

HALL COUNTY, NEBRASKA

SUBDIVISION REGULATIONS

ZONING RESOLUTION

No. 04-0020

ADOPTED BY THE HALL COUNTY, NEBRASKA

APRIL 20, 2004

EFFECTIVE DATE

JUNE 1, 2004

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ARTICLE 1: TITLE, PURPOSE, AND DEFINITIONS.

Section 1.01 Name and Citation of Titles.

This Resolution shall be known, referred to and cited as "The Subdivision Regulations" of Hall County, Nebraska.

Section 1.02 Purpose

The purpose of this ordinance is to provide for the orderly development of Hall County and its environs by ensuring, through the prescribed rules and standards, functional arrangements of street layouts; open spaces; adequate community facilities and utilities, to coordinate development with the County's transportation, land use and capital facilities plan, and to generally provide conditions favorable for the health, safety and convenience of the community.

Section 1.03 Definitions

For the purpose of this ordinance, certain words used herein are defined as follows:

- 1.03.01 **APPLICANT** shall mean the titleholder of record, his agent, or a person holding a notarized letter authorizing the person to represent the legal owner of the property, or an appropriate purchase agreement.
- 1.03.02 **ALLEY** shall mean a public right-of-way used primarily as a secondary means of access to the abutting property.
- 1.03.03 **BLOCK** shall mean a tract or parcel of land bounded by public streets or lands, streams, railroads, unplatted lands or a combination thereof.
- 1.03.04 **BOND** shall mean any form of security including a cash deposit, security bond, or instrument of credit in an amount and form satisfactory to the County Board of Supervisors which meets the intent of such security required by this Resolution.
- 1.03.05 **BOUNDARY ADJUSTMENT**: shall mean the transfer of property by deed to a respective owner or owners of contiguous property for the purpose of adjusting a boundary line and not for the purpose of creating an additional lot or parcel.
- 1.03.06 **BUILDING LINE** shall mean a line parallel, or nearly parallel, to the street line at a specified distance from the street line which marks the minimum set back distance a building may be erected. In the case of a cul-de-sac the building line shall be measured around the curvature of the street line and shall be located at the required front yard set back where the lot width shall meet the minimum lot width required in the district.
- 1.03.07 **CHIEF BUILDING OFFICIAL** shall mean the individual appointed and/or employed by the County to enforce the prescribed and adopted building codes for the County. Said individual may be assigned to enforce Municipal Code, the Comprehensive Development Plan, Zoning Resolution, and Subdivision Regulations for the Hall County.
- 1.03.08 **CLERK** shall mean the County Clerk of the County of Hall County, Nebraska.
- 1.03.09 **COMPREHENSIVE DEVELOPMENT PLAN** shall mean the master plan for the improvement and development of Hall County, Nebraska, as adopted by the Hall County Regional Planning Commission and the County in accordance with the laws of the State of Nebraska and the Resolutions of Hall County.
- 1.03.10 **COUNTY** shall mean the Hall County, Nebraska. Also, County Board of Supervisors or governing body.
- 1.03.11 **COUNTY BOARD OF SUPERVISORS** shall mean the governing body for Hall County, Nebraska.
- 1.03.12 **COUNTY ENGINEER** shall mean the County engineer of Hall County retained by the County Board of

Supervisors for the recommendation, advice, and implementation of engineering work as requested by the County or such other engineer as the County may assign in the particular matter.

- 1.03.13 **CUL-DE-SAC** shall mean a public way with one end open to traffic and the other end terminated by a vehicular turn-around.
- 1.03.14 **DAYS** shall mean calendar days.
- 1.03.15 **DEAD END STREET** shall mean a public way that has only one outlet for vehicular traffic and does not terminate in a vehicular turn-around.
- 1.03.16 **DEDICATION** shall mean the intentional appropriation of land by the owner to some public use.
- 1.03.17 **DEVELOPER**. See "Subdivider."
- 1.03.18 **EASEMENT** shall mean a right to use a parcel of land, granted to the general public, utility, corporation or person(s) for a specific purpose or purposes.
- 1.03.19 **FLOOD PLAIN** shall mean those lands which are subject to a one percent (1%) or greater chance of flooding in any given year.
- 1.03.20 **FLOODWAY** means the channel of the river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
- 1.03.21 **FRONTAGE ROAD** shall mean minor streets parallel to and adjacent to arterial streets and highways, which reduce the number of access points to the arterial street or highway for the purpose of increased traffic safety.
- 1.03.22 **GRADING PLAN** shall mean a drawing of a proposed subdivision with plans and specifications for grading which is intended to represent the layout which will be approved for construction by the Planning Commission and the County Board of Supervisors.
- 1.03.23 **HALL COUNTY REGIONAL PLANNING COMMISSION** shall mean the Hall County Regional Planning Commission of Hall County, Nebraska.
- 1.03.24 **IMPROVEMENTS** shall mean street grading, street surfacing and paving, curbs and gutters, street lights, street signs, sidewalks, crosswalks, water mains and lines, water meters, fire hydrants, sanitary sewers, storm drainage facilities, culverts, bridges, public utilities, or other such installation as designated by the County Board of Supervisors or its specific approving authority.
- 1.03.25 **LANDSCAPED** shall mean landscaping improvements which include but are not limited to screen plantings, lawn area, pools, trees, shrubs, fences, and walls. Crushed rocks, gravel, bark chips, etc., shall not substitute for lawn area. Landscaping shall be provided within two years of issuance of occupancy permit for the principal structure on each lot, and thereafter be properly maintained.
- 1.03.26 **LOT** shall mean a parcel, tract or area of land created in conformance with this Resolution that may be separately owned, used, developed or built upon.
- 1.03.27 **LOT CONSOLIDATION** shall mean a method for approval of lot boundary adjustments which reduces the number of lots to not greater than two.
- 1.03.28 **LOT, CORNER** shall mean a lot abutting upon two (2) or more streets at their intersection.
- 1.03.29 **LOT, DEPTH OF** shall mean the mean horizontal distance between the front and rear lot lines. Corner

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- lots shall provide at least one dimension equal to the required lot depth prescribed in the affected zoning district.
- 1.03.30 **LOT, DOUBLE FRONTAGE** shall mean a lot having a frontage on two non-intersecting streets.
- 1.03.31 **LOT, FLAG** shall mean lots, being those lots landlocked from public right-of-way, except for a narrow tract of land of less width than required under assigned zoning.
- 1.03.32 **LOT FRONTAGE** shall mean that portion of a lot abutting a street. For purposes of determining yard requirements of corner lots and through lots, all sides of a lot abutting a street shall be considered frontage.
- 1.03.33 **LOT, INTERIOR** shall mean a lot other than a corner lot which has frontage on one street only.
- 1.03.34 **LOT LINE** shall mean the boundary line of a lot.
- 1.03.35 **LOT MINIMUM AREA** shall mean the minimum square footage of land area within the boundaries of the platted lot lines, as applicable to designated zoning districts.
- 1.03.32. **LOT, NONCONFORMING** shall mean a lot which was lawfully created under prior zoning when lesser area or dimension requirements were enforced and does not currently conform to the existing zoning district space limits.
- 1.03.33. **LOT, PLATTED** shall mean a lot which is part of a subdivision of the plat of which, or the appropriate permit for which, has been legally approved by the County and recorded in the office of the Register of Deeds for Hall County.
- 1.03.34. **LOT OF RECORD** shall mean a lot which is both part of a subdivision recorded in the office of the Register of Deeds for Hall County, and having been owned separately and individually from adjoining lots or tracts of land prior to the adoption of this Resolution.
- 1.03.35. **LOT SPLIT** shall mean a subdivision involving the division of one or more lots with the end result not be greater than two lots.
- 1.03.36. **LOT, THROUGH** shall mean a lot other than a corner lot fronting on more than one (1) street.
- 1.03.37. **LOT, WIDTH OF** shall mean the minimum street frontage measured along the front street property line except when a lot fronts on the inside or concave side of a horizontal curvilinear alignment of a street or on a corner lot; in which case, the minimum lot width shall be measured along the front building line of the principal use structure extended to both lot property lines.
- 1.03.38. **MASTER PLAN** See Comprehensive Development Plan.
- 1.03.39. **MONUMENT** shall mean an identification marker established by certified land survey and set by a registered land surveyor at each section corner, angle point, block corner, street centerline, or other point.
- 1.03.40. **OUTLOT** shall mean a lot remnant or parcel of land left over after platting, which is intended as open space or other use, for which no building permit shall be issued for any private structure.
- 1.03.41. **OWNER** shall mean individual, firm, association, syndicate, or corporation having sufficient proprietary interest in the land sought to be subdivided to commence and maintain such proceedings.
- 1.03.42. **PEDESTRIAN WAY** shall mean a tract of land dedicated to public use, which cuts across a block to facilitate pedestrian access to adjoining streets or properties.
- 1.03.43. **PERSON** shall mean an individual, firm, partnership, corporation, company, association, syndicate, or any

legal entity and including any trustee, receiver, assignee, or other similar representatives thereof.

- 1.03.44. **PLANNED UNIT DEVELOPMENT** shall mean a development designed to provide for an unusual or different arrangement of residential, business, or industrial uses in accordance with an approved development plan.
- 1.03.45. **PLAT** shall mean a map that delineates the subdivision of a quantity of land. A plat commonly shows lots, blocks, streets and other features relevant to the development and improvement of the property.
- 1.03.46. **PLAT, ADMINISTRATIVE**: Shall provide for lots splits, lot combinations, and boundary adjustment which result in lots divided or combined into not more than two (2) lots without having to re-plat said lot, provided that the resulting lots shall not again be divided without re-platting.
- 1.03.47. **PLAT, FINAL** shall mean the final plan of the plat, subdivision or dedication of land prepared for filing or recording in conformance with this Resolution. Substantial conformance to an approved preliminary plat, prepared by a registered professional engineer or a registered land surveyor in accordance with this Resolution is required.
- 1.03.48. **PLAT, PRELIMINARY** shall mean the preliminary plan of the plat, subdivision or dedication prepared in accordance with the requirements of this Resolution.
- 1.03.49. **PLAT, REVISED PRELIMINARY** A revised plat or map of a previously approved preliminary plat, including supporting data, indicating a proposed subdivision development, prepared in accordance with this Resolution.
- 1.03.50. **PRELIMINARY STUDY** shall mean a drawing of a proposed subdivision to be approved by the Planning Commission and County Board of Supervisors before proceeding with a final plat.
- 1.03.51. **PROPERTY LINE ADJUSTMENT** is the relocation of a single common property line between two abutting lots, parcels or other units of land where an additional lot, parcel or unit of land is not created and the existing lot, parcel or unit of land reduced in size by the adjustment must comply with the applicable zoning requirements. A property line adjustment does not vacate a plat nor does it add lot lines. A property line adjustment does not alter the location of utility services and hook-ups.
- 1.03.52. **SIDEWALK OR WALKWAY** shall mean that portion of a dedicated right-of-way or easement improved and intended for pedestrian use only.
- 1.03.53. **REPLAT** is the act of platting the lots, parcels and easements in a recorded subdivision to achieve a reconfiguration of existing subdivision or to increase or decrease the number of lots in the subdivision.
- 1.03.54. **STREET** shall include public streets, highways, avenues, boulevards, parkways, roads, lanes, alleys, viaducts, subways, tunnels, bridges, public easements and right-of-way. Where explicitly authorized by the County Board of Supervisors, private streets may be authorized as part of planned developments.
- 1.03.55. **STREET, ARTERIAL** shall mean a street of considerable continuity connecting various sections of the County, designated as an arterial street on the official street plan of the County.
- 1.03.56. **STREET, COLLECTOR** shall mean a street or highway that is intended to carry traffic from minor streets to major streets. Collector streets are usually the principal entrance streets to residential developments and the streets for circulation within the development as designated in the Comprehensive Development Plan.
- 1.03.57. **STREET, FRONTAGE** shall mean a street which is approximately parallel to and adjacent to or part of a controlled access street and provides access to the abutting properties on one side only and protection from

through traffic.

- 1.03.58. **STREET, LOCAL** shall mean a street which is used primarily for access to the abutting properties.
- 1.03.59. **STREET, MAJOR** shall mean a street or highway used primarily for fast or high volume traffic, including expressways, freeways, boulevards, and arterial streets as designated in the Comprehensive Development Plan.
- 1.03.60. **STREET, MINOR** shall mean a street intended primarily to provide pedestrian and vehicular access to the abutting properties.
- 1.03.61. **SUBDIVIDER** shall mean any person, group, corporation, partnership, or other entity, or any agent thereof, dividing or proposing to divide land so as to constitute a subdivision.
- 1.03.62. **SUBDIVISION** shall mean the division of a lot, tract, or parcel of land into two (2) or more lots, sites, or other divisions of land for the purpose, whether immediate or future, of transfer of ownership or building development, provided that the smallest lot created by the division is less than ten (10) acres in size.
- 1.03.63. **SUBDIVISION, ADMINISTRATIVE** shall mean the re-subdivision of existing subdivided lots and blocks, involving the adjustment of existing lot boundaries or the consolidation of lots, in a manner consistent with zoning Resolution requirements concerning minimum area and dimensions of lots; but not creating additional lots nor necessitating the dedication of additional public right-of-way or easements.
- 1.03.64. **SUBDIVISION AGREEMENT** An agreement between Hall County and a developer whereby the developer agrees to construct any required public street, drainage, and other improvements, for a subdivision and to provide security for completion of the subdivision improvements and in situations involving public financing, the relative cost be borne by the developer and by the public entity.
- 1.03.65. **WATER COURSE, DRAINAGE WAY, CHANNEL OR STREAM** shall mean a current of water usually flowing in a definite channel, having a bed and side or banks, and discharging itself into some other stream or body of water.
- 1.03.66. **ZONING DISTRICT** shall mean an area delineated on a zoning map for which uniform use regulations are specified.

ARTICLE 2: GENERAL PROVISIONS

Section 2.01 Application of these subdivision regulations, area:

Any plat hereafter made or any subdivision or any part thereof lying within the unincorporated portion of Hall County (except areas of the county where incorporated places have exerted jurisdiction pursuant to statute) shall be prepared, presented for approval, approved and presented for recording as herein prescribed. These regulations are enacted under the authority of and provide authorized additions to the provisions of Section 23-372 through 23-377 RRS 1943 and CS 1967.

Section 2.02 Application of these subdivision regulations, land division:

The regulations contained herein shall apply to the subdivision of a lot, tract or parcel of land into two or more lots, tracts or other division of land for the purpose of sale, transfer or of building development whether immediate or in the future including the resubdivision or replatting of land or lots. These regulations shall apply to each situation where there is a dedication of a street, alley, easement or land for other public uses or the creation of two or more lots, except that the division of land shall not be considered to be a subdivision when the smallest parcel of land created is more than ten acres in area. The above provisions shall not be construed to limit the acceptance of deeds to right-of-way or land for other purposes by the Board or other agency of government when such acceptance is in the public interest and not for the purpose of circumventing these regulations.

Section 2.03 Approvals necessary:

No plat or subdivision shall be recorded in the Register of Deeds Office, Hall County, Nebraska, until all provisions and approvals set forth in these regulations have been met.

Section 2.04 Building permits and utility connections prohibited:

No officer, employee, or agent of Hall County shall issue any building permit, make any water or sewer connection, or issue any permit for any water or sewer connection for any building or buildings constructed or proposed to be constructed on land divided contrary to the provisions of these regulations. No officer, agent or employee of Hall County shall perform or cause to be performed any construction or maintenance upon any street or public way purported to be dedicated as a public street or public way by virtue of being shown on a plat, unless such plats shall have been approved as provided by these regulations. The above prohibitions shall not apply to any plat or dedication legally filed of record before the enactment by the county of these regulations.

Section 2.05 Improvements to be completed:

No final plat shall be approved for recording unless street and utility improvements, as set forth herein, necessary to serve the intended occupants of the subdivision have been completed in a satisfactory manner or other assurances, as provided herein, that such improvements will be completed is executed.

ARTICLE 3: PROCEDURE

Section 3.01 Planning Conference:

Any owner, developer or agent wishing to subdivide a parcel of land shall contact the Director of Planning and arrange for a planning conference. This conference shall be for determining the general requirements to be met in developing the subdivision. If the subdivision does not include new streets or utilities the planning, conference may be waived.

Section 3.02 Planning Conference Participants:

If the Planning Director determines that the proposed subdivision is of sufficient magnitude or involves an appreciable number of interrelated problems to the subdivider or to local government, he may arrange for a formal conference to which any or all of the following may be invited: the subdivider or his agent, the subdivider's engineer, land surveyor or land planner, members of the Planning Commission, the Director of Planning, the County Highway Superintendent, Superintendent of Schools, water superintendent, electric utility superintendent, gas utility superintendent, telephone utility superintendent, and other officials deemed by the Planning Commission to have an interest in the layout of or facilities to be furnished in the proposed subdivision. A qualified representative may attend in lieu of any official mentioned above.

The time and place of the planning conference shall be set by the Planning Director so as to serve the convenience of the greatest number of participants.

Section 3.03 Planning conference exhibits furnished by subdivider:

The subdivider shall furnish the Director of Planning the following exhibits and information at least seven days before the planning conference unless other timing is agreed upon:

- 3.03.01 A legal description of the parcel to be subdivided.
- 3.03.02 A layman's general description identifying the locations of the parcel to be subdivided.
- 3.03.03 A vicinity map of appropriate scale and covering sufficient adjoining territory so as to clearly indicate nearby street patterns, property lines, other adjacent properties in the subdividers ownership and other significant features that have a bearing upon the subdivision.
- 3.03.04 A contour map of the parcel made with suitable engineering accuracy and with contour intervals suitable for determining general street and utility requirements. The above standards of accuracy and contour interval may be agreed upon with the County Highway Superintendent and Director of Planning, but in any event, the contour interval shall not be greater than one foot. The contour map shall show existing substantial buildings, significant trees that should be preserved, water courses, drainage ditches, storm or sanitary sewers with size and flow line elevation, manholes, culverts, water lines, gas lines, power lines, permanent easements, streets, and other features that will have a bearing upon the design of the subdivision or the provision of utilities.
- 3.03.05 A sketch to designated scale of the proposed layout of alternate layouts of streets, proposed street names, lots and blocks with numbering, utility easements, storm and sanitary sewers, drainage courses, areas subject to flooding, and water mains. Streets and lots shall be dimensioned to the nearest scaled foot. The sketch may be executed upon the contour map if the features required on said map are sparse enough to provide a legible and uncluttered result. The scale, north point and total number of lots shall be indicated. All exhibits shall display the proposed name of the subdivision; the words "*preliminary sketch*"; and the name, address and telephone number of the subdivider and his engineer or surveyor. The subdivider shall furnish a sufficient number of sets of exhibits so that each conferee will have a set for his continued use.

Section 3.04 Findings of the Planning Conference:

The proceedings of the planning conference shall be informal and no record need be kept. It shall be the responsibility of the subdivider to determine the areas of agreement between the conferees and the problems that must be explored further through individual conferences with departments charged with administering the provision of utilities, streets, drainage and other public facilities. During the conference, it shall be the responsibility of the Director of Planning to aid the subdivider in determining the general features to be required in the subdivision. All agreements arrived at by the

conferees shall be subject to ratification by the Planning Commission as a whole.

ARTICLE 4 PRELIMINARY PLAT

Section 4.01 Preliminary Plat:

After the subdivider has determined the general features to be required in the subdivision, the subdivider may proceed to cause a preliminary plat to be prepared. For those subdivisions, having one or more of the following characteristics the Director of Planning shall have the power to waive any or all requirements of the preliminary plat requirements and procedure:

- 4.01.01 Where the subdivision involves the creation of not more than two new lots and does not involve the dedication of a full width street or is not a part of a larger tract intended for future development;
- 4.01.02 Where the subdivision involves the replatting of existing lots and results in the creation of additional lots.
- 4.01.03 The subdivider shall prepare and file with the Planning Commission twelve (12) copies of the proposed preliminary plat at least twenty (20) days prior to the date of the next regular Planning Commission meeting at which approval of the preliminary plat is requested.

Section 4.02 Form of the Preliminary Plat:

The preliminary plat shall be drawn to a scale of 100 feet to an inch, or larger scale and shall show the following information:

- 4.02.01 The proposed name and acreage of the subdivision.
- 4.02.02 North point, scale and date.
- 4.02.03 The names and addresses of the subdivider and the engineer or surveyor.
- 4.02.04 The tract designation and other description according to the real estate records of the County Recorder, also, designation of the proposed uses of land within the subdivision.
- 4.02.05 The boundary lines (accurate in scale) of the tract to be subdivided.
- 4.02.06 Contours with intervals of one foot or less, referred to sea-level datum.
- 4.02.07 The names of adjacent subdivisions or the names of record owners of adjoining parcels of unsubdivided land.
- 4.02.08 The location, widths, and names of all existing or platted streets or other public ways within or adjacent to the tract, existing permanent buildings, railroad rights-of-way, and other important features, such as section lines, political subdivision or corporation lines, and school district boundaries.
- 4.02.09 Existing sewers, water mains, culverts or other underground structures within the tract and immediately adjacent thereto with pipe sizes, grades and locations indicated.
- 4.02.10 All parcels of land intended to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purpose of conditions or limitations of such reservation, if any.
- 4.02.11 The layout, names, and widths of proposed streets, alleys, and easements.
- 4.02.12 A plan of proposed water distribution system, sanitary sewers and storm sewers showing pipe sizes and the location of valves, fire hydrants, and fittings.
- 4.02.13 The layout, numbers and scaled dimensions of proposed lots.
- 4.02.14 Indication of any portion of the subdivision for which a final plat is to be proposed when the subdivision is to be developed in stages.

Section 4.03 Review and Approval of Preliminary Plat:

Upon receipt of the preliminary plat, the Planning Director shall cause copies thereof to be distributed to the County Highway Superintendent and to the representatives of any utility entity not under control of the aforesaid engineer. The engineer and utility representatives shall submit a report on the preliminary plat to the Planning Director within seven days of receipt. If a full report cannot be made within the seven days, the engineer or utility representative shall notify the Planning Director of the need for more time. The Commission may give an extension of time not to exceed 21 days, unless the subdivider agrees to a longer extension of time. The Planning Commission may postpone action on the preliminary plat until all of the reports are received.

The engineer and utility representatives may recommend approval or disapproval of the preliminary plat or any features thereof, but in expressing disapproval the reasons for such action shall be set forth in writing. Failure to report within the specified length of time shall be deemed approval.

The Planning Commission shall approve or disapprove a preliminary plat within 60 days of receipt unless a longer time is agreed upon with the subdivider. The Planning Commission may hold public hearings on the preliminary plat.

Upon approval or disapproval by the Planning Commission, the preliminary plat and the Planning Commission's recommendation shall be transmitted to the Board within seven days. A copy of the recommendations shall be sent to the subdivider and one copy shall be retained in the permanent files of the Planning Commission.

Section 4.04 Board Approval of the Preliminary Plat:

The Board shall approve or disapprove the preliminary plat not later than the second regular meeting following the receipt of the report from the Planning Commission. The Board may hold public hearings.

Section 4.05 Effect of Approval of the Preliminary Plat:

Approval of the preliminary plat as set forth herein shall constitute authority to proceed with construction of the subdivision and preparation of the final plat subject to approval of detailed plans and specifications for improvements as set forth herein. The subdivision shall be constructed and the final plat prepared in conformity with the approved preliminary plat. Material deviation from such approved preliminary plats shall require resubmission for approval.

Approval of a preliminary plat shall not constitute authority to sell lots, record the plat, advertise the future of conditional sale of lots based on the preliminary plat, or authority to construct permanent buildings in reliance upon the preliminary plat layout.

Section 4.06 Large Development Staging Procedure:

In order to discourage premature subdivision and uneconomic improvements, the following procedure is provided for large development schemes:

- 4.06.01 When a developer or group of developers has in their control an area of land that they wish to plat, but of so large a size, they wish to develop the land by divisions, they shall cause to be prepared a preliminary plat for the entire area.
- 4.06.02 On such preliminary plats successive development divisions may be designed.
- 4.06.03 Upon approval of the preliminary plat, the developer may cause a final plat to be prepared for one or more development divisions, provided the order of development allows for logical provisions of streets and utilities.
- 4.06.04 Each development division shall be considered as a final plat and provisions of these regulations shall apply individually to each development division presented as a separate filing for record.

Section 4.07 Conditional Approval Time in Force:

A conditional approval shall remain in force for a period of two years after Board approval, after which time the street and lot layout of the subdivision shall be subject to review by the Commission and the Board. In the event the Board

desires said review, it shall request in writing that the Planning Commission institute proceedings. Review proceedings shall follow the procedure and have the same effect as the initial conditional approval proceedings.

Section 4.08 Fees:

Before delivering the final plat to the office of the Planning Commission for approval, the subdivider shall pay to the County Treasurer a processing fee of \$50.00. Such fees shall not be refundable unless the plat is withdrawn by the subdivider prior to review by the Planning Commission. The fee shall not be considered payment for supervision of any required construction.

Section 4.09 Approval of Improvement Plans:

After approval by the Board of the preliminary plan, the subdivider may proceed to prepare and submit plans, profiles and specifications for improvements to the County Highway Superintendent for approval. Such plans, profiles and specifications shall conform to standard practice of the county of Hall County and shall be in essential conformity with the approved preliminary plan. The County Highway Superintendent shall give his approval in writing and no field changes shall be made without the written permission of the County Highway Superintendent.

ARTICLE 5 FINAL PLAT

Section 5.01 Final Plat Filing:

Within two years of the approval by the Board of a preliminary plat, the subdivider may file a final plat of the area covered by said preliminary plat in the office of the Planning Commission. The subdivider shall prepare and file with the Planning Commission, twelve (12) copies of the proposed final plat at least twenty (20) days prior to the date of the next regular Planning Commission meeting at which approval of the final plat is requested.

Section 5.02 Form of Final Plat:

The plat shall be drawn in permanent black drawing ink on high-grade linen or stable synthetic material with dimensions of 17 inches by 26 inches.

The scale shall be the same as the preliminary plat. In the event that the entire plat cannot be drawn on one sheet it shall be submitted in two or more sheets of the specified dimensions along with an index sheet of the same dimensions showing the entire development in simplified form at a smaller scale. The original shall be submitted for checking and signature and shall become a permanent public record upon recording. Duplicate originals may be submitted for signatures and may become the property of the subdivider.

Section 5.03 Final Plat contents

The final plat shall portray the following information:

- 5.03.01 Name of the subdivision, north point, scale of the plat, name of subdivider, date and name, address and seal of the surveyor. Location of boundary lines, in relation to sections, quarter sections, all of which comprise a legal description of the property. All locations shall be tied to land survey corner that has the approval of the County Surveyor.
- 5.03.02 The lines of all streets and alleys and other lands to be dedicated with their widths and names shall be shown.
- 5.03.03 All lot lines and dimensions and numbering of lots and blocks according to a uniform system. Statutory systems shall be complied with if applicable.
- 5.03.04 Indication of building lines with dimensions if such lines are desired.
- 5.03.05 Easements for any right-of-way provided for public use, drainage, services or utilities, showing dimensions and purpose.
- 5.03.06 All dimensions, linear and angular, necessary for locating the lines of lots, tracts, or parcels of land, streets, alleys, easements and the boundaries of the subdivision. The linear dimensions are to be expressed in feet and decimals of feet. The plat shall show all curve data necessary to reconstruct on the ground all curvilinear boundaries and lines and radii of all rounded corners.
- 5.03.07 Closure: The perimeter and blocks of the plat shall close to an allowable unadjusted error of one in 7500. Latitudes and departure computations shall be submitted. All lines in the plat shall meet this standard of accuracy.
- 5.03.08 The description, location and elevation of all benchmarks.
- 5.03.09 The description and location of all permanent monuments set in the subdivision.
- 5.03.10 Names in dotted lettering of adjacent plats with location of adjoining streets shown by dashed lines.
- 5.03.11 Legal description of the lands being subdivided.
- 5.03.12 Certificate of Dedication signed and acknowledged by all parties having any title interest in the land subdivided and consenting to the preparation and recordation of the plat as submitted.

5.03.13 Surveyor's certificate and seal.

5.03.14 Certificates of approval in legally correct form and places, for the signatures of the following: notary public acknowledging dedication, the Chairman of the Planning Commission, Chairman of the Board and County Clerk. Other certificates as may be required by law may be recorded as separate instruments accompanying the plat.

5.03.15 Electronic Subdivision requirements as provided in Section 6.05 of this ordinance.

5.03.16 References to a minimum of three established points, such as section corners, section quarter corners, block or subdivision corners, at least one of which shall be published County Control Point.

Section 5.04 Report by the County Highway Superintendent:

The Planning Director shall transmit the final plat to the County Highway Superintendent who shall cause said plat to be checked for engineering accuracy and for completion of required improvements. The Highway Superintendent shall report his findings in a memorandum to the Planning Commission within 14 days after receipt.

Section 5.05 Action by the Planning Commission:

The Planning Commission shall consider the final plat at the regular meeting during the month following the month of filing and shall either approve or disapprove the plat. If the Planning Commission finds that the final plat has been prepared in compliance with these regulations and in substantial compliance with the preliminary plat such plats shall be approved. In the event of disapproval, specific points of variance with the aforesaid requirements shall be spread upon the record of the Planning Commission and a copy shall be transmitted to the subdivider. The Planning Commission shall give notice of and hold any public hearings as may be specified by statute.

Upon approval or disapproval, the Planning Commission shall within ten days transmit to the Board the final plat along with the recommendation of the Planning Commission and the report of the County Engineer. A copy of the recommendation shall be sent to the subdivider and one copy shall be retained in the permanent files of the Planning Commission.

Section 5.06 Board Action:

The Board shall consider the final plat along with the report of the Planning Commission and the report of the County Highway Superintendent no later than the second regular meeting following the date of filing with the County Clerk. If the Board finds that the plat has been prepared in compliance with these regulations and in substantial compliance with the preliminary plat, such final plats shall be approved. In the event of disapproval, the record shall show the specific points on which the final plat varies from these regulations or the preliminary plat. The Board shall give notice of and hold any public hearings as may be required by statute.

Section 5.07 Bonding Incomplete Improvements:

In lieu of final completion of the improvements required herein before approval of the final plat, the subdivider shall post a bond or other security approved by the County Attorney of Hall County. The amount of the bond shall be sufficient to pay for the completion of the improvements if the subdivider fails to do so.

Such bonds shall insure to the County that improvements will be completed by the subdivider within two years after approval of the final plat. The amount of the bond shall be approved by the County Highway Superintendent and shall be not less than the estimated cost of completing the improvements as specified by these regulations, other ordinances, resolutions or regulations of the county, and by the plans and specifications as approved for the preliminary plat.

If the improvements are not completed within the specified time, the Board may use the bond or any necessary portion thereof to complete said improvements. Failure of the Board to act on the bond immediately shall not bar it from taking appropriate action within a reasonable time.

Section 5.08 Filing of Record:

After the final plat has been approved and all signatures required herein have been affixed, the County Clerk shall deliver the plat and all necessary papers to the Hall County Register of Deeds who shall cause the same to be recorded as specified by statute. The subdivider shall pay all filing fees.

ARTICLE 6 GENERAL PROVISIONS

Section 6.01 Modification of Requirements:

The strict application of the terms of these regulations may be modified by the Board in the event that it is found that any specific provision is impractical in its application to a specific parcel of land because of characteristics peculiar to said parcel and that the intent of these regulations will not be compromised.

Section 6.02 Enforcement:

The County Building Inspector or other official designated by the Board shall be responsible for the enforcement of these regulations and to this end all employees and officials of the local government shall report in writing to the aforesaid enforcing official, any violation or suspected violation of these regulations.

Section 6.03 Severability:

The provisions of these regulations are severable, and if any provision, sentence, clause, section or part thereof shall be held illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of these regulations or their application to other persons and circumstances. It is hereby declared to be the legislative intent that these regulations would have been adopted if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included therein, and if the person or circumstances, to which these regulations or any part thereof is inapplicable had been specifically exempted therefrom.

Section 6.04 Effective Date

That this resolution shall be and become effective upon its passage, approval and publication as by law provided.

Section 6.05 Electronic Subdivision Requirements

Layer Name	Description	Font Size
Subdivision Boundary	The outer boundary of the subdivision.	
Existing Easement	Easements Dedicated Prior to this Plat	
New Easements	Easements Dedicated With this Plat	
Section Line	Section and 1/4 section lines	
Lot Line	New Lot Lines	
Measurement	Distances, angles, bearings	0.1
Subdivision Name:	Subdivision Name	0.5
	Governing Body,	0.3
	Surveyor	0.15
Street Name	Street Names,	0.25
Lot Number	Lot Numbers	0.2
Block Number	Block Numbers	0.2
Text	Certificates and Dedications	0.2 and 0.1
Adjacent Property	Surrounding Property Lines, Subdivision, lot #, Block #, Unplatted Ground, ROW, easements	

ARTICLE 7 DESIGN STANDARDS

Section 7.01 STREETS

7.01.01 Dead-end Streets Prohibited:

Dead-end streets are prohibited, except that where the street is to continue past the subdivider's property, a temporary cul-de-sac may be required until the street is continued.

7.01.02 Cul-de-sacs:

Every cul-de-sac shall have a turn around at its closed end with right-of-way of 120-foot diameters. The length of the cul-de-sac access road shall not be less than 50 feet nor more than 300 feet. The access road as herein referred to shall be that area between the arterial road and cul-de-sac.

7.01.03 Half Streets:

Half streets will normally be prohibited, except that they may be required to complete the remaining half of a street already dedicated or where it is found to be practical that the alignment of the street will center on the property line.

7.01.04 Angle of Intersection:

Streets shall be laid out to intersect as nearly as possible at right angles except where topography and other conditions justify variations. The minimum angle of intersection of streets shall be 75 degrees.

7.01.05 Street Jogs:

Street jogs with centerline offsets of less than 150 feet shall be avoided.

7.01.06 Street Grades:

Street grades shall conform to the overall drainage pattern of the locality of the subdivision and shall fall within the minimum and maximum set forth under standards for improvements.

7.01.07 Vertical Sight Distances:

Change of grade shall conform to current standards of Hall County for the type of street in question, provided that in no case shall there be constructed a sight distance of less than 100 feet measured four feet above pavement surface at the ends of the tangent.

7.01.08 Horizontal Sight Distances:

A tangent at least 100 feet long shall be introduced between reverse horizontal curves on collector and major streets. When connecting street lines deflect from each other at any one point by more than 10 degrees, they shall be connected by a curve with a radius adequate to insure a sight distance of not less than 100 feet for collector streets and of such greater radii as the Planning Commission shall determine for major streets and in other special cases.

7.01.09 Standard Right-of-Way Widths:

For all streets, hereafter dedicated and accepted, the minimum right-of-way widths shall not be less than the minimum dimensions of public way as follows:

Street Type	Right-of-Way Width (feet)
Arterial	100
Collector	66 to 80
Local	60
Cul-de-sac	60
Service streets	60

For details of grades and pavement widths, see provisions under the heading of *improvements*.

Reserve strips controlling access to or egress from other property, or from any other street or alley, shall not be permitted within any subdivision.

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- 7.01.10 Wherever a proposed subdivision is adjacent to or containing a portion of existing or proposed interstate, expressway or major arterial system, provision shall be made for one of the following methods of development:
1. If the system is a limited access thoroughfare one of the following two methods of development shall be required:
 - a. A frontage street adjacent and parallel to such thoroughfares shall be provided; or,
 - b. Lots shall back or side to such thoroughfares and have access to another street. Lots in commercial or industrial land use zones shall provide a landscaped area adjacent to such thoroughfares and outside storage of unassembled or unfinished materials or products or inoperable equipment or motor vehicles shall be suitably screened by a sight-obscuring fence, foliage or other screening material. Lots in residential land use zones shall either be uniformly fenced or screen landscaped adjacent to such thoroughfares.
 2. If the system is not a limited access thoroughfare one of the following methods of development shall be required:
 - a. Either method required for a limited access thoroughfare may be applied; or,
 - b. Lots may have frontage directly upon such thoroughfares provided that the minimum setback for any building in any land use zone shall be 50 feet and that a landscaped area adjacent to such thoroughfares shall be provided.

7.01.10 Private Streets:

Streets within a Planned Unit Development may be privately owned and maintained, however, their right-of-way, improvement, design and grade shall be determined after consultation among the subdivider, the County Director of Public Works and the Director of Planning and the approval by the Board. Section **** through *** of this Resolution regarding street improvements shall not apply.

Section 7.02 Blocks

7.02.01 Block Length:

Intersecting streets determining block lengths shall be provided at such intervals as to serve cross traffic adequately and to meet existing streets and customary subdivision practice in the immediate area. Blocks shorter than 450 feet and longer than 1,200 feet in residential districts shall be avoided. Pedestrian ways may be required across long blocks.

7.02.02 Block Width:

The width of a block shall be sufficient to allow for two tiers of lots with alley or utility easement if required. Blocks intended for business or industrial use shall be of such width as may be best suited for the contemplated use of the property taking into consideration the probable arrangement of parking and truck loading and maneuvering upon the property.

7.02.02 Very Large Lots and Blocks:

When a tract is subdivided into larger than normal lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and opening of future streets and appropriate resubdivision with provision for adequate utility connections for such resubdivision. Easements for the future openings and extension of such streets may at the direction of the Planning Commission, be made a requirement of the plat.

Section 7.03 Lots

7.03.01 Lot sizes shall meet or exceed the requirement of the Zoning Resolution as to lot size and shall as near as practical meet or exceed the typical lot size for existing building sites in the immediate vicinity. Each lot shall be a buildable site after taking into account all yard spaces required by the Zoning Resolution.

7.03.02 Side Lines Perpendicular:

Side lines of lots shall be approximately at right angles to straight street lines and radial to curved street lines.

7.03.03 Double Frontage:

Lots with street frontage at both front and rear shall be avoided except when backing on a county road.

7.03.04 Street Frontage:

Each lot shall have frontage on a street of a width not less than required by this resolution.

7.03.05 Septic Tanks:

In subdivisions where buildings are to be served by septic tanks, the size of lots shall be sufficiently large to accommodate adequate drainage fields. Standards set forth by the Hall County Health Department and the State Board of Health shall be met.

Section 7.04 Easements

7.04.01 Utility Easements:

Utility easements shall normally be 16 feet wide, falling half on adjoining lots along rear lot lines. They shall be planned for easy and continuous access for maintenance, shall be continuous through the block and shall connect as nearly in line as possible with adjoining easements. To facilitate the use of easements, rear lot lines in curvilinear platting shall form straight lines for as long a distance as feasible. Direction changes shall fall so that a side lot line will intersect the point of change so as to allow for guy wire easements to be located on lot lines. Side lot easements may be five feet wide. Where topography dictates, the full width of an easement may fall on one lot.

7.04.02 Drainage Easements:

Drainage easements for storm sewers or open channels may be required where storm drainage cannot be practically carried under streets or on other rights-of-way. Open channel drainage easements may be required where there is evidence that the natural drainage for a large area traverses the subdivision. Drainage easements shall be sufficient in width so that motorized equipment may be used in their maintenance.

Section 7.05 Improvements

7.05.01 Every subdivision shall contain normal improvements before acceptance or have such improvements assured by the posting of a bond or other device asset forth herein. Improvements shall include:

7.05.02 Monuments:

Permanent monuments shall be set at each corner at the perimeter of the subdivision and at the corner of each block within the subdivision and at the corner of each lot. All monuments shall be made of permanent material, sensitive to a dip needle and at least 30-inches long, and shall conform with standard specifications of the county of Hall County, if such exist.

7.05.03 Grading of Lots:

When any building site is filled to a depth in excess of five feet, said fill shall be laid down in six inch layers and each layer shall be given six passes with a sheepsfoot roller with optimum moisture present or compaction to equal the bearing strength of the natural ground shall be met by Proctor test or other test that may be approved by the County Highway Superintendent.

7.05.04 Storm drainage shall be provided with sufficient capacity to handle all surface water traversing the subdivision. The design of waterways, pipes, culverts and catch basins shall conform with standard practice and specific plans of the county of Hall County.

7.05.05 Sanitary sewers may be installed, if feasible, for service to each lot according to specifications of the county of Hall County. If sanitary sewer connection is not available to the subdivision, lot dimensions shall be increased so that ample drainage fields may be accommodated. The Director of Health shall approve the practicality of septic tank disposal before approval of lot sizes.

7.05.06 Water supply may be completed to each lot in accordance with specifications of the county of Hall County. The Fire Chief of the rural district shall approve fire hydrant installation. In the event, water is to be supplied by wells, lot sizes shall be increased so as to assure that there will be no conflict between sewage disposal and

water supply. The Director of Health shall approve the practicality of safe water supply by this method.

- 7.05.07 Grading shall be completed to official grade on all streets for the full width of the right-of-way and fills shall be compacted sufficiently to assure adequate support for permanent paving, as set forth by county specifications and certified by the subdividers or developers engineer.
- 7.05.08 Paving of a permanent type shall be completed on all streets in accordance with the standard specifications of the county of Hall County and in conformity with any official street plans that may be adopted by the Board of Supervisors.
- 7.05.09 Cross Section RL4-Pavement types to be tested by subdividers or developer's engineer. Copy of all test results to be submitted to the County Highway Superintendent.

Section 7.06 Schools, Parks or Open Space sites

- 7.06.01 The Planning Commission may require the subdivider to reserve for purchase-option certain parcels for public use. The public agency shall have one year from the time of submission of the master plan and preliminary study to exercise the purchase-option under the provision. The exact location of the reserved area shall be subject to approval of the Commission and the public agency involved.

ARTICLE 8: STANDARD IMPROVEMENT SPECIFICATIONS

Section 8.01 Streets

- 8.01.01 All roadways shall be paved. Pavement shall be a minimum of 24 feet, shoulder to shoulder. Right-of-way ditches for carrying runoff shall have a cross section with a minimum depth of one foot, two to one maximum side slopes, and eight-foot wide bottoms.
- 8.01.02 The right-of-way shall be graded for their full width to provide suitable grades for pavements, sidewalks, and planting strips with adequate surface drainage and convenient access to the lots.
- 8.01.03 Minimum acceptable pavement for a local street shall be:
1. Four-inch asphaltic concrete pavement unless otherwise specified to meet State of Nebraska, Department of Roads specifications, 1965 Edition.
- 8.01.04 Street name signs shall be provided and installed to meet Manual of Uniform Traffic Control Devices. D6. 1-1971. Section: 2D-4D, RP104.
- 8.01.05 Cul-de-sacs shall have a minimum paved diameter of 100 feet.

Section 8.02 MONUMENTS AND MARKERS

- 8.02.01 Survey Reference Markers shall be a minimum of one-half inch steel rod or approved equal and 30-inches long; these markers shall be placed on all boundary corners and block corners.
- 8.02.02 Lot markers, curve points and angle points shall be a minimum of one-half inch iron pin, 30-inches long, or approved equal, and shall be placed at all lot corners flush with the ground.
- 8.02.03 Permanent bench markers shall be set every one-fourth mile using USGS datum.

Section 8.03 UTILITY SERVICES

- 8.03.01 Storm Sewers: An adequate storm sewer system consisting of inlets, pipes and other underground drainage structures with approved outlets shall be constructed where the runoff of storm water cannot be accomplished satisfactorily by surface drainage facilities.
- 8.03.02 Sanitary Sewers: Sanitary sewer facilities may be provided to adequately service the subdivision and shall conform with the county sewer plan.
1. All sewer pipe shall be vitrified clay sewer pipe or other approved type.
 2. A minimum of eight-inch sewer pipe shall be specified, except that six inch lines will be acceptable only in locations where so approved by the County Engineer.
 3. All joints shall be sealed with a poured bituminous compound, or factory-cast polyester seal, or accepted joint on approved types other than clay pipe.
 4. All house connection wyes shall be installed at the time of construction of the sewer and stubbed out beyond the pavement, if necessary.
 5. Manholes shall be spaced no farther than 300 feet apart.
- 8.03.03 Water Lines: A water distribution system may be provided to the subdivision. If such a system is used, it shall have a sufficient number of outlets and shall be of sufficient size to furnish adequate domestic water supply, to furnish fire protection to all lots, and to conform with the county water plan.
1. Where possible, water mains shall be located in the streets right-of-way a minimum distance of two feet inside the existing or proposed right-of-way line or as approved by the County Highway Superintendent.
 2. All water mains shall be cast iron pipe or approved equal and shall have a minimum cover of 42 inches.

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3. In general, fire hydrants shall be placed on block corners or near the center of the block in such a manner as to put all area of every lot within a radius of 600 feet (or less) of a fire hydrant.
 4. All fire hydrants shall have a valve opening with a flow equal to a five-inch valve opening and shall be placed on mains of not less than six inches in diameter. Six inch valves shall be placed on all fire hydrant leads.

8.03.03 Other Utility Services: All services for utilities shall be made available for each lot in such a manner as will obviate the necessity for disturbing the street pavement, curb, gutter, and drainage structures when connections are made, if at all possible.

8.03.04 Final Plans: Upon completion of construction of any such utilities or improvements, one set of reproducible tracings of complete as-built final plans, dated, signed and certified by the engineer in charge shall be filed with the County Highway Superintendent of Hall County, showing all features as actually installed including materials, size, location, depth or elevation, numbers, ends of lines, connections, wyes, valves, storm sewer drains, inlets and all other pertinent information. There shall be no connections made to such utilities serving the subdivision until the foregoing has been complied with.