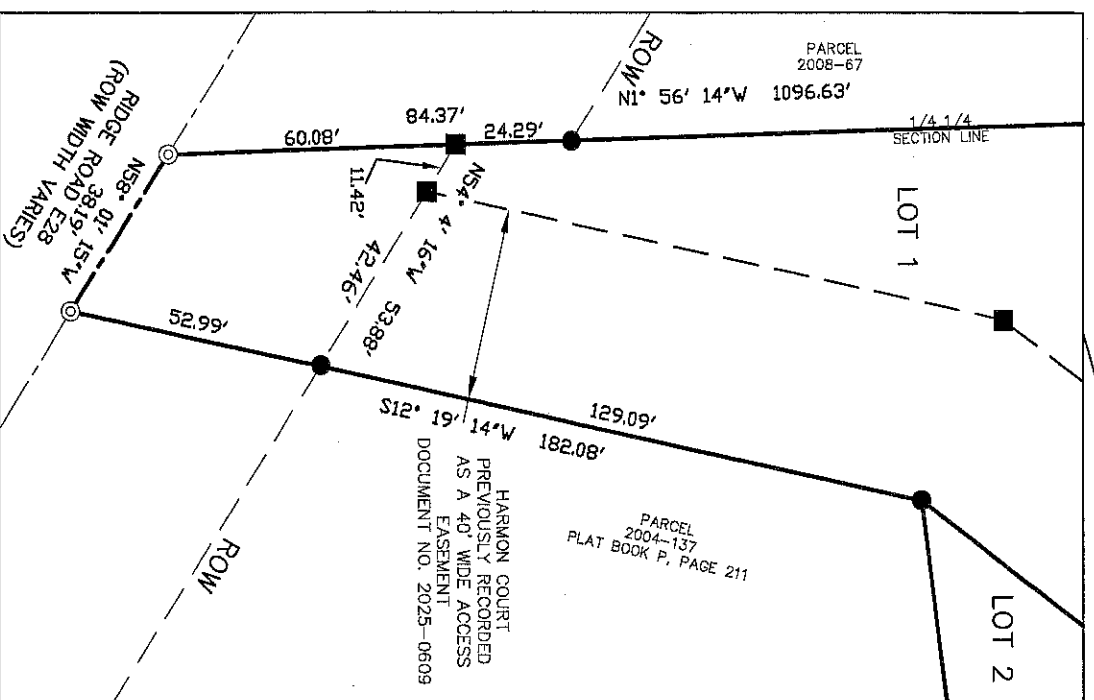
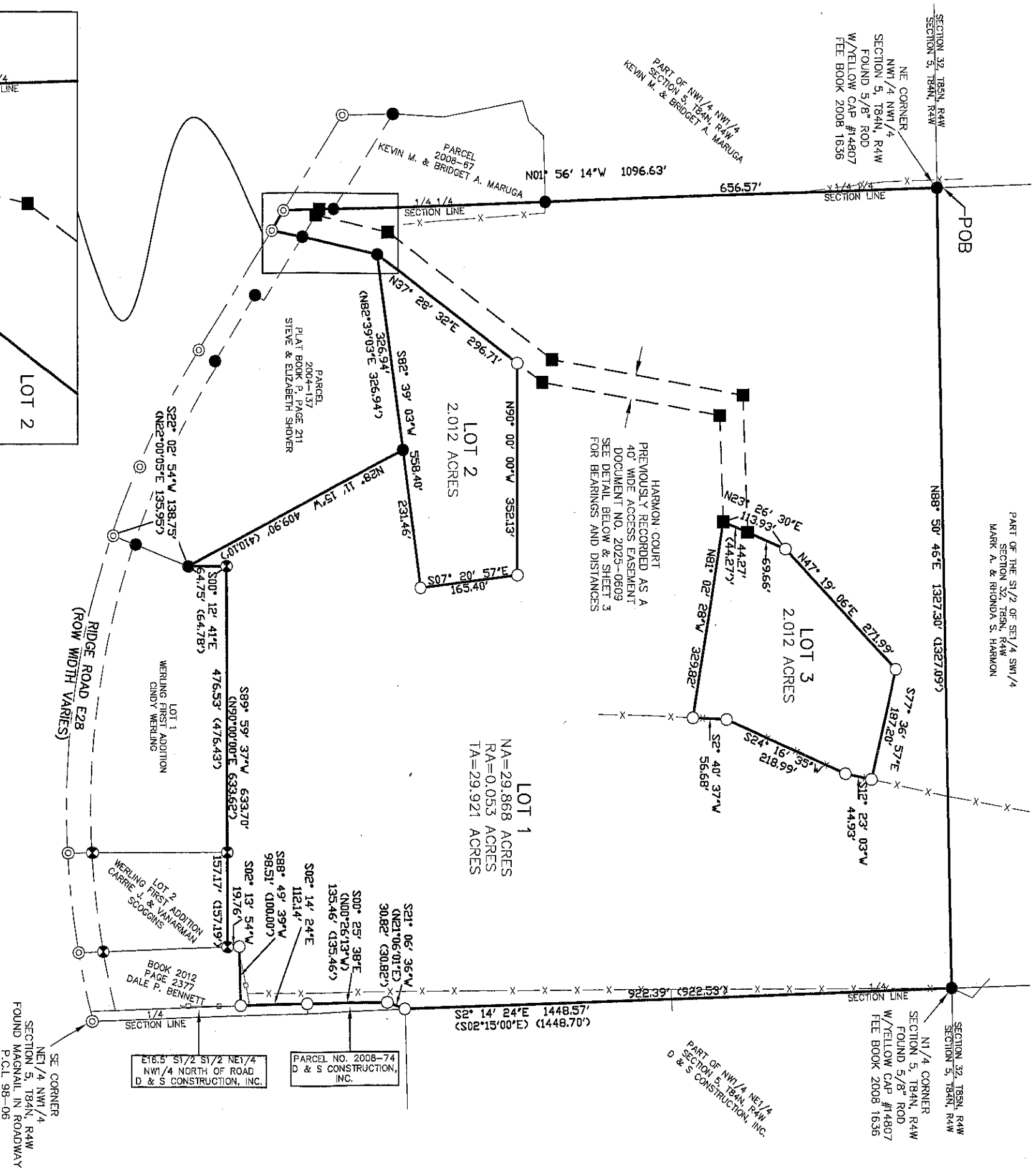
BUESING
ASSOCIATES INC.
ENGINEERS AND SURVEYORS
1212 LOCUST ST., DUBLAKE, IA
(563) 526-4383

DRAWN BY: JLL
CHECKED BY: TLK
SURVEY DATE: 2/5/2025
PLOT DATE: 4/30/2025
DWG. NO. 24257-01
SCALE: N/A

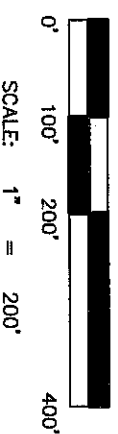
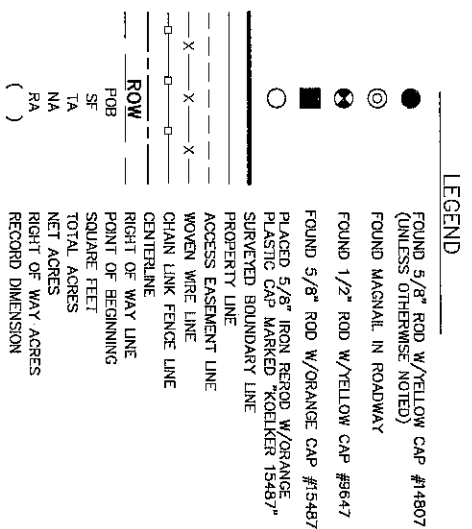
SHEET 1 OF 3



Final Plat of:
HARMON'S ADDITION,
Jones County, Iowa



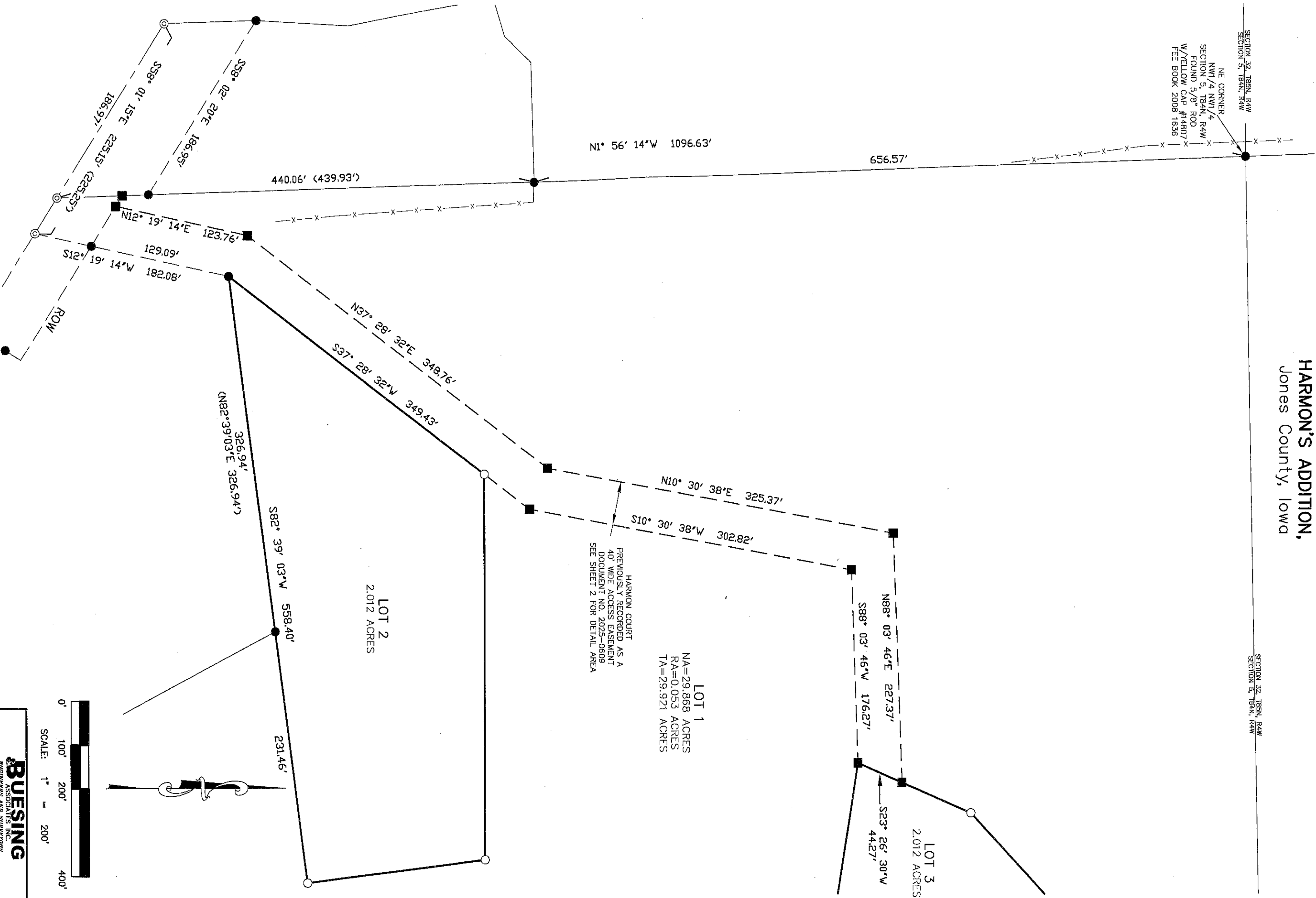
DETAIL
NOT TO SCALE



Final Plat of:
HARMON'S ADDITION,
Jones County, Iowa

SECTION 32, T8N, R4W
SECTION 5, T8N, R4W
NE CORNER
NW 1/4 NW 1/4
SECTION 5, T8N, R4W
FOUND 5/8" ROD
W/YELLOW CAP #14807
FEE BOOK 2008 1636

SECTION 32, T8N, R4W
SECTION 5, T8N, R4W

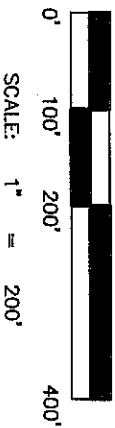


LOT 1
NA=29.868 ACRES
RA=0.053 ACRES
TA=29.921 ACRES

HARMON COURT
PREVIOUSLY RECORDED AS A
40' WIDE ACCESS EASEMENT
DOCUMENT NO. 2025-0609
SEE SHEET 2 FOR DETAIL AREA

LOT 2
2.012 ACRES

LOT 3
2.012 ACRES



I. Auxiliary Dwelling Unit: An additional residential unit containing its own kitchen and bathroom exclusively ~~for occupancy by at least one family member of the primary residential unit.~~ To qualify, a unit can be a room addition or an attached structure to the existing primary dwelling unit or garage. ~~For the purposes of Auxiliary Dwelling Units, the definition of family is anyone related by blood, marriage, adoption, legal guardianship or as foster parent children or a domestic partner of said family member.~~ Auxiliary Dwelling Units are not the same as Seasonal Dwelling Units (See RRRR. Seasonal Dwelling Units).

SECTION 1. A - AGRICULTURAL

- A. Intent: The Agricultural District is intended to protect agricultural land from encroachment of urban land uses. It is also intended to preserve the rural character of this area by restricting the development of farmland for non-agricultural use. It is further the intent of these regulations to protect the groundwater resource to the maximum extent practical through the proper management of sources and routes of contamination within the district.
- B. Principal Permitted Uses: Property and buildings in the Agricultural District may be used for the following purposes:
1. Farms, farmhouses, and farm buildings related to the farm operation.
 2. Specialized farms where livestock, such as hogs, cattle, horses, poultry, pigeons, rabbits, and other common farm animals are bred and/or raised.
 3. Specialized horticultural operations, including truck gardens, orchards, and wholesale nurseries.
 4. Forests, wildlife preserves, and conservation areas.
 5. Sod farms.
 6. Farmland split for residential purposes subject to the following restrictions:

- a. Where, as of December 1, 2005, an existing farm has forty-two (42) or more contiguous acres, a single parcel may be split for a non-farm use.
 - b. The property to be separated from the farm shall contain no less than two (2) net acres, exclusive of road rights-of-way, and a lot width of no less than 150 feet, consistent with required area regulations, unless the Jones County Department of Public Health has a higher minimum acreage requirement in which case the property to be separated from the farm shall meet that minimum requirement.
 - c. After separation, the parent farm shall have forty (40) or more acres remaining.
 - d. Residential dwellings, buildings, and structures shall not be built or moved within 600 feet of a public hunting area.
7. Farmstead split for residential purposes subject to the following restrictions: An existing farm dwelling may be split from the adjacent farmland for residential purposes.
- a. Where, as of December 1, 2005, an existing farm has forty-two (42) or more contiguous acres, a single parcel may be split for a non-farm use.
 - b. The property to be separated from the farm shall contain no less than two (2) net acres, exclusive of road rights-of-way, and a lot width of no less than 150 feet, consistent with required area regulations, unless the Jones County Department of Public Health has a higher minimum acreage requirement in which case the property to be separated from the farm shall meet that minimum requirement.
 - c. After separation, the parent farm shall have forty (40) or more acres remaining.
 - d. Residential dwellings, buildings, and structures shall not be built or moved within 600 feet of a public hunting area.

8. Auxiliary Dwelling (1)

- a. Auxiliary Dwellings are allowed on parcels with a minimum of two (2) acres.
- b. An Auxiliary Dwelling unit shall not exceed one thousand square feet or fifty percent of the size of the single family residence, whichever is larger.

9. Cemeteries

~~10.7. Auxiliary Dwelling (1)~~

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- C. Permitted Accessory Uses: The following accessory buildings and uses are permitted:
1. Private garages.
 2. Storage sheds.
 3. Swimming pools.
 4. Horticulture plants and gardens.
 5. Non-utility scale solar.
- D. Special Permitted Uses: The following special uses may be permitted in the Agricultural District after review and approval by the Board of Adjustment and subject to any additional conditions as may be warranted to mitigate any deleterious effects of the proposed use.
1. Multiple Auxiliary dwelling units.
 2. Bed and breakfast inns subject to [Article VIII](#).
 3. Churches or other places of worship, including parish houses and Sunday school facilities.
 4. Commercial recreation uses subject to [Article IX](#).
 5. Communication towers subject to [Article XIV](#).
 6. Home-based industries subject to [Article VII](#).
 7. Kennels, animal shelters, and fox and mink farms subject to [Article XXI](#).
 8. Public and private stables.
 9. Seasonal dwelling units subject to [Article XI](#).
 10. Seed, feed, biofuel plants (biodiesel, ethanol) and other direct farm supply businesses.
 11. Wind Energy Conversion Systems (WECS) under 100 Kilowatts (KW) subject to [Article XV](#).
 12. Wineries and other Value Added Agricultural Products.
 13. Quarry and Extraction Uses subject to [Article X](#).
- E. District Regulations: The bulk regulations established for all A - Agricultural Districts are listed in [Appendix A](#). All regulations are minimum standards unless otherwise noted.
- F. Off-Street Parking: See [Article XXII Off-Street Parking Requirements](#).
- G. Sign Regulations: See [Article XX Sign Requirements](#).

- H. Accessory Use Requirements: See Article XIII Accessory Use Requirements.
- I. Lighting Requirements: See Article XIX Lighting Requirements.

SECTION 3. R - RESIDENTIAL (INCLUDES R and RMF [Multi-Family])

- A. Intent: The Residential District is intended to provide appropriate locations for rural residential development. Development within a Residential District shall be designed to protect the rural character of nearby properties, be sufficiently compatible with adjoining properties, preserve natural resources, and have access to adequate infrastructure.
- B. Principal Permitted Uses: Property and buildings in the Residential District may be used for the following purposes:
 - 1. Single-family residential only, except in the PD District where single-family residential, two-family residential and multi-family residential are allowed.
 - 2. Auxiliary Dwelling (1)
 - a. Auxiliary Dwellings are allowed on parcels with a minimum of one(1) acre.

- b. An Auxiliary Dwelling unit shall not exceed one thousand square feet or fifty percent of the size of the single family residence, whichever is larger.

3. Cemeteries

C. Permitted Accessory Uses: The following accessory buildings and uses are permitted:

- 1. Private garages.
- 2. Storage sheds.
- 3. Swimming pools.
- 4. Horticulture plants and gardens.
- 5. Non-utility scale solar.

D. Special Permitted Uses: The following special uses may be permitted after review and approval by the Board of Adjustment and subject to any additional conditions as may be warranted to mitigate any deleterious effects of the proposed use.

- 1. Multiple Auxiliary dwelling units ~~subject to Article XI.~~
- 2. Bed and breakfast inns subject to [Article VIII](#).
- 3. Churches or other places of worship, including parish houses and Sunday school facilities.
- 4. Home-based industries subject to [Article VII](#).
- 5. Parks, playgrounds, golf courses (public and private), service organizations, and recreational uses.
- 6. Schools (public and private), educational institutions, preschools, and day care facilities.
- 7. Wind Energy Conversion Systems (WECS)- Small subject to [Article XV](#).
- 8. Animal Shelters subject to [Article XXI](#).

E. District Regulations: The bulk regulations established for all R - Residential Districts are listed in [Appendix A](#). All regulations are minimum standards unless otherwise noted.

F. Off-Street Parking: See [Article XXII Off-Street Parking Requirements](#).

G. Sign Regulations: See [Article XX Sign Requirements](#).

H. Accessory Use Requirements: See [Article XIII Accessory Use Requirements](#).

I. Lighting Requirements: See Article XIX Lighting Requirements.

J. Unincorporated Village exemptions:

1. Setback reduction: Front yard setbacks are measured from the road right-of-way line. On blocks where at least 50 percent of the existing buildings have a shorter setback, the setback may be reduced by 50% of the required setback.

2. Reduced lot size: For previously platted parcels within an unincorporated village, the lot size may be reduced to less than one acre if the property can be served by a public wastewater facility.

a. Minimum lot area:

i. Single-family dwelling, 12,000 square feet.

ii. Multi-residential dwelling, 20,000 square feet.

ARTICLE XI ~~MULTIPLE~~ AUXILIARY AND SEASONAL DWELLING UNITS

SECTION 1. ~~MULTIPLE~~ AUXILIARY DWELLING UNITS

~~Multiple~~ Auxiliary Dwelling Units are permitted in the A and R districts. To qualify, a unit can be a room addition or a detached structure from the existing primary dwelling unit or garage. For the purposes of Auxiliary Dwelling Units, the definition of family is anyone related by blood, marriage, adoption, legal guardianship, foster parent-children or a domestic partner of said family member. ~~A~~ Auxiliary dwelling units shall be approved by the Board of Adjustment and are subject to the following supplemental conditions and any other conditions as may be warranted by the Board of Adjustment to mitigate any deleterious effects of the proposed use and to promote the public health, safety and general welfare.

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A. ~~One auxiliary dwelling unit per property.~~

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B. ~~The number of occupants is limited to two (2) and one shall be a family member of the primary residential unit as defined in auxiliary dwelling units. There shall be an annual verification that the persons living in the auxiliary dwelling unit are family members as defined herein.~~

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C. ~~The primary dwelling unit on the property shall be occupied by the legal owner of the property. The auxiliary dwelling unit is established in such a way as to minimize its visibility from adjacent streets and properties.~~

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D. ~~The gross square footage of the auxiliary dwelling unit, excluding attached covered parking and unenclosed patio covers, shall not exceed one-half the gross square footage of the primary dwelling unit or one thousand (1,000) square feet, whichever number is less.~~

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E. ~~The auxiliary dwelling unit shall be provided with an off-street parking space in addition to any parking requirement for the primary dwelling unit. Any parking provided for the auxiliary dwelling unit shall be served from the same driveway system that serves the parking for the primary dwelling unit.~~

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F. ~~The auxiliary dwelling unit shall meet the setback requirements of the primary dwelling unit.~~

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G. ~~The auxiliary dwelling unit permanently built on a property shall be architecturally compatible with and complimentary to the primary dwelling unit. All related aesthetic matters including architecture and landscaping shall be subject to review and approval by the Board of Adjustment.~~

SECTION 2. SEASONAL DWELLING UNITS

Seasonal Dwelling Units are permitted in the A districts. To qualify, a seasonal dwelling unit can be a building which is temporarily rented or leased and not for year-round occupancy. A seasonal dwelling unit is separate and clearly accessory and incidental to the principal dwelling unit on the same property. Seasonal dwelling units shall be approved by the Board of Adjustment and are subject to the following supplemental conditions and any other conditions as may be warranted by the Board of Adjustment to mitigate any deleterious effects of the proposed use and to promote the public health, safety and general welfare.

- A. At least 10 acres is required to have one seasonal dwelling. For each additional seasonal dwelling on the same property, an additional acre is required.
- B. Each seasonal dwelling unit shall be adequately served by water and septic systems approved by the County Health Department.
- C. An applicant shall submit a site plan for any proposed seasonal dwelling units showing the location of the unit(s), the size of the property, the proposed utilities and other infrastructure, including roads.
- D. A seasonal dwelling unit is for temporary dwelling only and not for year-round occupancy.

DISTRICT REGULATIONS

| Principal Use | Zoning District | Use Designation | Lot area | Lot width (feet) | Front Yard Setback (feet) | Rear Yard Setback (feet) | Side Yard Setback (feet) | Maximum Height |
|--|-----------------------|-------------------|-------------------------|------------------|---------------------------|--------------------------|--------------------------|------------------------|
| Communication Towers | A-Agricultural | Special Permitted | See Article XIV. | | | | | |
| | C1-Commercial | | | | | | | |
| | C2-Highway Commercial | | | | | | | |
| | I1-Industry | | | | | | | |
| | I2-Heavy Industry | | | | | | | |
| Daycare facilities | R-Residential | Special Permitted | 1 acre | 150 | 30 | 30 | 15 | 35' and/or 2 ½ stories |
| | C-1 Commercial | Permitted | | | | | | |
| Farmland split Farmstead split (Residential) | A-Agricultural | Permitted | 2 acres | 150 | 30 | 30 | 10 | 35' and/or 2 ½ stories |
| | A2-Agricultural | | | | | | | |
| Home-based Industries | A-Agricultural | Special Permitted | See applicable district | 150 | 30 | 30 | 10 | 35' and/or 2 ½ stories |
| | R-Residential | | | | | | | |
| | RMH-Residential | | | | | | | |
| Kennels, fox and mink farms | A-Agricultural | Special Permitted | 5 acres | 150 | 30 | 50 | 50 | 35' and/or 2 ½ stories |
| | RMH-Residential | Permitted | 10 acres | 300 | 50 | 50 | 50 | 35' and/or 2 ½ stories |

DISTRICT REGULATIONS

| Principal Use | Zoning District | Use Designation | Lot area | Lot width (feet) | Front Yard Setback (feet) | Rear Yard Setback (feet) | Side Yard Setback (feet) | Maximum Height |
|---|---|-------------------|-------------------------|------------------|---------------------------|--------------------------|--------------------------|------------------------|
| Multi-Family Dwelling | R-Residential PD-Planned Development | Permitted | 1 acre | 150 | 30 | 30 | 15 | 35' and/or 2 ½ stories |
| Schools and Educational facilities | R-Residential | Special Permitted | 2 acres | 150 | 30 | 30 | 20 | 35' and/or 2 ½ stories |
| | C1-Commercial C2-Highway Commercial | Permitted | | | | | | |
| Seed, feed, biofuel plants and other direct farm supply businesses | A-Agricultural | Special Permitted | 2 acres | 150 | 30 | 50 | 50 | 35' and/or 2 ½ stories |
| | C2-Highway Commercial | Permitted | | | | | | |
| Single Family Dwelling | R-Residential | Permitted | 1 acre | 150 | 30 | 30 | 10 | 35' and/or 2 ½ stories |
| Auxiliary Dwelling Unit | A-Agricultural R- Residential | Permitted | See Applicable District | 150 | 30 | 30 | 10 | 35' and/or 2 ½ stories |
| Stables, private and public, riding academies and clubs, and similar uses | A-Agricultural | Special Permitted | 5 acres | 150 | 30 | 50 | 50 | 35' and/or 2 ½ stories |

| DISTRICT REGULATIONS | | | | | |
|---|------------------------|-------------------|---|---|--|
| Principal Use | Zoning District | Use Designation | Use of Abutting Property/Zoning | Setback Distance from Blasting/Highwall Limits (feet) | |
| Quarry and Extraction Uses | A-Agricultural | Special Permitted | Agricultural | 50 | |
| | A2-Agricultural | | | | |
| | I1-Industry | | Residential | 500 | |
| | I2-Heavy Industry | Permitted | Commercial | 150 | |
| See Article X | | | Industrial | 100 | |
| | | | Public and Utility Right of Way | 50 | |
| | | | School, Churches, places, of Assembly, Public Recreational Uses (Parks/Campgrounds) | 500 | |
| | | | | | |
| Utility Scale Solar Gardens Solar Energy Conversion Systems (SECS) | A-2 Agricultural | Permitted | See Solar Energy Conversion System Bulk Regulations Article XVI | | |
| | I1-Industry | | | | |
| | I2-Heavy Industry | | | | |
| | PD-Planned Development | | | | |

DISTRICT REGULATIONS

| Principal Use | Zoning District | Use Designation | Lot area | Lot width (feet) | Front Yard Setback (feet) | Rear Yard Setback (feet) | Side Yard Setback (feet) | Maximum Height |
|--|---|-------------------|---|------------------|---------------------------|--------------------------|--------------------------|------------------------|
| Wind Energy Conversion Systems (WECS) - Small | A-Agricultural R- Residential C1-Commercial C2-Highway Commercial I1-Industry | Special Permitted | See Wind Energy Conversion System Bulk Regulations Article XV | | | | | |
| Wind Energy Conversion Systems (WECS) - Large | A2-Agricultural I2-Heavy Industry | Permitted | | | | | | |
| Wineries and other Value Added Agricultural Products | A-Agricultural C1-Commercial C2-Highway Commercial | Special Permitted | | | | | | |
| | | | 2 acres | 150 | 30 | 30 | 50 | 35' and/or 2 ½ stories |

| WIND ENERGY CONVERSION SYSTEMS | | | | | |
|---|----------|--------------------------|------------------------|---------|--------------------------|
| BULK REGULATIONS | | | | | |
| Principal Use | Size | Rotor Diameter (feet) | Separation | Noise | Maximum Height (feet) |
| Wind Energy Conversion Systems- Small | < 100 kw | 70 | N/A | < 60 dB | 120 |
| Wind Energy Conversion Systems - Large | > 100 kw | 150 | 10 diameter minimum | < 60 dB | 600 |
| | | | | | |

| SETBACKS (in feet) | | | |
|---|------------|------------|--|
| | Small WECS | Large WECS | |
| Property lines | 1000 | 1600 | |
| Occupied Residence | 1000 | 1600 | |
| Occupied Non-Residential Structure | 1000 | 1600 | |
| Confined Animal Feeding Operation (CAFO) | 200 | 660 | |
| Right-of-Way | 200 | 660 | |
| Public Areas | 1000 | 1600 | |
| Cemeteries | 1000 | 1600 | |
| Political Boundaries | 1000 | 5280 | |
| Overhead Utility Lines | 200 | 660 | |
| DISTRICT REGULATIONS | | | |

| Principal Use | Zoning District | Use Designation | Lot area | Lot width (feet) | Front Yard Setback (feet) | Rear Yard Setback (feet) | Side Yard Setback (feet) | Maximum Height |
|----------------------|-----------------------------------|-----------------|----------------|------------------|---------------------------|--------------------------|--------------------------|------------------------|
| Other Permitted Uses | C1-Commercial | Permitted | No requirement | None | 30 | 15 | 10 | 35' and/or 2 ½ stories |
| Other Permitted Uses | C2-Highway Commercial | Permitted | No requirement | None | 30 | 30 | 30 | 35' and/or 2 ½ stories |
| Other Permitted Uses | I1-Industry I2- Heavy Industry | Permitted | No requirement | None | 50 | 50 | 50 | 90' and/or 6 stories |
| Other Permitted Uses | P-Public | Permitted | No requirement | None | 10 | 10 | 10 | 35' and/or 2 ½ stories |

| Planned Development District | Max Density | Lot Area | Lot width (feet) | Front Yard Setback (feet) | Rear Yard Setback (feet) | Side Yard Setback (feet) | Maximum Height |
|---------------------------------|---------------------------|----------------|------------------|---------------------------|--------------------------|--------------------------|------------------------|
| A-Agricultural | 3 dwelling units/40 acres | 2 acres | 150 | 30 | 30 | 10 | 35' and/or 2 ½ stories |
| R-Residential | 1 dwelling unit/acre | 1 acre | 150 | 30 | 30 | 10 | 35' and/or 2 ½ stories |
| R-Residential Community Sewer | 5 dwelling units/acre | 12,000 sq. ft. | 150 | 30 | 30 | 10 | 35' and/or 2 ½ stories |
| RMF-Residential Multiple Family | 4 dwelling units/acre | 20,000 sq. ft. | 150 | 30 | 30 | 10 | 35' and/or 2 ½ stories |
| C1-Commercial Neighborhood | 10,000 sq. ft.** | 2 acres | 150 | 30 | 30 | 10 | 35' and/or 2 ½ stories |
| I1-Industry | 10,000 sq. ft.** | 5 acres | 150 | 30 | 30 | 10 | 35' and/or 2 ½ stories |
| P-Public* | N/A | N/A | N/A | 30 | 30 | 10 | 35' and/or 2 ½ stories |

*Public structures only **Gross Floor Area per building

DISTRICT REGULATIONS

| | | | | | | |
|---|-------------------|---|-------------------------|----|----|-------------------------|
| Auxiliary dwelling units | Special Permitted | A-Agricultural R-Residential | See applicable district | 15 | 10 | 25' and/or 2 stories |
| Private garages Storage sheds | Permitted | All Districts | N/A | 15 | 10 | 25' and/or 2 stories |
| Non-utility scale solar | Permitted | All Districts | N/A | 10 | 10 | See applicable district |
| Seasonal dwelling units | Special Permitted | A-Agricultural | 10 acres | 30 | 10 | 35' and/or 2 ½ stories |
| Swimming pools | Permitted | A-Agricultural R-Residential RMH-Residential Manufactured Housing | N/A | 30 | 30 | N/A |
| Horticultural plants and gardens *Horticultural plants and garden setbacks shall only be applicable when abutting the boundary of a farm field to minimize spray damage. | Permitted | A-Agricultural R-Residential | N/A | 15 | 15 | N/A |
| Laundry and recreational facilities and management offices | Permitted | RMH-Residential Manufactured Housing | 10 acres | 15 | 10 | 35' and/or 2 ½ stories |

CHAPTER 4
JONES COUNTY SUBDIVISION ORDINANCE
TITLE VI - PROPERTY & LAND USE

**ARTICLE I
GENERAL**

SECTION 1. TITLE

This Ordinance shall be known and may be cited and referred to as the "Jones County Subdivision Ordinance".

SECTION 2. OVERVIEW

This Ordinance requires that upon compliance with any land use or zoning requirements, certain property shall be subdivided under guidelines set by this Ordinance. Under the terms of this Ordinance, proposed subdivisions shall be built on land suitable for the use of the subdivision and that lot sizes meet zoning requirements. This Ordinance also establishes procedures by which proposed subdivision plats are presented to the County.

SECTION 3. PURPOSE AND OBJECTIVES

This Ordinance is adopted in accordance with, and as authorized by 2007 Iowa Code Chapter 354, Platting - Division and Subdivision of Land, and 2007 Iowa Code Chapter 331, County Home Rule. The purpose of this Ordinance is to provide minimum standards for the design, development, and improvement of all new subdivisions and resubdivisions of land, so that existing land uses will be protected, and so that growth occurs in an orderly manner, consistent with the Comprehensive Plan of Jones County as set out in the Land Use Plan prepared by the Jones County Land Use Plan Advisory Board, and to promote the public health, safety and general welfare of the citizens of Jones County, Iowa.

SECTION 4. SCOPE OF ORDINANCE

Every owner of any tract of land located within an unincorporated area of Jones County, Iowa, who subdivides or plats said tract or parcel into three (3) or more parts, any part of which is less than forty (40) acres, for the purpose of laying out an addition, subdivision, building lot, or lots, acreage, or suburban lots, within the County, shall cause a subdivision of such area to be made in conformity with the restrictions and procedures set forth in this Ordinance. Except as may be hereinafter specified, no construction of any structure in a subdivision shall commence until the final plat and required attachments are recorded with the Jones County Recorder.

SECTION 5. AGRICULTURAL LAND EXCLUDED

Any subdivision in which all of the tracts of land within said subdivision are intended to be placed into agricultural use, and which are actually placed into an agricultural use, are exempt from the requirements of this ordinance. Said agricultural subdivisions, or any other subdivision which may be exempt from the requirements of this Ordinance, are still subject to all of the requirements of 2007 Iowa Code Chapter 354, including any plat approval requirements of said chapter.

**ARTICLE II
DEFINITIONS**

SECTION 1. GENERAL

For the purpose of this Ordinance, certain terms and phrases shall be deemed to have the meaning ascribed to them in this section. Words in the singular number include the plural, those in the plural number include the singular. Words in the present tense include the past and future tenses, and the future, the present tense. The masculine gender shall include the feminine and neuter genders. The word "shall" is mandatory, while the word "may" is permissive. The word "person" includes a firm, association, organization,

partnership, trust, company, or corporation as well as an individual.

SECTION 2. DEFINITIONS

The following definitions shall apply for purposes of this Ordinance:

- A. Acquisition Plat: The graphical representation of the division of land or rights in land, created as the result of a conveyance or condemnation for right-of-way purposes by an agency of the government or other persons having power of eminent domain.
- B. Agricultural Use: The land, structure, or use, while so used, which are primarily adapted for farmland, farms, farm operations, and farm dwellings; and the necessary accessory uses for treating or storing the farm products; provided that the operation of such accessory uses shall be secondary to that of the regular agricultural activity. For purposes of this Ordinance and its implementation, this definition includes private open space, including but not limited to woodlands, wetlands, native and open prairies, surface waters and wildlife habitats.
- C. Aliquot Part: A fractional part of a section within the United States public land survey system. Only the fractional parts one-half, one-quarter, one-half of one-quarter, or one-quarter of one-quarter shall be considered an aliquot part of a section.
- D. Alley: Public property dedicated to public use primarily for vehicular access to the back or side of properties otherwise abutting on a street.
- E. Auditor's Plat: A subdivision plat required by either the County Auditor or the County Assessor, prepared by a surveyor under the direction of the County Auditor.
- F. Block: An area of land within a subdivision that is entirely bounded by streets, railroad rights-of-way, rivers, tract of public land, or the boundary of the subdivision.
- G. Board of Supervisors: The Board of Supervisors of Jones County, Iowa.
- H. Comprehensive Plan: The Jones County Land Use Plan.
- I. Conveyance: The transfer of title to land which may be evidenced by the filing of an instrument with the County Recorder, including any form of deed or contract.
- J. Developer: The legal entity holding title to the property being subdivided, or such representative or agent as is fully empowered to act on its behalf.
- K. Division: The dividing of a tract or parcel of land into two (2) or more parcels by conveyance or for tax purposes, except the conveyance of an easement, other than public highway easement, shall not be considered a division for the purpose of this Ordinance.
- L. Easement: An authorization by a property owner for another to use a designated part of the property for a specified purpose.
- M. Flood Hazard Area: Any area subject to flooding by a one percent (1%) probability flood, otherwise referred to as a one hundred (100) year flood, as designated by the Iowa Department

of Natural Resources or the Federal Emergency Management Agency.

- N. Floodway: The channel of a river or other watercourse and the adjacent lands that must be reserved in order to discharge the waters of a one hundred (100) year flood without cumulatively raising the waterway surface elevation more than one (1) foot.
- O. Government Lot: A tract, within a section, that is normally described by a lot number as represented and identified on the township plat of the United States public land survey system.
- P. Improvements: Changes to land necessary to prepare it for building sites, including, but not limited to, grading, filling, street paving, curb paving, sidewalks, walkways, water mains, sewers and drainage ways.
- Q. Initial Plat: A subdivider's proposed map, drawn to scale and including the subdivision's proposed layout, which shall comply with the requirements set out in this Ordinance and is intended to be used as the starting point for the development of a final plat.
- R. Land Use Administrator: The person assigned by the Board of Supervisors with the duty to administer this Ordinance and enforce its provisions.
- S. Lot: Any tract of land represented and identified by number or letter designation on an official plat.
- T. Owner: The legal entity holding title to the property being subdivided, or such representative or agent as is fully empowered to act on its behalf.
- U. Parcel: A part of a tract of land.
- V. Plat: The graphical representation of a survey of one or more parcels of land, including a complete and accurate description of each parcel within the plat, prepared by a registered land surveyor.
- W. Plat of Survey: The graphical representation of a survey of one or more parcels of land, including a complete and accurate description of each parcel within the plat, prepared by a registered land surveyor.
- X. Resubdivision: Any subdivision of land that has previously been included in a recorded plat. In appropriate context, it may be a verb referring to the act of preparing a plat or preparing a plat of previously subdivided land.
- Y. Street: Public or private property, not an alley, intended for vehicular circulation. In appropriate context, it may refer to the right-of-way bounded by the property lines of such public or private property, or may refer to the paving installed within such right-of-way.
- Z. Subdivider: The owner of property being subdivided, or such other person or entity empowered to act on the owner's behalf.
- AA. Subdivision: The division of land by the owner into three (3) or more parts for the purpose of transferring of ownership or building a development. The term when appropriate to the context, may refer to the process of subdividing or to land

subdivided.

- BB. Subdivision Plat: The recorded graphical representation of the subdivision of land, prepared by a registered land surveyor, having a number or letter designation for each lot within the plat and a succinct name or title that is unique for the county where the land is located.
- CC. Tract: An aliquot part of a section, a lot within an official plat, or government lot.
- DD. Utilities: Systems for the distribution or collection of water, gas, electricity, wastewater, storm water, telephone, and cable television.
- EE. Structure: Anything constructed or erected with a fixed, or temporary, location in the ground, on the ground, attached to the ground, or which is attached to something having a permanent or temporary location on the ground, including, but not limited to foundations, buildings, homes, factory-built homes or buildings, billboards, or poster panels, sheds, storage tanks, or similar uses.
- FF. Minor Subdivision Plat: Any subdivision or re-subdivision containing not more than three (3) lots not involving any new private or public street or road, or extension of public facilities, or the reaction of any public or private improvements, and not adversely affecting the remainder of the parcel or adjoining property.

ARTICLE III PREEXISTING SUBDIVISIONS

SECTION 1. PREEXISTING SUBDIVISION PROVISIONS

This Ordinance recognizes subdivisions of land which were established and lawful prior to the adoption of this Ordinance. Said preexisting subdivisions are permitted to continue, and shall not be affected by the requirements of this Ordinance.

SECTION 2. ADDITIONAL SUBDIVISIONS

The provisions of this Ordinance shall apply to any part of a preexisting subdivision which is subjected to resubdivision.

SECTION 3. RECORD OF PREEXISTING SUBDIVISIONS

Preexisting subdivisions shall be recorded and identified in the official preexisting subdivision file maintained by the Land Use Administrator. The file shall include, but not be limited to, the property location and identification.

ARTICLE IV SUBDIVISION DESIGN

SECTION 1. IMPROVEMENTS REQUIRED

The subdivider shall, at their own expense, install, construct and maintain any improvements required by this ordinance. In no case shall Jones County own, operate or maintain the improvements required in this ordinance. All required improvements shall be installed and constructed in accordance with the design standards established for such improvements by the County, and as shown on the approved final plat.

SECTION 2. INSPECTIONS

All improvements shall be inspected to ensure compliance with the requirements of the final plat. The cost of such inspection shall be borne

by the subdivider.

SECTION 3. LAND SUITABILITY

No land shall be subdivided that is found to be unsuitable for subdividing by reason of flooding, ponding, poor drainage, adverse soil conditions, adverse geological formations, unsatisfactory topography or other conditions likely to be harmful to the public health, safety or general welfare, as determined by the Natural Resource and Conservation Service (NRCS) soil survey, unless such unsuitable conditions are corrected to the satisfaction of the Board of Supervisors.

SECTION 4. LANDS IN FLOOD PLAINS

No subdivision containing land located in a floodway or a flood hazard area shall be approved by the Board of Supervisors unless it meets at least one of the following criteria:

- A. Each lot within the subdivision is of such size and shape that it contains a buildable area outside of the floodway or flood hazard area.
- B. The floodway or flood hazard area is reserved as open space for recreation use by all owners of lots in the subdivision, with an appropriate legal instrument, approved by the Board of Supervisors, providing for its care and maintenance by such owners.
- C. The floodway or flood hazard area, if approved by the Board of Supervisors, is dedicated to the County as public open space for recreation or for flood control purposes.

SECTION 5. LOT USES, SETBACKS AND SIZE

Lot use, setbacks and size within the subdivision shall meet the Jones County Zoning ordinance. Developers are responsible for drafting restrictive covenants, which shall run with the land. Regardless of their size, lot arrangement and design shall also be such that all lots will provide satisfactory building sites, properly related to topography and to land uses for that lot and all other surrounding land.

SECTION 6. LOCATION

No subdivision shall be approved unless the entrance of the subdivision is within ½ mile of a hard surface road.

SECTION 7. SUBDIVISION FENCING REQUIREMENTS

At the time of approval of the final plat, the subdivider of any property where the adjoining land may be used for agricultural purposes shall be responsible for the construction and maintenance of all perimeter fences between the subdivision and adjoining land used for agricultural purposes, unless an agreement is established between the subdivider and the adjoining property owners. Fence construction should be sufficient to turn livestock and shall comply with Chapter 359A.18 Lawful Fence of the Iowa Code with respect to materials and construction specifications.

In all plats where a fence is required, the subdivider shall submit, prior to approval of the final plat, an executed fencing agreement that sets forth provisions for maintenance and, at a minimum, the following requirements:

- A. A statement that the agreement shall be binding on the parties, heirs and assigns.
- B. A statement that the agreement shall run with the land.
- D. A termination clause effective upon the subdivision of the

adjoining property for non-agricultural purposes.

ARTICLE V MINIMUM IMPROVEMENTS

SECTION 1. MINIMUM IMPROVEMENTS

Non-agricultural or residential subdivisions, or any subdivision which will include any new road, or alteration of natural drainage ways, or the installation of sewage collection or water facilities, shall adhere to the following minimum standards. The improvements set forth below shall be considered the minimum improvements necessary to protect the public health, safety and welfare.

SECTION 2. STREETS AND ACCESS POINTS

The developer of land being subdivided shall be responsible for construction of all streets, and unless provided for otherwise by the Board of Supervisors, said streets will be classified as private. In all plats where private roads are to be approved, a Road Association Agreement shall be established to guarantee access to all lots, to ensure repair and maintenance of the roads, and to provide for any necessary utility easements. Roads and lots within the subdivision shall be so arranged as to minimize the number of access points onto arterial streets or county roads, however, there shall be no less than two (2) access points to any new subdivision. Plans for roadways and right of way easements must be approved by the Jones County Engineer prior to final plat approval. Each roadway right of way shall be at least sixty-six (66) feet wide as required by Jones County Board of Supervisors Resolution of May 9, 1978, recorded in Supervisor's Record Book P, Page 341.

Unless unavoidable, lots shall not front or have direct access to county roads. Where unavoidable, lots shall be so arranged as to minimize the number of access points. In this case, one access point is preferable with a frontage road connecting the remainder of the subdivision.

SECTION 3. INTERIOR STREET STANDARDS

When a proposed subdivision contains any interior street, the The following standards shall apply to all private streets to be located within the proposed subdivision.

- A. Cul-de-sacs shall provide a turnaround right-of-way diameter of no less than one hundred (100) feet.
- B. Cul-de-sac streets shall be no longer than seven hundred fifty (750) feet and no shorter than one hundred (100) feet.
- C. Interior roads within the subdivision shall remain private and maintained by the Home Owners Association.
- D. Bus turnarounds shall be constructed in accordance with the design requirements of the appropriate school district.
- E. Street name signs are to be placed at all intersections within or abutting the subdivision, the type and location of which to be approved by the E911 Service Board. All signs placed in the county right-of-way shall conform to the standards contained in the *Manual on Uniform Traffic Control Devices (MUTCD)*, as amended.

SECTION 4. SANITARY SEWER SYSTEM

No subdivision shall be approved until the proposed system for the disposal of sanitary sewage from the platted area has been approved by the Jones County Board of Health.

SECTION 5. WATER SYSTEM

No subdivision shall be approved until and unless the proposed system for providing water has been approved by the Jones County Board of Health.

SECTION 6. SIDEWALKS AND TRAILS

Sidewalks and/or trails are not required in new subdivisions. If sidewalks are included in the proposed development, they shall be no less than four (4) feet in width and no less than four (4) inches in thickness and shall be constructed in accordance with plans and specifications approved by the county engineer. If trails are included in the proposed development, they shall be hard surfaced (asphalt or concrete) and no less than six (6) feet in width and no less than four (4) inches in thickness and shall be constructed in accordance with plans and specifications approved by the county engineer. The Home Owners Association of the proposed subdivision shall maintain the trail. When proposing trails in new subdivisions, the plat shall make provisions for the continuation and extension of the proposed trail.

SECTION 7. STORM WATER POLLUTION PREVENTION PLAN

When more than one acre of land will be disturbed in the development of the subdivision the developer shall submit, to the Land Use Office, a Storm Water Pollution Prevention Plan created by a licensed engineer for the entire area of the proposed subdivision. The plan shall be reviewed and approved by the Jones County Land Use and Secondary Road departments, and shall be submitted for review prior to any disturbance of more than one acre

SECTION 8. CLUSTERED SUBDIVISIONS

This article is intended to allow development that will meet future growth projections while preserving and protecting agriculturally, environmentally and historically significant features, and other open areas of the County. Specifically, this includes complementing the environmental and agricultural preservation goals outlined in the Comprehensive Plan; protecting sensitive areas; maintaining separation of non-compatible land uses; preserving and restoring the scenic and natural character of the County; permitting reasonable development while creating an interconnected network of open space that promotes livable, sustainable subdivision development and wildlife habitat and corridors; economizing in the installation of infrastructure and the provision of public services; and encouraging clustering of dwelling units on selected portions of a property and providing incentives for such development. For the purposes of this article, the following terms shall be interpreted as follows.

- A. Buffer: An area of land located contiguous to differing types of land use and providing a transition area between the two that is compatible with each and protects each area from changes in the use of the other area. Permitted uses in a buffer zone include those that will not be detrimental to the functioning of either land use type and do not pose a public safety hazard. Essential public and private utilities are permitted uses within a buffer zone. Buffering may include open space, landscaped areas (trees or shrubs), fences, walls, berms or any combination thereof to physically separate or screen one use or property from the other.
- B. Clustering: A subdivision design method that concentrates development in specific areas of a proposed site.
- C. Clustered Subdivision Design: A development where a portion of a parcel is designated as permanent open space, with the remainder of the parcel subdivided into clustered buildable lots.
- D. Conservation Easement Management Plan: A written document

approved by the zoning administrator delineating the entity charged with responsibility for payment of any taxes, maintenance, insurance, and any other responsibilities associated with ownership of the open space conservation easement. The Management Plan will specifically set out the intended use of and the rights and responsibilities of all parties having an interest in the conservation easement area. It will be recorded with any other document establishing the conservation easement.

- E. Open Space: Land or bodies of water used by subdivision residents for conservation areas, natural habitat, pedestrian corridor, storm water management facilities, subsurface sewage disposal systems, essential utility services and/or recreational uses, and permanently designated as such and protected by a conservation easement. Open Space may include sensitive areas.
- F. Open Space Conservation Easement: A non-possessory interest in real estate by which a landowner permanently restricts and reserves a tract of land as Open Space and subjects that tract of land to the restrictions imposed in this article. The Conservation Easement may be owned by a governmental body empowered to hold an interest in real estate, a not-for-profit corporation, including but not limited to a homeowners association, or a charitable trust, which has the purposes and powers to carry out and enforce the requirements and reservations imposed by the Easement.
- G. Recreational Uses: Recreational purposes for Open Space areas include trails, picnic areas, community gardens, turf areas, common areas such as greens or squares, athletic fields, playgrounds, unlighted athletic courts, golf courses and swimming pools or beaches.

Management of Conservation Easements. The governmental body, not-for-profit corporation, charitable trust or individual that owns the Conservation Easement shall administer the Open Space and is responsible for the payment of any taxes, maintenance, insurance, and any other responsibilities associated with ownership of the land.

Density Bonus Process. The density of a clustered subdivision development meeting all the requirements of this article may exceed the designated zoning density of the parcel so long as no less than fifty percent (50%) of the subject parcel is permanently designated as Open Space.

- A. If no less than fifty percent (50%) of the original parcel is permanently designated as Open Space, the development may contain twenty-five percent (25%) more total dwelling units than existing zoning regulations currently allow.
- B. If no less than seventy-five percent (75%) of the original parcel is permanently designated as Open Space, multi-family development will be allowed.
- C. The minimum lot size allowed in conjunction with this article shall be 10,000 square feet, or larger if so required by the regulations of the Jones County Board of Health.
- D. Additional or different density bonuses may be granted by the Board of Supervisors to applicants proposing alternatives not set out above. Said bonuses may be granted only after a public hearing has been had on the proposed density bonus and only

when doing so is consistent with other Development Ordinances in the County and the County Comprehensive Plan.

Conservation Easement and Site Plan Requirements. The applicant shall supply a completed application to the County that includes a copy of the Conservation Easement for the portion of the development designated as Open Space, a copy of the Conservation Easement Management Plan, and a fully dimensioned site plan, drawn to scale, which shall demonstrate, delineate and label each of the following:

- A. Topography, including areas to be graded, earth movements, drainage provisions, existing contour lines and any proposed new contour lines, and any other significant topographical features, including a soil map.
- B. The location and type of all areas to be preserved as Open Space, including areas for mitigation and preservation and any proposed improvements.
- C. Existing zoning, land use(s), and approximate density of residential uses for both the parcel in question and any neighboring parcels.
- D. Septic provisions, as required by the Jones County Board of Health.
- E. All construction contracts or sub-contracts shall contain language adequately protecting areas designated as Open Space.
- F. Included with the final plat, the applicant shall submit a subdividers agreement regarding liability for and the management of the Open Space and incorporating the Conservation Easement and Conservation Easement Management Plan.
- G. An operation, monitoring, and maintenance plan for any existing or proposed, private or public, wastewater treatment system(s) and water supply well(s) within the subdivision shall be submitted to and approved by the Jones County Board of Health.
- H. Anything else not specifically set out or excluded herein, as required by other sections of the County Code of Ordinances.

SECTION 9. UTILITY EASEMENTS

The developer of a subdivision shall make appropriate provisions to provide easements for present or future public utilities requirements. Said easements of not less than ten (10) feet in width shall run along rear and, where necessary, front and side lot lines. Such easements shall be centered on lot lines, except where prohibited by topography. Easements of greater width may be required along lot lines or across lots when necessary for the placement and maintenance of utilities. No buildings or structures, except when necessary for utilities, shall be permitted on such easements. Private drives, when necessary, shall be allowed to cross easements running along the front of lot lines.

SECTION 10. MISCELLANEOUS IMPROVEMENTS

The developer of a subdivision shall make provisions for the installation of grading and seeding, or sodding of all lots and all necessary soil erosion control measures during construction, the planting of any required trees, and the installation of street signs and street lighting as required. The developer of a subdivision adjacent to any existing livestock operations are fully responsible for the construction and maintenance of perimeter fencing.

SECTION 11. MAINTENANCE OF IMPROVEMENTS

Unless otherwise approved by the Board of Supervisors, required improvements to be installed shall remain the property and the responsibility of the subdivider or successors in interest to the lands being subdivided, including any Home Owners Association. No subdivision shall be approved until and unless legal covenants, running with the land, sufficient to ensure that the County will not need to assume maintenance responsibility for such improvement(s), have been approved.

**ARTICLE VI
LAND USE ADMINISTRATOR**

SECTION 1. CREATION

The Office of Jones County Land Use Administrator is hereby established. The Board of Supervisors shall appoint a Land Use Administrator who shall be compensated at a reasonable rate set by the Board of Supervisors. The Land Use Administrator shall serve at the pleasure of the Board of Supervisors.

SECTION 2. DUTIES

The Administrative Officer shall:

- A. Conduct inspections, examinations, and research the use of structures and land to determine compliance with the terms of this Ordinance.
- B. Determine and initiate action to correct violations of this Ordinance.
- C. Consult with developers, when necessary and requested, concerning the requirements of this Ordinance.
- D. Process all requests for review of subdivision plats.
- E. Perform such other duties as are assigned by this Ordinance.

**ARTICLE VII
PROCEDURE FOR REVIEW OF PLATS**

SECTION 1. INTENT

As set forth in this Article developers wishing to subdivide property shall submit a preliminary plat and a final plat to the Board of Supervisors in accordance with the following rules and procedures. There shall be no earth moving prior to the approval of the preliminary plat.

SECTION 2. COUNTY ZONING

A developer shall not provide a proposed subdivision plat to the Board of Supervisors for review until such time as the property uses contemplated within said proposed subdivision conform to Jones County Land Use requirements as set out in the Jones County Zoning Ordinance.

SECTION 3. FEES

A filing fee shall be set by resolution of the Board of Supervisors, and said fee shall be collected by the Land Use Administrator upon the filing of the initial plat. The fee shall be payable to Jones County, Iowa, and shall be non-refundable.

SECTION 4. PROCEDURE

Any person intending to subdivide land within Jones County shall comply with the procedures established in this article. Prior to application for subdivision approval, the subdivider may request a preliminary planning conference with the Land Use Administrator and those officials who may

require review of the proposed subdivision. This conference is to inform the subdivider as to the nature of the regulations and the feasibility of the subdivision plan and shall not take the place of the following procedures.

- A. Preliminary Plat Submission: The subdivider shall prepare a preliminary plat and make application for preliminary plat approval. The preliminary plat shall be submitted to the Land Use Administrator together with an application form and filing fee. Applications shall be placed on the agenda for public hearing by the Planning and Zoning Commission.
- B. Preliminary Plat Review: The Land Use Administrator may require the subdivider to obtain the review and recommendation of the preliminary plat by the County Engineer, Jones County Board of Health, Jones County Soil Conservation District, school district officials, and those officials or agencies which may be required for review and comment on the application for preliminary plat approval. Comments and recommendations shall be submitted in writing prior to preliminary plat action by the Planning and Zoning Commission.
- C. Preliminary Plat Action by Planning and Zoning Commission: The Planning and Zoning Commission shall study the preliminary plat and such other information offered for consideration of the application to assure that it is in full conformance with the provisions and purpose of these regulations. The Commission shall hear each application appearing on its agenda and within 31 days (unless an extension is agreed to by the subdivider) transmit its recommendations to approve, disapprove or to grant conditional approval to the Board of Supervisors. If it is the recommendation of the Commission to disapprove the application, or to grant conditional approval, the Commission shall give its reasons or specify its conditions in writing for submission to the Supervisors.
- D. Preliminary Plat Action by Board of Supervisors: Within 31 days of receipt of the Planning and Zoning Commission recommendation, the Board of Supervisors shall, unless an extension is agreed to by the subdivider, hear the application and shall approve, disapprove or grant conditional approval of the preliminary plat. The Resolution, certifying approval or certifying approval with conditions, and the signature of the Chairperson of the Board of Supervisors shall be affixed to two (2) copies of the preliminary plat. One copy shall be retained by the Land Use Administrator and the other returned to the subdivider. Approval by the Board of Supervisors shall be tentative and not constitute final approval or acceptance of the plat or of the proposed dedication for public use but shall be deemed to be an authorization to proceed with the preparation of the final plat. Disapproval of the preliminary plat by the Supervisors shall terminate further consideration of such application.
- E. Final Plat Submission: The subdivider may prepare a final plat for all or any portion of the approved preliminary plat and make application for final plat approval. Final plats submitted two years after the approval date of the preliminary plat shall not be acted upon until the Supervisors re-approve the preliminary plat. The final plat shall be prepared in accordance with the specifications and standards of these regulations and in conformance with the approved preliminary

plat. Applications shall be placed on the agenda for public hearing by the Planning and Zoning Commission.

- F. Final Plat Review: The Land Use Administrator may require the subdivider to submit the final plat for examination by the County Engineer, Jones County Board of Health, Jones County Soil Conservation District, school district officials, and those officials or agencies which may be required for review and comment on the application to determine its conformance with the approved preliminary plat and with applicable statutes and policies. Comments and recommendations shall be submitted in writing prior to final plat action by the Planning and Zoning Commission.
- G. Final Plat Required Improvements: Before the Final Plat of any subdivision is approved and recorded, the required improvements must be installed. All improvements shall conform to the County Standard Specifications as adopted by the Board of Supervisors.
- H. Final Plat Action by the Planning and Zoning Commission: The Planning and Zoning Commission shall study the final plat and such other information offered for consideration of the application to assure that it is in full conformance with the provisions and purpose of these regulations. The Commission shall hear each application appearing on its agenda and within 31 days, unless an extension is agreed to by the subdivider, transmit its recommendations to approve, disapprove or grant conditional approval to the Board of Supervisors. If it is the recommendation of the Commission to disapprove the application, or to grant conditional approval, the Commission shall give its reasons or specify its conditions in writing for submission to the Supervisors. If the Land Use Administrator determines that the final plat is the same as the preliminary plat, review of the final plat by the Planning and Zoning Commission is not required.
- I. Final Plat Action by the Board of Supervisors: Within 31 days of receipt of the Planning and Zoning Commission recommendation, the Board of Supervisors shall hear the application and shall approve or disapprove the final plat. The final plat shall be approved when found to be in conformance with the approved preliminary plat and accompanied by the approved documents. Approval of the final plat shall be by resolution of the Board of Supervisors and shall be indicated on each of five (5) copies of the plat signed by the Chairperson.
- J. Effect of Final Plat Action by Supervisors: Approval of the final plat by resolution of the Board of Supervisors shall be deemed an authorization for the subdivider to record a certified copy of the final plat with the office of the County Recorder. Approval of the final plat shall not constitute approval of, or acceptance of, roads or any other improvements within the area of the final plat unless so certified. Disapproval of the final plat by the Supervisors shall terminate further consideration of such application. The reasons for such disapproval shall be conveyed in writing to the subdivider.

SECTION 5. FILING OF PRELIMINARY PLAT

The subdivider shall first prepare & file with the Administrative Officer ten (10) copies of the preliminary plat conforming in detail to the

requirements set forth in this ordinance. The preliminary plat shall be drawn at a scale of one-inch equals one hundred feet (1"=100') or larger. A sheet size shall not exceed twenty-four inches by thirty-six inches (24"x36"). Where more than one sheet is required, the sheets shall show the number of the sheet, the total number of sheets in the plat, and match lines indicating where other sheets adjoin.

The preliminary plat shall be clearly marked "Preliminary Plat" and shall show or have attached thereto, the following, as amended by the Iowa State Code:

- A. Title, scale, north point and date on each sheet.
- B. Proposed name of the subdivision that shall not duplicate or resemble existing subdivision names in the county, and shall be approved by the County Auditor.
- C. The name and address of the owner and the name, address and profession of the person preparing the plat.
- D. A key map showing the general location of the proposed subdivision in relation to surrounding lands.
- E. The names and locations of adjacent subdivisions and the names of record owners and locations of unplatted land located within five hundred (500) feet of the proposed subdivision boundary.
- F. The location of property lines, streets and alleys, easements, buildings, utilities, watercourses, tree masses, and other existing features affecting the plan.
- G. Contours at vertical intervals of not more than two (2) feet, if the general slope of the site is less than ten (10) percent, and at vertical intervals of not more than five (5) feet, if the general slope is ten (10) percent or greater.
- H. The legal description of the area being platted.
- I. The boundary of the area being platted, shown as a dark line, with the approximate length of boundary lines and the approximate location of the property in reference to known section lines.
- J. The layout, numbers and approximate dimensions of proposed lots.
- K. The location, width and dimensions of all streets.
- L. Present and proposed utility systems, including, but not limited to, sanitary and storm sewers, other drainage facilities, water systems, gas mains and electric utilities.
- M. Proposed easements showing locations, widths, purposes and limitations.
- N. Parcels or areas of land proposed to be dedicated or reserved for open space, schools, parks, playgrounds, or other public, semi-public or community purposes, showing proposed surfacing material.
- O. A general description of all minimum improvements to be created within the subdivision.

- P. A soil erosion control plan and drainage control plan created by a licensed engineer, shall be filed with the Jones County Land Use Office prior to any land disturbance within the proposed subdivision.
- Q. Any other pertinent information and necessary information.
- R. The fee, as required by this ordinance.

SECTION 6. DURATION OF PRELIMINARY PLAT

Approval of the preliminary plat by the Board of Supervisors shall be valid for a period of two (2) years from the date of approval. In the event that a final plat has not been approved within the two (2) year period, the preliminary plat shall be void. The subdivider shall then be required to resubmit the preliminary plat for approval in the same manner as previously prescribed.

SECTION 7. FILING OF FINAL PLAT

Following approval of a preliminary plat, the subdivider shall, within two (2) years from the date of approval of the preliminary plat, unless such time period has been extended, file with the Administrative Officer ten (10) copies of the final plat for the area covered by said preliminary plat as approved by the Board of Supervisors.

The final plat shall be drawn at a scale of one-inch equals one hundred feet (1"=100') or larger. Sheet size shall be no greater than eighteen inches by twenty-four inches (18"x 24") nor smaller than eight and one-half inches by eleven inches (8 1/2" x 11") and shall be of a size acceptable to the County Recorder. If more than one sheet is used, each sheet shall clearly show the number of the sheet, the total number of sheets included in the plat and match lines indicating where other sheets adjoin.

The final plat shall be clearly marked "Final Plat" and shall show the following as set forth within Chapters 354 & 355 of the Iowa Code.

- A. The name of the subdivision, as approved by the County Auditor.
- B. Name and address of the owner and subdivider.
- C. Scale graphic bar scale, north arrow and date on each sheet.
- D. All monuments to be of record, as required by Chapter 355, Code of Iowa.
- E. Sufficient survey data to positively describe the boundaries of every lot, block, street, easement, or other areas shown on the plat, as well as the outer boundaries of the subdivided lands.
- F. All distance, bearing curve, and other survey data and the Legal description.
- G. All adjoining properties shall be identified and, where such adjoining properties are a part of a recorded subdivision, the name of that subdivision shall be shown. If the subdivision platted is a resubdivision of a part or the whole of a previously recorded subdivision, sufficient ties shall be shown to controlling lines appearing on the earlier plat to permit an overlay to be made. Resubdivisions shall be labeled as such in a subtitle following the name of the subdivision wherever the name appears on the plat.

- H. Street names and clear designation of public alleys.
- I. Block and lot numbers.
- J. Accurate dimensions for any property to be dedicated or reserved for public use, and the purpose for which such property is dedicated or reserved for public use.
- K. The purpose of any easement shown on the plat shall be clearly stated and shall be confined to only those easements pertaining to public utilities, including: gas, power, telephone, cable television, water and sewer; easements for trails, bikeways, ingress and egress; and such drainage easements as are deemed necessary for the orderly development of the land encompassed within the plat.
- L. The minimum unadjusted accepted error of closure for all subdivision boundaries, which shall be 1:10,000 and shall be 1:5,000 for any individual lot.
- M. A statement by a licensed land surveyor that the plat was prepared by the surveyor or under the surveyor's direct personal supervision, signed and dated by the surveyor and bearing the surveyor's Iowa registration number or seal; and a sealed certification of the accuracy of the plat by the licensed land surveyor who drew the plat.
- N. Any additional requirements as per the State Code of Iowa or Administrative Code.

Attachments to the Final Plat. The following shall be attached to and accompany any final plat at the time of recording:

- A. A certificate by the owner and his or her spouse, if any, that the subdivision is with their free consent, and is in accordance with the desire of the owner and spouse.
- B. An attorney's opinion showing that the fee title to the subdivision is free from encumbrance other than those secured by an encumbrance bond.
- C. Certificate from the County Treasurer that the subdivision land is free from unpaid taxes.
- D. A copy of any existing encumbrance bonds.
- E. A statement of restrictions that run with the land and become covenants in the deeds of lots.
- F. A statement by the developer setting out a timetable for satisfactory completion of all improvements.
- G. A resolution and certified plat approved by the Board of Supervisors.
- H. The applicable fee.
- I. A statement by the Administrative Officer that all applicable fees have been paid.
- J. A statement by the Jones County Engineer approving the final

plat.

- K. A statement by the E911 Service Board approving the final plat.
- L. Certificate from the County Auditor reflecting approval of the subdivision name.
- M. A copy of the Fencing Agreement.

ARTICLE VIII MISCELLANEOUS PROVISIONS

SECTION 1. PENALTY

This ordinance is enforceable against titleholders of the property, whether that title is held by Deed or Contract, and against any other individual in lawful possession of the property, including a developer.

A violation of this Ordinance shall constitute a county infraction which shall be punishable by a civil penalty in an amount not to exceed that allowed by Iowa Code Section 331.307 (1.), as now or hereafter amended. Alternatively, or in addition to, constitution of a county infraction, a person found in violation of this ordinance may be guilty of a simple misdemeanor, and on conviction thereof be subject to such maximum penalty as the law allows in Iowa Code Section 903.1, as now or hereafter amended. Each day that a violation occurs or is permitted to exist by the respondent/defendant constitutes a separate offense.

In addition to any civil penalty imposed for violating this Ordinance, a court may grant appropriate relief to abate or halt the violation, including all of the options available pursuant to Iowa Code Section 331.307, as now or hereafter amended.

SECTION 2. VARIANCES

Where, in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of this ordinance would result in extraordinary hardship to the subdivider, because of unusual topography or other conditions, the Board of Supervisors may vary, modify or waive the requirements so that substantial justice may be done and the public interest secured. However, such variance, modification or waiver shall not have the effect of nullifying the intent and purpose of this ordinance. In no case shall a variance or modification be more than a minimal easing of the requirements as necessary to eliminate the hardship. In so granting a variance, the Board of Supervisors may impose such additional conditions as necessary to secure substantially the objectives of the requirements so varied, modified, or waived.

SECTION 3. SEVERABILITY

This Ordinance and any amendment hereto and the various parts, sections, subsections and clauses thereof, are hereby declared to be severable. If any part, sentence, paragraph, subsection, section or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance or amendment hereto shall not be affected thereby.

SECTION 4. RELATIONSHIP TO OTHER LAWS

Nothing contained herein shall serve to abrogate, limit, repeal, or otherwise modify any other County ordinance or regulation, except as expressly set forth herein. If any provision of this Ordinance conflicts with the provisions of any other Federal, State, or County ordinance, regulation, or statutes, the most restrictive standard shall apply.

SECTION 5. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its final passage, approval, and publication as provided by law.

Passed and approved March 24, 1998

Published April 1, 2, and 3, 1998

Amended March 19, 2002

Published April 3, 4, and 5, 2002

Amended December 2, 2003

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