

TITLE V- PROPERTY AND LAND USE

CHAPTER 46

SUBDIVISION REGULATIONS

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46.01 TITLE AND JURISDICTION. This chapter may be known and cited as the “Subdivision Ordinance” of Warren County, Iowa. This chapter shall apply to all subdivisions hereafter made of land in the unincorporated area of Warren County, except lands within two (2) miles of a city which has enacted subdivision regulations in accordance with the provisions of Section 354.9, Code of Iowa. In cases where a subdivision lies within two (2) miles of such a city, the City Council of such city and the Warren County Board of Supervisors may cooperate and agree that the approval of a plat by the City Council and City Planning Commission shall be conditioned upon receiving advice from, or approval by, the Warren County Zoning Commission and Board of Supervisors as provided by Section 46.08 of this chapter.

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

1. “Auditor’s Plat” means a plat prepared at the request of the County Auditor or Assessor to clarify property descriptions for the purposes of assessment and taxation.
2. “Block” means an area of land within a subdivision that is entirely bounded by streets or highways; or by streets or highways and the exterior boundary or boundaries of the subdivision.
3. “Board” means the Board of Supervisors of Warren County.
4. “Building Line” means a line on a plat between which line and public or private right-of-way line where no buildings or structures may be erected.

5. “Commission” means the Warren County Zoning Commission.
6. “Cul-de-sac” means a short, minor street, having one end open to motor traffic, the other end being permanently terminated by a vehicular turnaround.
7. “Easement” means the right of a person or corporation to use land of another for a definite purpose.
8. “Engineer” means a registered engineer authorized to practice civil engineering, as defined by the registration act of the State of Iowa.
9. “Lot” means a portion of a subdivision or other parcel of land intended for the purpose, whether immediate or future, of transfer of ownership or for building development.
10. “Plat” means a map, drawing, or chart on which the subdivider’s plan of the subdivision is presented and which the subdivider submits for approval and intends in final form to record.
11. “Private Road” means a road or street in a subdivision not dedicated and/or accepted by Warren County as a public street, but built in accordance with standard specifications of Warren County. Maintenance of said private road shall not be the responsibility of Warren County.
12. “Proprietor’s Plat” means a plat as defined herein submitted by the owner of the land being platted, or an agent or other private entity, acting with the consent of the owner.
13. “Public Road” means a road or street in a subdivision which meets all requirements and has been constructed in accordance with the standard specifications of Warren County and for which an easement has been granted and accepted by Warren County.
14. “Subdivision” means the division of a lot, tract, or parcel of land into three or more lots, parcels or other divisions of land for the purpose of immediate or future sale or transfer or building development. The term includes re-subdivision and when appropriate to the context shall relate to the process of subdividing or to the land subdivided. The division of land for agricultural purposes into parcels of more than forty (40) acres, not involving any new road, street, easement or other dedication, shall not be considered a subdivision, as defined above, and shall be exempt from the requirements of this chapter. Such division into parcels of more than 40 acres shall not be further divided without meeting all of the requirements of this chapter.

15. “Surveyor” means a registered land surveyor authorized to practice surveying as defined by the registration act of the State of Iowa.

46.03 FILING PROCESS. Whenever the owner of any tract or parcel of land within the unincorporated area of Warren County wishes to subdivide or plat the same, said owner shall cause to be prepared a preliminary plat of said subdivision and shall submit ten (10) copies of said preliminary plat and other information to the Warren County Zoning Commission for its preliminary study and approval. The preliminary plat shall contain such information and data as outlined in Section 46.10 hereof. The Zoning Commission shall study such preliminary plat to see if it conforms with the minimum requirements as outlined in this chapter and shall forward a copy of such plat to the County Engineer for review and recommendations. The Commission shall approve or reject such plat within sixty (60) days after the date of submission thereof to the Commission. If the Commission does not act within sixty (60) days, the preliminary plat shall be deemed to be approved; provided, however, that the subdivider may agree to an extension of the time for a period not to exceed ninety (90) days. The approval of the preliminary plat by the Commission shall be null and void unless the final plat for at least a portion of the preliminary plat is presented to the Commission within one hundred eighty (180) days after date of preliminary approval. The preliminary and final plats shall not be submitted for consideration at the same meeting.

- A. Minor Platting Process. Warren County allows four (4) dwellings in any quarter quarter ($\frac{1}{4}$ $\frac{1}{4}$) (Chapter 41.02 [6][A3]). Whenever the owner of any tract or parcel of land within the unincorporated area of Warren County wishes to divide an aliquot forty (40) acres or remaining parts of an aliquot forty (40) acres it must be reviewed and approved by the Warren County Zoning Office for conformance with the current Warren County Zoning Ordinance. The review process requires five (5) copies of plat of survey stamped and signed by licensed land surveyor be presented to the Warren County Zoning Office. The filing fee of one hundred dollars (\$100.00) per parcel must accompany each parcel or application. The appeal process is covered by Section 43.07 of the Warren County Zoning Ordinance.

46.04 PUBLIC HEARING. Before reviewing a preliminary plat, the Commission may in its discretion hold a public hearing, notice of which shall be given by publication in a local newspaper, and by posting notices on the tract, both seven (7) days prior to such public hearing. Notice of public hearing shall also be given to all property owners within five hundred (500) feet (two hundred (200) feet for property zoned R-2 or R-3) of the plat boundaries by placing said notice in the United States Mail at least seven (7) days before date of such hearing. If the subdivider is the only adjacent land owner within five hundred (500) feet or two hundred (200) feet of the plat boundary, notice shall be sent to the next adjacent land owner(s). The notice shall state the time and place at which the preliminary plat may be examined.

46.05 FINAL PLAT. The subdivider shall also submit to the Commission for its approval or rejection, ten (10) copies of a final plat of the subdivision which shall contain the data and information outlined in Section 46.11 of this chapter. If the Commission approves the plat, such approval and the date thereof shall be noted on the plat over the signature of the Chairperson of the Commission. The approval of the final plat by the Commission shall be null and void unless the final plat is submitted to the Board of Supervisors within one year after date of approval by the Commission.

46.06 FINAL APPROVAL. After approval of the final plat of the subdivision by the Commission, the recommendation of approval and ten (10) copies of the final plat shall be submitted to the Board of Supervisors by the Commission for final approval and for the acceptance of all roads, streets, alleys, easements, parks or other areas reserved for or dedicated to the public, along with the required surety bonds or checks guaranteeing that the improvements required under Section 46.12 herein shall be installed. The final plat, as approved by the Board, shall be filed with the County Auditor and Recorder in accordance with the provisions of existing statutes and following procedures as required by said Auditor and Recorder. Approval of the final plat by the Board of Supervisors shall be null and void if the plat is not recorded within thirty (30) days after date of approval, unless application for an extension of time is made in writing during said thirty (30) day period to the Board, and granted. The provisions of this Section shall also be applicable to all plats approved prior to the effective date of the ordinance codified in this chapter.

46.07 AUDITOR'S PLAT. With regard to Auditor's plats as distinguished from proprietor's plats the Commission and Board of Supervisors shall have the right to waive provisions governing preliminary approval and public improvements outlined in Sections 46.09, 46.10 and 46.11 providing there is on file with the Commission a copy of the request of the Warren County Auditor ordering such plat and a letter from said Auditor stating that the plat as submitted meets the requirements for which the Auditor has ordered the plat.

46.08 PLATS IN UN-INCORPORATED AREAS WITHIN TWO MILES OF THE CORPORATE LIMITS OF CITIES. With regard to subdivisions located in the unincorporated area of Warren County, within two (2) miles of the corporate limits of cities that have enacted subdivision regulations in accordance with the provisions of Section 354.9, Code of Iowa, the provisions of this chapter shall apply. However, the City Planning Commission and the City Council may agree to waive such requirements as are contained in their local ordinances to the end that the Commission and Council are satisfied that equally suitable regulations shall be placed on these subdivisions by the Warren County Zoning Commission under the provisions of this chapter. In such instance, the Warren County Zoning Commission shall furnish the City Planning Commission with a copy of the said subdivision, as approved, certifying that all requirements of the Warren County Subdivision Ordinance have been met. The purpose of this section is to facilitate the orderly processing of subdivisions in unincorporated

areas within two (2) miles of the corporate limits of cities and to avoid conflicting regulations while at the same time assuring that provisions are made for proper and orderly future growth of the County and its cities.

46.09 SUBDIVISION DESIGN STANDARDS. The standards and details of design contained herein are intended only as minimum requirements so that the general arrangement and layout of a subdivision may be adjusted to a wide variety of circumstances. However, in the design and development of the plat, the subdivider should use standards consistent with the site conditions so as to assure an economical, pleasant and durable neighborhood.

1. Streets. The general requirements for streets are as follows:
 - A. Comprehensive Plan. All proposed plats and subdivisions shall conform to the Comprehensive Plan of Warren County.
 - B. Continuation of Existing Streets. Proposed streets shall provide for continuation or completion of any existing streets (constructed or recorded) in adjoining property, at equal or greater width, but no street right-of-way shall be less than fifty (50) feet in width, and in similar alignment, unless variations are recommended by the Commission.
 - C. Circulation. The street pattern shall provide ease of circulation within the subdivision as well as convenient access to adjoining streets, thoroughfares, or unsubdivided land as may be required by the Commission. In a case where a street will eventually be extended beyond the plat, but is temporarily dead ended, an interim turnaround may be required.
 - D. Street Intersections. Street intersections shall be as nearly at right angles as possible.
 - E. Cul-de-sacs. Whenever a cul-de-sac is permitted, such street shall be provided at the closed end with a turnaround having a street property line diameter of at least one hundred fifty (150) feet in the case of the residential subdivision. The right-of-way width of the street leading to the turnaround shall be a minimum of fifty (50) feet. The property line at the intersection of the turnaround and the lead-in portion of the street shall be rounded at a radius of not less than seventy-five (75) feet.
 - F. Street Names. All newly platted streets shall be addressed in a manner consistent with the present street addressing system. A

proposed street that it obviously in alignment with other existing streets, or with a street that may be logically extended, although the various portions be at a considerable distance from each other, shall bear the same name. Names of new streets shall be subject to the approval of the Commission in order to avoid duplication or close similarity of names.

- G. Physical and Cultural Features. In general, streets shall be platted with appropriate regard for topography, creeks, wooded areas, and other natural features which would lend themselves to attractive treatment.
- H. Half Streets. Dedication of half streets will be discouraged. Where there exists a dedicated or platted half street or alley adjacent to the tract to be subdivided, the other half shall be platted if deemed necessary by the Commission.
- I. Alleys. Alleys may be required in business areas and industrial districts for adequate access to block interiors and for off-street loading and parking purposes. Except where justified by unusual conditions, alleys will not be approved in residential districts. Dead-end alleys shall be provided with a means of turning around at the dead-end thereof.
- J. Easements. Easements for utilities shall be provided along rear or side lot lines or along alleys, if needed. Fee owner or equitable owner shall not erect any permanent structures, but shall have the right to make any other use of the land subject to such easement which is not inconsistent with the rights of the grantee. Whenever any stream or important surface water course is located in an area that is being subdivided, the subdivider shall, at said owner's own expense, make adequate provision for straightening or widening the channel so that it will properly carry the surface water, and shall provide and dedicate to Warren County an easement, along each side of the stream, which easement shall be for the purpose of widening, improving, or protecting the stream. The width of such easement shall be not less than twenty (20) feet and the total width of the easement shall be adequate to provide for any necessary channel relocation or straightenings.
- K. Neighborhood Plan. If any overall plan has been made by the Commission for the neighborhood in which the proposed subdivision is located, the street system of the latter shall conform in general thereto.

- L. Unsubdivided Portion of Plat. Where the plat to be submitted includes only part of the tract owned by the subdivider, the Commission may require topography and a sketch of a tentative future street system of the unsubdivided portion.
- M. Major Thoroughfares. Where a new subdivision, except where justified by limiting conditions, involves frontage on a traffic way, limited access way, freeway, or parkway, the street layout shall provide motor access to such frontage by one of the following means:
- (1) A parallel street supplying frontage for lots backing onto the traffic way.
 - (2) A series of cul-de-sacs or short loops entered from and planned at right angles to such a parallel street, with their terminal lots backing onto the highway.
 - (3) An access drive separated by a planting strip from the highway to which motor access from the drive is provided at points suitably spaced.
 - (4) A service drive or alley at the rear of the lots. Where any one of the above-mentioned arrangements is used, deed covenants or other means should prevent any private residential driveways from having direct access to the traffic way.
 - (5) An easement to Warren County shall be given for all streets before same will be accepted for County maintenance.
 - (6) Any new subdivision fronting on a traffic way shall have no more than three (3) accesses onto such traffic way in each one thousand three hundred twenty (1320) feet. All accesses to be placed at the direction of the Warren County Engineer. No access drive shall be permitted to a County public road in a subdivision where access is available to a private road within a subdivision.
 - (7) No subdivision shall be approved unless access to all lots is available from an improved public or private road. The determination of an improved public or private road shall be made by the County Engineer in accordance with records on file in the Engineer's Office.

- N. Railroads. If a railroad is involved, the subdivision plan should:
- (1) Be so arranged as to permit, where necessary, future grade separations at highway crossings of the railroad.
 - (2) Border the railroad with a parallel street at a sufficient distance from it to permit deep lots to back onto the railroad; or form a buffer strip for park, commercial, or industrial use.
 - (3) Provide cul-de-sacs at right angles to the railroad so as to permit lots to back thereon to.
- O. Street Width. Major thoroughfares shall have a minimum right-of-way as specified in the Comprehensive plan of Warren County. The width of minor or residential streets shall not be less than fifty (50) feet.
- P. Street Grades. Streets and alleys shall be completed to grades which have been officially determined or approved by the County Engineer. All streets shall be graded to the full width of the right-of-way and adjacent side slopes graded to blend with the natural ground level. The maximum grade for major thoroughfares shall be as specified in the Comprehensive Plan of Warren County and shall not exceed six percent (6%) for main and secondary thoroughfares and ten percent (10%) for minor or local service streets. All changes in grades on major roads or highways shall be connected by vertical curves of a minimum length equivalent to twenty (20) times the algebraic difference between the rates of grade, expressed in feet per hundred, or greater, if deemed necessary by the County Engineer; for secondary and minor streets, fifteen (15) times. The grade alignment and resultant visibility, especially at intersections, shall be worked out in detail to meet the approval of the County Engineer.
- Q. Erosion Control. No subdivision shall be approved unless it includes soil erosion control measures approved by the County Engineer.
- R. Street Trees. Trees or bushes shall not be planted within the street or road right-of-way in subdivisions located in R-2 or R-3 districts.

2. Blocks. The general requirements for Blocks shall be as follows:
 - A. No block shall be longer than one thousand three hundred twenty (1,320) feet, except in areas zoned RR-1 (Rural Residential Districts) by the Zoning Ordinance.
 - B. At street intersections, block corners shall be rounded with a radius of not less than twenty-five (25) feet; where, at any one intersection a curve radius has been previously established, such radius shall be used as a standard.
3. Lots. The general requirements for Lots shall be as follows:
 - A. Corner lots shall be of such width as to permit the maintenance of all yard requirements as may be required by the Zoning Ordinance.
 - B. Double frontage lots should be avoided except where essential to provide separation of residential development from major traffic arteries or to overcome specific disadvantages of topography.
 - C. Side lot lines shall be approximately at right angles to the street or radial to curved streets. On large size lots and except when indicated by topography, lot lines shall be straight.

46.10 PRELIMINARY PLAT REQUIREMENTS. The preliminary plat of a subdivision is not intended to serve as a record plat. Its purpose is to show on a map all facts needed to enable the Commission to determine whether the proposed layout of the land in question is satisfactory from the standpoint of the public interest. The subdivider, owner, or representative may call at the office of the Commission in advance of the preliminary plat in order to discuss the proposed subdivision and in order to obtain information as to the requirements necessary for the approval of the plat. The preliminary plat shall be submitted at least two (2) weeks before the next meeting of the Zoning Commission.

1. Number of Copies. Twenty (20) copies of the preliminary plat shall be submitted to the Zoning Commission for its review.
2. Contents.
 - A. Name of subdivision, date, point of compass, scale (1" = 100' maximum unless permission is obtained from the Board of Supervisors) and the legal description of the property being platted.
 - B. Name and address of recorded owner and developer.

- C. Name and address of land surveyor and engineer.
- D. Existing buildings, railroads, underground utilities, and other rights-of-way.
- E. Location, names and widths of all existing and proposed roads, alleys, streets, and highways in or adjoining the area being subdivided.
- F. Location and names of adjoining subdivisions, and the names and addresses of the owners of adjoining acreage parcels.
- G. Proposed lot lines with approximate dimensions and the square foot area of non-rectangular lots.
- H. Areas dedicated for public use, such as schools, parks, and playgrounds.
- I. Contour lines at intervals of not more than five (5) feet.
- J. Building setback lines.
- K. Boundaries of the proposed subdivision shall be indicated by a heavy line.
- L. Zoning Classification of the area.
- M. Proposed utility service.
 - (1) Source of water supply.
 - (2) Provision for sewage disposal, drainage, and flood control.
- N. A vicinity sketch at a legible scale showing the relationship of the plat to its general surroundings.
- O. Lot numbers and the gross area, area included in the road right-of-way, and net area shall be shown for each lot.
- P. Easements for public utility purposes.
- Q. Location and dimensions of sidewalks to be installed (only in cases where a city has jurisdiction within two miles).

3. Accompanying Material.
 - A. An attorney's opinion in duplicate, showing that the fee title to the subdivision land is the owner as shown on the plat and any encumbrances that may exist against said land.

46.11 FINAL PLAT REQUIREMENTS.

1. Number of Copies. When the final plat of a proposed subdivision is to be submitted to the Board of Supervisors for consideration it must first have been submitted and reviewed by the Zoning Commission. Twenty-five (25) copies of the final plat shall be required. The final plat shall be submitted at least two (2) weeks before the next meeting of the Zoning Commission.
2. Contents of Final Plat.
 - A. Name of subdivision.
 - B. Scale, 1" = 100' maximum unless permission is obtained from the Board of Supervisors.
 - C. Compass point.
 - D. Curve data including delta angle, length of arc, degree of curve, tangent.
 - E. Complete legal description of property to be platted, including descriptive boundaries of the subdivision, based on an accurate traverse, giving angular and linear dimensions. The allowable unadjusted error of closure on the traverse of the perimeter of the plat shall be 1 in 10,000. Latitude and departure computations on the traverse closure shall be submitted to the County Engineer.
 - F. Exact name, location, width, lot designation, and centerline of all streets within the subdivision.
 - G. Easements for public utilities showing width and use intended.
 - H. Building setback lines with dimensions.
 - I. Lot numbers and the gross area, area included in the road right-of-way, and net area shall be shown for each lot.
 - J. Certification of Registered Land Surveyor and Engineer.

- K. Description and location of all permanent monuments set in the subdivision, including accurate references to known or permanent monuments, giving the bearing and distance from some corner of a congressional division of Warren County. (Monumentation shall meet the requirements of Section 355.6, Code of Iowa.)
 - L. The name(s) and address(es) of the owner(s) and subdivider(s).
 - M. Areas dedicated for public use; such as schools, parks, and playgrounds.
 - N. Location and names of adjoining subdivisions.
3. Accompanying Material.
- A. Plans and profiles of all streets and alleys at a fifty (50) foot horizontal scale and five (5) foot vertical scale. Profiles shall show location, size and grade of all conduits, including drainage areas, sewers, pipelines, etc., to be placed under the streets and alleys. Profiles of east and west streets shall be drawn so that the west end of the profile shall be at the left side of the drawing. Profiles of the north and south streets shall be drawn so that the south end of the profile shall be at the left side of the drawing. Said plan must carry the certification and signature of a Registered Professional Engineer as defined by Chapter 355 of the Code of Iowa.
 - (1) Public roads shall meet the requirements of Section 46.12 of this chapter.
 - (2) Private roads shall meet the requirements of Section 46.12 of this chapter. Private roads shall be prohibited in all subdivisions except those platted as part of a Planned Unit Development.
 - B. Any protective covenants or restrictions to be imposed upon the plat shall be submitted for review.
 - C. An easement to the County properly executed, for all streets intended for public streets, and for any other property intended for public use.

- D. The following certificates:
 - (1) By the owner and spouse, if any, that the subdivision is with the free consent and is in accordance with the desire of the owners. This certificate must be signed and acknowledged by the owner and spouse before some officer authorized to take the acknowledgements of deeds.
 - (2) Performance bond, if any.
- 4. Certificates. It shall be the responsibility of the owner to obtain and submit to the County Recorder the following certificates, prior to or at the time that the final plat is submitted for record.
 - A. From the County Treasurer that the subdivision land is free from taxes.
 - B. Other documents as required by Section 354.11 of the Code of Iowa.

46.12 IMPROVEMENTS REQUIRED.

- 1. Bond. Before the final plat of any area shall be approved by the Board of Supervisors and recorded, the subdivider shall make and install the improvements described in this section. In lieu of final completion of the minimum improvements before the plat is finally approved, the subdivider shall post a bond, approved by the County Attorney and County Treasurer, with the Board of Supervisors, which bond will insure to the County that the improvements will be completed by the subdivider within one (1) year after final approval of the plat. The amount of the bond shall not be less than the estimated cost of the improvements and the amount of the estimate must be approved by the County Engineer. If the improvements are not completed within the specified time, the County may use the bond or any portion thereof to complete same. For plats located in unincorporated areas within two (2) miles of the corporate limits of cities that have adopted the provisions of Section 354.9 of the Code of Iowa, the Commission and Board may waive the requirements of this section provided they are satisfied that the subdivision regulations of the City governing the areas within which the subdivision is located are sufficient to insure adequate conformance with these regulations.
- 2. Minimum Improvements Required. The minimum improvements installed or for which bond is posted, in any subdivision, before the plat can be finally approved shall be in accordance with the following subsections:

- A. The subdivider shall grade and improve all new streets between the right-of-way lines within the subdivided area.
- B. All streets shall be paved with six (6) inch reinforced or seven (7) inch non-reinforced concrete with integral curb and gutter. The width of said paving is to be as required by the County Engineer, but in no case less than twenty-eight (28) feet, back to back of curbs. In subdivisions where a majority of lots are not less than one hundred (100) feet in width for single-family use, and where conditions are such as to discourage street parking, the Board, with approval of the County Engineer, may waive the requirement for curb and gutter. The Board of Supervisors may also waive the concrete paving requirements of this subsection, in which case the County Engineer shall recommend the type and strength of street surfacing to be installed.
- C. The Board of Supervisors, following report of the Zoning Commission, may waive the requirements of subsection B above, provided the subdivision has been approved with private roads meeting the standards and specifications of Warren County for such roads. A request for a waiver of the subsection B paving requirements should be made at the time of consideration of the preliminary plat by the Commission. The recommendation of the Commission shall then be forwarded to the Board of Supervisors for approval or disapproval of the waiver.
- D. The subdivider shall, whenever necessary, grade any portion of the property subdivided into lots so that each lot will be usable and suitable for the erection of residences or other structures thereon.
- E. The subdivider shall construct sanitary sewers according to the standards and specifications of Warren County, and provide a connection for each lot to the sanitary sewer. Where existing sewer outlets are not within reasonable distance, installation of private sewer facilities or septic tanks shall be permissible. Where a private sewage treatment system is proposed, the subdivider shall furnish evidence that these facilities have been approved by the Iowa Department of Natural Resources.
- F. The subdivider shall provide, where applicable, for the installation of water mains and fire hydrants in the subdivided area, and such installation shall be made prior to the street pavement construction and shall be in accordance with the standards and specifications of Warren County. Where a private water supply system is proposed,

the subdivider shall furnish evidence that such a system has been approved by the Iowa Department of Natural Resources. Private wells shall meet the requirements of the County Board of Health.

- G. Storm drainage and storm sewer facilities shall be provided, including permanent culverts or bridges of a size and design approved by the County Engineer.
 - H. Permanent monuments shall be set at each corner of 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 thirty (30) inches long, and shall conform with standard specifications of Warren County. The requirements of Section 355.6 of the Code of Iowa regarding monumentation shall also apply.
 - I. Street signs shall be required at all intersections and shall be of the type approved by the County Engineer.
 - J. The Board and Commission may require that all utility lines except electric lines of nominal voltage in excess of 15,000 volts, be installed underground. The subdivider shall be responsible for making the necessary arrangements with the utility companies for installation of such facilities. Said utility lines shall be installed in such a manner so as not to interfere with other underground utilities. Underground utility lines which cross underneath the right-of-way of any street, alley or way shall be installed prior to the improvement of any such street, alley or way in the subdivision. Incidental appurtenances, such as transformers and their enclosures, pedestal mounted terminal boxes, meters and meter cabinets may be placed above ground but shall be located so as not to be unsightly or hazardous to the public. Such incidental appurtenances shall be in accordance with the standards and specifications of Warren County. If overhead utility lines or wires are permitted, they shall be placed in the easements provided in the rear of the lots. In their determination on whether or not to require underground utilities, the Board and Commission may consider that soil, topographical, or other conditions make such installations within the subdivision unreasonable or impractical.
3. Approval by Engineer. All plans, specifications, installation and construction required by this chapter shall be subject to review, approval and inspection by the County Engineer or an authorized representative.

- A. The County may require contracts for all public improvements to be executed on forms furnished and approved by the County Attorney and the Board of Supervisors.
 - B. The subdivider shall furnish the County Engineer with a construction schedule prior to commencement of any and/or all construction, and shall notify the County Engineer, not less than 48 hours in advance of readiness for required inspection. The subdivider shall reimburse the County for the costs expended for all inspection services and tests furnished and conducted by or on behalf of the County.
4. **Warranty.** The subdivider shall be responsible for the installation and/or construction of all improvements required by this chapter, and shall warrant the design, materials and workmanship of such improvements, installation and construction for a period of two (2) years from and after completion. Such warranty shall be by bond or other acceptable collateral; and shall be subject to review by the County Attorney; shall assure the expedient repair or replacement of defective improvements under warranty; and shall indemnify the County from all costs or losses resulting from or contributed to such defective improvements.

46.13 FEES

MINOR PLAT/PLAT OF SURVEY:

Before a minor plat/plat of survey may be considered by the Zoning Administrator, the subdivider or agent shall pay the Warren County Treasurer one hundred dollars (\$100.00) per division or parcel.

PRELIMINARY PLAT:

Before a preliminary plat may be considered by the Commission, the subdivider or agent shall deposit with the Warren County Treasurer one thousand dollars (\$1,000.00) up to 10 lots. An additional \$100.00 per lot is due over 10 lots.

FINAL PLAT:

Before a final plat may be considered by the Commission, the subdivider or agent shall pay to the Warren County Treasurer two thousand dollars (\$2,000.00).

AUDITOR'S PLAT:

The fee for an auditor's plat shall be the total cost of the surveying, platting, and recording of a plat prepared pursuant to Section 354.13, Iowa Code.

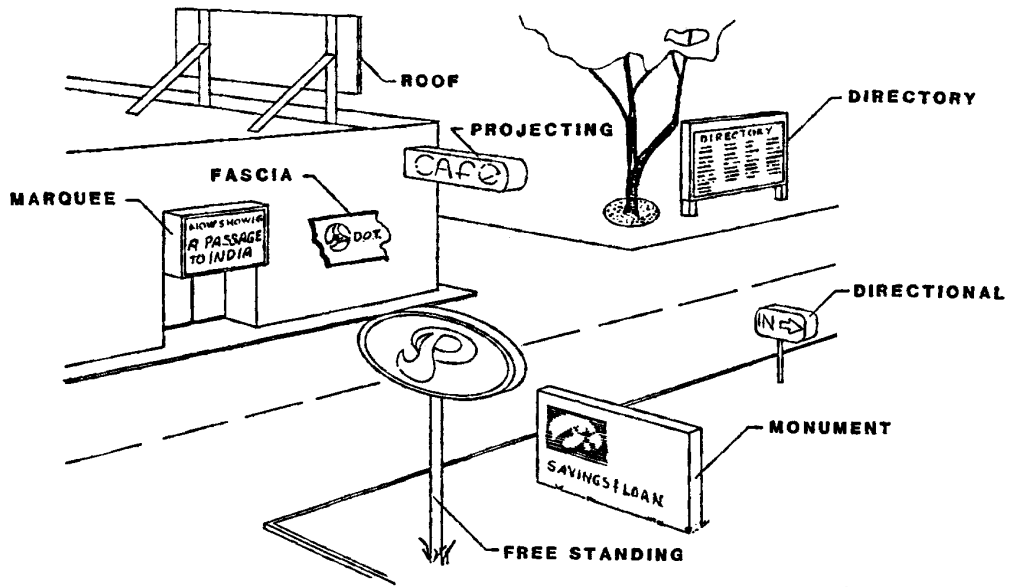
Fees required herein are not refundable.

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

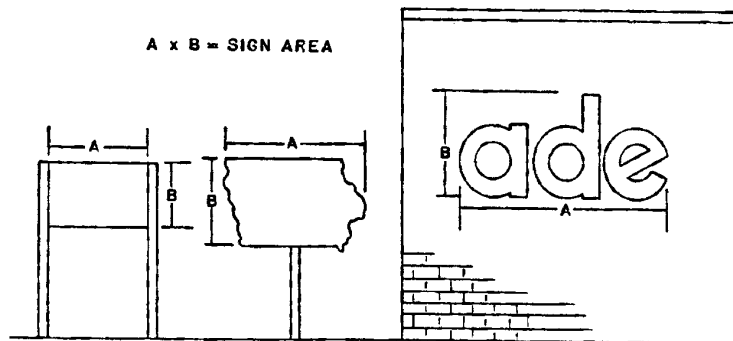
46.15 ENFORCEMENT.

1. Validity. No plat of any subdivision shall be entitled to be recorded in the County Recorder's office or have any validity until it has been approved in the manner prescribed herein.
2. Public Improvements. The Board of Supervisors shall not permit any public improvements over which it has control to be made from the County Road Fund, or any County money expended for improvements or maintenance in any area that has been subdivided or upon any street that has been dedicated after the date of adoption of these regulations unless such subdivision or street has been approved in accordance with the provisions contained herein and accepted by the Board of Supervisors as a public highway and added to the Secondary Road System of Warren County. Streets within a subdivision not accepted by the Board as public highways shall remain private roads.
3. Zoning Certificates. The Zoning Administrator shall not issue zoning certificates or building permits for any structure located on a lot in any subdivision, the plat of which has been prepared after the date of the adoption of the ordinance codified in this chapter but which has not been approved in accordance with the provisions contained herein.

46.16 CHANGES AND AMENDMENTS. Any provisions of these regulations may be changed and amended from time to time by the Board of Supervisors; provided, however, that such changes and amendments shall not become effective until after study and report by the Commission and until after a public hearing has been held, public notice of which shall have been given in a newspaper of general circulation in the County not less than four (4) days nor more than twenty (20) days prior to such hearing.



SIGN TYPES



SIGN AREAS

A-1

ATTACHMENT A