CONSTRUCTION STANDARDS, SPECIFICATIONS, PLANS AND GENERAL CONSTRUCTION PROCEDURES

CHAPTER 9

SUBDIVISIONS

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APPENDIX I. CONSTRUCTION STANDARDS, SPECIFICATIONS, PLANS AND GENERAL CONSTRUCTION PROCEDURES

SUBDIVISIONS

SEC. 9-1. TITLE

This Chapter may be known and cited as the "Subdivision Ordinance" of Scott County, Iowa.

SEC. 9-2. PURPOSE

A. To provide for accurate, clear, and concise legal descriptions of real estate in order to prevent, wherever possible, land boundary disputes or real estate title problems.

B. To encourage orderly development in unincorporated Scott County and provide for the regulation and control of the extension of public and private improvements and public services; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; to provide for the improvement of land, and the design of subdivisions, consistent with the goals and policies set forth in the Scott County Development Plan.

C. To provide for a balance between the land use rights of individual landowners and the economic, social, and environmental concerns of the public when Scott County is reviewing proposed development, or enforcing land use regulations that will enable Scott County to encourage efficient, yet attractive, urban development patterns; to provide for the residential and business needs of the County through new and replatted subdivisions; to preserve the availability of agricultural land; to protect soil from wind and water erosion; and to protect environmentally sensitive areas from degradation.

D. To ensure that all subdivisions of land in unincorporated Scott County are reviewed in a consistent manner and to ensure that divisions of land do not escape review simply because they occur one division at a time or are performed to accord with legal proceedings, orders or testamentary dispositions.

SEC. 9-3. GENERAL JURISDICTION

Scott County hereby implements the authority granted counties to regulate the division of land as authorized by Chapter 409A, Code of Iowa. It shall be unlawful for any person who has equitable or legal title to or any executor or administrator exercising possession or control over real estate located in unincorporated Scott County to divide the parcel of real estate into two or more smaller parcels or lots unless by a plat in accordance with this Chapter. The plat shall be submitted to the Scott County Board of Supervisors or its designee for approval or disapproval.

No plat shall be recorded, no lots sold, and no land dedicated to the County unless and until approved as herein provided.

SEC. 9-4 INTERPRETATION, CONFLICT AND SEVERABILITY

A. In their interpretation and application, the provisions of this ordinance shall be held to be uniformly applicable minimum requirements. More stringent provisions may be required if it is demonstrated that different standards are necessary to promote the public health, safety and welfare.

B. Where this Chapter conflicts with another law or administrative rule of the State or Federal Government, the provision of the ordinance, law, or rule with the greater restrictive impact shall apply. The subdivider and property owner shall divide their real estate in compliance with the stricter standard that affects their property.

Where this Chapter differs with private easements, covenants, or restrictive agreements, the more restrictive standard shall govern. If such private property restrictions impose lesser requirements on the subdivision or division of land, the provisions of this Chapter, or applicable State and/or Federal law, shall control.

C. The provisions of this ordinance are separable. If a section, sentence, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the remaining portions of this ordinance.

SEC. 9-5. DEFINITIONS

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

A. ALIQUOT PART. A fractional part of a section within the United States public land survey system. Only the fractional parts one-half, one-quarter, one-half of one-quarter, or one-quarter of one-quarter shall be considered an aliquot part of a section.

B. AUDITOR'S PLAT. A subdivision plat required by either the Auditor or the Assessor, prepared by a surveyor under the direction of the Auditor or the Assessor. Such plats are intended to clarify property tax descriptions for the purposes of assessment and taxation.

C. BUILDING LINE. A line on a plat between which line and public right-of-way line no buildings or structures may be erected.

D. COMMISSION. The Scott County Planning and Zoning Commission.

E. COUNTY. The unincorporated portions of Scott County, Iowa.

F. CUL-DE-SAC. A dead-end street permanently closed to through-traffic, being terminated by a vehicular turn-around.

G. DEDICATION. A grant to Scott County or other municipality of title in fee simple to land or other real property and improvements.

H. DIRECTOR. The individual designated by the Board of Supervisors to administer this Chapter.

I. DIVISION. The division of a tract or parcel of land into two parcels of land by conveyance or for tax purposes. The conveyance of an easement, other than a public highway, shall not be considered a division for the purpose of this chapter.

J. EASEMENT. An authorization by a property owner for the use by another and for a specified purpose, of a designated part of his property.

K. FINAL PLAT. The graphical representation of the subdivision of land and accompanying legal documents and certificates which meet the requirements of this Chapter and comply with Chapters 114A and 409A, Code of Iowa, and when approved by the Board of Supervisors will be recorded in the office of the Scott County Recorder.

L. FLAG LOT. A lot shaped like a flag attached to a flag pole, where the buildable portion of the lot is connected to a street by a narrow strip or stem of land used as the driveway.

M. IMPROVEMENTS. Addition of any facility or construction on land necessary to prepare land for building sites, and including road paving, drainageways, sewer, water mains, wells, and other works and appurtenances.

N. LOT. A parcel of land occupied or intended for occupancy by one (1) main building together with its accessory buildings, including the open spaces required by this Chapter and the Zoning Ordinance, and having its principal frontage upon a street.

O. LOT OF RECORD. A lot which is part of a subdivision, recorded in the Scott County Recorder's Office as of the adoption date of the amended Subdivision Ordinance adopted by the Board of Supervisors on March 4, 1982. For lots not part of a recorded subdivision, a lot is any parcel or tract of land recorded in the Scott County Recorder's Office prior to January 1, 1978, the adoption date of Scott County's first subdivision regulation.

P. MAJOR PLAT. All subdivisions not classified as minor plats, including but not limited to subdivisions of five (5) or more lots, or any size plat requiring any new street or extension of public facilities, or the creation of any public improvements.

Q. MINOR PLAT. Any subdivision or re-subdivision containing not more than four (4) lots fronting on an existing street, not involving any new street or road, or extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property.

R. OUTLOT. A lot which is too small, too irregular, or inaccessible to allow the construction of a house or business building; or the remaining area of a large parcel from which one or more smaller lots have been subdivided.

S. OWNER. Any person, or legal entity, having legal or equitable title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.

T. PERFORMANCE BOND. A surety bond or cash deposit made out to the Board of Supervisors in the amount equal to the full cost of the improvements which are required by this regulation, said cost being estimated by the County Engineer and said surety bond or cash deposit being legally sufficient to secure to the County that the said improvements will be constructed in accordance with this Chapter.

U. PERSON. "Person" as used herein means individuals, executors, trustees, partnerships, corporations, firms and associations of whatever form.

V. PLANNING AND ZONING COMMISSION. The Scott County Planning and Zoning Commission.

W. PLAT OF SURVEY. A graphical representation, including a complete and accurate description prepared by a registered land surveyor, of a division of land that is not considered a subdivision or is exempt from subdivision as established by 9-7.

X. PRELIMINARY PLAT. A study, including drawings, indicating the proposed manner of layout and construction of a subdivision and its proposed improvements, which is submitted to the Board of Supervisors, the Planning and Development Department, and other applicable county departments for approval.

Y. RE-SUBDIVISION. Any division of land which has previously been included in a plat of record, including auditor's plats and subdivisions. In appropriate context, it may be a verb referring to the act of preparing a plat of previously subdivided land.

Z. RIGHT-OF-WAY LINE. The boundary of an easement which may or may not follow the property line. Typically located along the boundaries of roadways, parallel to the front property line.

AA. ROAD (ROADWAY, STREET, HIGHWAY). All land between right-of-way lines dedicated to the county or city or perpetually restricted to transportation and utilities. Includes public and private roadways, but excludes private driveways and parking.

BB. SOIL CONSERVATION DISTRICT. The Scott County Soil Conservation District.

CC. STREET. See Subsection Z above.

DD. SUBDIVIDER. Any person, firm, corporation, partnership, association, or trust, who shall lay out, or cause to be laid out, for the purpose of transfer of ownership or building development, any subdivision or part thereof, as herein defined.

EE. SUBDIVISION. The repeated or simultaneous creation of three or more lots, tracts or parcels from an aliquot part or a lot or record, recorded prior to November 15, 1979 (the adoption date of this chapter), for the immediate or future sale, transfer of title, or building development.

FF. SURVEYOR. A registered land surveyor who engages in the practice of land surveying pursuant to Chapter 114, Code of Iowa.

GG. TRACT. A aliquot part of a section, a lot within an official plat, or a government lot.

HH. TRAFFIC SURFACE. The wearing or exposed surface of a roadway used by vehicular traffic. Traffic surface may include prepared shoulders, but the width is measured between the edge of the surfaced area intended for vehicular traffic.

II. TWENTY-EIGHT E AGREEMENT. An agreement between the County and one or more incorporated areas or municipalities, pursuant to Chapter 28E, Code of Iowa, which stipulates the standards, procedures and jurisdictional area over which both the County and the incorporated area or municipality have a right of review of proposed subdivisions.

SEC. 9-6. EXEMPTIONS

A. The division of land for agricultural purposes into parcels of forty (40) acres or more 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.

B. Boundary line adjustments to parcels will not be considered a subdivision if the access is not affected, the new lot created is permanently attached to the existing lot for development purposes, and no new residential building right is created.

C. Auditor's Plat, as prescribed in Chapter 409A, Code of Iowa is exempt from the subdivision review process but still must comply with the Plat of Survey approval process.

SEC. 9-7. PLATS IN UNINCORPORATED AREAS WITHIN TWO MILES OF THE CORPORATE LIMITS OF CITIES (OR INCORPORATED AREAS)

For subdivisions located in the unincorporated area of Scott County but within two miles of the City limits of a municipality which has established an area of subdivision review outside of its corporate limits, the following shall apply:

A. When the subdivision regulations of the municipality are the same as those adopted by the County, then both the County Board of Supervisors and the respective municipality shall have jurisdiction and review over the proposed subdivision.

B. When the proposed subdivision is located within two miles of the limits of a municipality, and that municipality has adopted different subdivision regulations than the County, the review of the subdivision shall be pursuant to the terms of an agreement made between the County and the municipality pursuant to Chapter 28E, Code of Iowa. The agreements shall stipulate the standards and procedures to be used for the review of proposed subdivisions located in the area of overlapping jurisdictions between the County and the

municipality. If no Chapter 28E agreement exists between the County and the municipality, the subdivision shall meet the most restrictive standards of both ordinances.

C. Where the proposed subdivision is located in overlapping areas of review of two municipalities, the provisions of Chapter 409A, Code of Iowa apply. The County shall also review the proposed subdivision to ensure compliance with this Chapter.

D. The developer of such plat is encouraged to apply for concurrent review by the municipality and Scott County. The Board of Supervisors will review the plat only after the Final Plat has been reviewed and approved by the applicable municipality. After final approval by the Board, the subdivision plat may be recorded in the Office of the Scott County Recorder.

SEC. 9-8. SUBDIVISION CLASSIFICATION

Any proposed division, subdivision or re-subdivision shall be classified as a plat of survey minor, minor plat or major plat before the review procedure begins.

A. Plat of Survey (a division of land, not part of a subdivision, into two parts or an Auditor's Plat) need only be reviewed by the person designated by the Planning and Development Department.

B. A minor subdivision need only provide a sketch plan for Commission review prior to submitting a Final Plat in accordance with Sections 9-15 et seq.

C. A major subdivision should start with a sketch plan as described in Section 9-12, proceed with the full Preliminary Plat review, file a detailed engineering design plan specifications, and finally submit the Final Plat for approval.

SEC. 9-9. PLAT OF SURVEY SUBMITTAL

A. Prior to the recording of the plat of survey for the purpose of the transfer of title to a lot, tract or parcel of land such plat of survey shall be submitted to the Scott County Planning and Development Department for review of its compliance with the requirements of the Scott County Subdivision and Zoning Ordinance.

(1) The name of the proprietor.

(2) An accurate description of each parcel.

(3) The total acreage of each parcel.

(4) The total acreage of any portion lying within a public or private road right-of-way.

(5) The current zoning district classification.

(6) The plat of survey shall be at a scale of not less than one (1) inch to one hundred (100) feet.

(7) A signed and dated statement of the surveyor, stating that the plat of survey complies with Chapter 114A, Code of Iowa.

(8) An approval block entitled: "MEETS SUBDIVISION AND ZONING ORDINANCE REQUIREMENTS, SCOTT COUNTY PLANNING AND DEVELOPMENT DIRECTOR (date)".

B. The remaining portion of the lot of record shall not require a new survey, unless required by the Scott County Auditor. When the Director or designee finds the Plat of Survey complies with subdivision and zoning ordinances, the Director shall sign the approval block and return to the surveyor who shall forward the plat to the Recorder's Office for recording. The Director's review shall be completed within three working days.

SEC. 9-10. MINOR PLAT SUBMITTAL

A. The subdivider shall prepare a sketch plan and a location map to provide the Director and planning staff, applicable County departments, and the Commission with enough information to review and approve the minor plat. After the Commission has reviewed and established such conditions as deemed necessary to comply with the zoning and subdivision ordinances, the subdivider shall prepare a Final Plat as required in Sections 9-15 et seq. At the discretion of the Planning Director the sketch plan and Final Plat review may be combined into one step, provided all requirements of each procedure are met and all applicable filing fees are paid.

B. Sketch Plan: Eleven (11) copies of the sketch plan, drawn to a scale of not less than one (1) inch to one hundred (100) feet, and one (1) copy of the plan reduced to fit an 8.5 x 14 inch page shall be filed with the Planning and Development Department. The sketch plan shall include the following (if applicable):

(1) A legal description and total acreage of the property being platted and acreage for each lot minus the public road right-of-way and acreage for that portion lying within the public or private road right-of-way.

(2) Existing contour intervals of not more than five (5) feet with a minimum of two (2) contours per plat. If the site is level, this should be indicated on the sketch plan. Drainage arrows shall be drawn showing the direction of flow of surface water.

(3) Location of existing property lines, surface features such as buildings, road, railroads, tree cover, existing easements, zoning and similar items on or adjacent to the development.

(4) Locations of proposed property lines, easements, lot areas, and proposed contours, if the landscape will be changed.

(5) Location of all adjoining subdivisions, streets, and surface features.

(6) The title, in bold letters at the top right corner, under which the proposed subdivision will be recorded, with the name and address of the owner and subdivider; also north arrow, scale, and date.

(7) A location map showing the relationship of proposed subdivision to the surrounding area encompassed by a two-mile radius.

C. Review Procedure: After all materials, information and fees have been filed, the Planning and Development staff shall establish a review date with the Planning and Zoning Commission at least fifteen (15) days and not more than thirty (30) days from the date of filing. The Planning and Development staff shall notify by ordinary first class mail all property owners of record within five hundred (500) feet of the proposed subdivision. The Commission shall review the sketch plan and applicable materials along with technical comments from the general public, County Engineer, Health Officer, Soil Conservationist (if necessary) and the Planning and Development staff.

D. Within thirty (30) days of Commission review, the Commission shall either approve or disapprove the sketch plan. If necessary for approval, the Commission may attach such conditions as are necessary to meet the guidelines of the Scott County Development Plan. If the Commission disapproves the sketch plan, a statement setting forth the reasons for disapproval shall be given to the subdivider. The subdivider may refile a sketch plan which meets Commission approval or may appeal the Commission's decision to the Board of Supervisors.

E. Status of Commission's Decision: Upon approval of the minor plat, the subdivider may proceed with preparation of the Final Plat as required in Section 9-15 et seq. If the subdivider does not file a Final Plat and applicable

materials within three (3) months of Commission approval, or authorized extension thereof, the minor plat shall become null and void. After the expiration of the three (3) month time period or the extension, the subdivider will be required to re-file the minor plat pursuant to Sec. 9-10(A)-(B) for a new review by the Commission.

SEC. 9-11. MAJOR PLAT SUBMITTAL

Any land to be subdivided or replatted in which five (5) or more lots will be created, or any size subdivision requiring a new internal road, extension of municipal facilities, or common facilities shall be considered a major plat and shall comply with the procedures of Section 9-12 et seq.

SEC. 9-12. SKETCH PLAN DISCUSSION (MAJOR PLAT)

Prior to the filing of a Preliminary Plat of a Major Plat, it is recommended that the subdivider submit to the Planning and Development staff material relating to the proposed subdivision in order to avail himself of the advice and assistance of said staff. This may include information relative to the site and conditions of the site, existing community facilities and utilities on and adjacent to the site, number and size of lots proposed, etc. It is suggested that for the maximum benefit, the material should include as a minimum:

A. Location Map: Location map should show relationship of the proposed subdivision to the streets and other community facilities serving it.

B. Sketch Plan: The sketch plan should show in simple sketch form proposed layout of streets, lots, and other features in relation to existing conditions.

C. The developer is encouraged to meet with appropriate County staff (and city staff if applicable) to review the various elements of the proposal. The Planning and Development Department will provide written comments to the developer within two (2) weeks of the meeting unless unusual complications arise. For major plats, there is no fee at the sketch plan stage.

SEC. 9-13. PRELIMINARY PLAT SUBMITTAL

The subdivider shall prepare a Preliminary Plat and shall file the plat and other required material with the Director in an application for preliminary approval. The application for preliminary approval shall include the following:

A. Plat: Eleven (11) copies of a plat, drawn to a scale of not less than one (1) inch to one hundred (100) feet by a surveyor, and one (1) copy of the plat reduced to fit a 8.5 x 14 inch page. The plat shall include the following

information:

(1) The complete legal description of the property to be platted including descriptive boundaries of the subdivision and total acreage of the subdivision.

(2) Existing contour intervals of not more than five (5) feet, provided, however, that a minimum of two (2) contours shall be shown on any plat. Contour intervals of less than five (5) feet may be required at the Planning and Development staff's discretion.

(3) The location of property lines, easements, and all such surface features as buildings, railroads, utilities, water courses, major tree cover, and similar items on or adjacent to the development. Also, the location and size of such sub-surface features as the nearest storm and sanitary sewers, water mains, culverts, gas mains, above and below ground electric transmission lines or cables, cable TV lines and drain tiles.

(4) A vicinity map at a scale of not more than one thousand (1000) feet to the inch shall be shown on or accompany the proposed plat. This map shall show how streets and roads in the proposed subdivision will connect with existing and proposed streets and roads in neighboring subdivisions or undeveloped property to produce the most advantageous development of the entire area; the expected ultimate development of all contiguous property under the control of the subdivider; and the location of any nearby parks, schools, or other public facilities that might be affected by the proposed subdivision.

(5) All existing adjacent subdivisions, streets and individual tracts and parcels together with the names of record owners of land immediately adjoining the proposed subdivision and between it and the nearest existing streets or roads.

(6) The title in bold type at the top right corner, under which the proposed subdivision is to be recorded, with the name and address of the owner and subdivider; also north arrow, scale, date, name and address of surveyor.

(7) Sites for schools, parks or playgrounds proposed by the subdivider for public or private use.

(8) The zoning districts for the subdivision and the adjacent properties.

(9) The location, width and dimensions of all streets and grounds proposed

to be dedicated for public use.

(10) The location and width of proposed utility easements.

(11) The manner of providing water supply and sewage treatment facilities.

(12) Cost Estimate: Two (2) copies of a detailed cost estimate for installing all new improvements prepared by the subdivider's engineer for the purpose of determining an amount of the performance bond.

B. Erosion and Sediment Plan: Two (2) copies of the plan for reducing erosion and controlling sediment on the subdivision site during and after construction, prepared in accordance with this Chapter and the standards and specifications of the Soil Conservation District. The erosion and sediment control plan shall include as a minimum the following information for the entire tract of land, whether or not the tract will be developed in stages:

(1) Such soils information and interpretations pertaining to the site as may be available from the Soil Conservation District;

(2) Plans and specifications of soil erosion and sedimentation control measures to be applied to the site in accordance with the official standards and specifications of the Soil Conservation District; and

(3) A timing schedule indicating the anticipated starting and completion dates of the development sequence and the time of exposure of each area prior to the completion of effective erosion and sediment control measures.

SEC. 9-14. PRELIMINARY PLAT REVIEW AND APPROVAL (MAJOR PLAT)

A. Distribution: Immediately upon the filing of copies of the Preliminary Plat materials and filing fee, one (1) copy of the plat shall be retained by the Director for the Planning and Zoning Commission file, one (1) copy shall be used for review by the Director, seven (7) copies shall be reserved for the Planning and Zoning Commission members, and one (1) reduced copy shall be sent to each of the following County officials or departments for their review: County Engineer, Assessor, Auditor and Board of Health. One (1) full-scale copy of the plat and of the erosion and sediment control plan shall be sent to the Scott County Soil Conservation District for its review.

B. Review by County Officials: Within fifteen (15) days of receipt of the materials from the Director, the several County officials or departments shall complete

their reviews of the Preliminary Plat materials and shall submit their written comments to the Director. The Director in turn, shall send his and their technical review and comments to the subdivider and to the Planning and Zoning Commission for its consideration at its next meeting.

C. Review by Soil Conservation District: The Preliminary Plat shall not be approved unless it includes a complete plan for soil erosion and sediment control, developed in accordance with the technical standards and specifications of the Scott County Soil Conservation District and approved by the Scott County Soil Conservation District. The subdivider shall attach a statement to the erosion and sediment control plan certifying that construction and/or development will be performed in accordance with the plan. Within thirty (30) days of the receipt of the materials from the Director, the Soil Conservation District shall notify in writing the Subdivider and the Director that the erosion and sediment control plan has been either: 1) approved, 2) approved subject to modification, or 3) disapproved. If disapproved, the Soil Conservation District shall submit to the Director with a copy to the subdivider, a statement setting forth reasons for disapproval, and indicating in what way this plan fails to conform to the technical standards and specifications of the Soil Conservation District. In addition, the Soil Conservation District may submit written comments on the other material submitted for its review.

The date of approval of the erosion and sediment control plan by the Soil Conservation District shall be its effective date. Any improvements pursuant to the development of the land from that date forward shall be undertaken in conformance with the plan.

The subdivider and subsequent landowners shall be liable for the successful implementation and completion of this plan. A performance bond as described in Section 9-18 will be required. Any changes in the plan will require approval of the Director and Soil Conservation District.

D. Public Hearing: Upon receipt of the preliminary plat, the Director shall initiate the steps necessary to hold a public hearing before the Commission. Notice shall be given by publication in a newspaper in general circulation in the County and by written notification to all property owners of record within five hundred (500) feet of the subject property. The Planning and Zoning Commission shall hold the public hearing before recommending to the Board of Supervisors.

E. Recommendation by Planning and Zoning Commission: The Planning and Zoning Commission shall review the Preliminary Plat and applicable materials and the technical review comments at its next meeting. Within forty-five (45) days after date of receipt the Planning and Zoning Commission shall

recommend to the Board of Supervisors that the Preliminary Plat be approved, approved with conditions, or disapproved. The subdivider may agree to an extension of the time by the Planning and Zoning Commission for a period not to exceed sixty (60) days. If the Planning and Zoning Commission recommends disapproval, a statement setting forth reasons for disapproval shall be submitted to the Board of Supervisors and to the subdivider.

F. Approval or Rejection by Board of Supervisors: The Board of Supervisors shall approve or disapprove the Preliminary Plat at a regular meeting within thirty (30) days after receipt of a recommendation from the Planning and Zoning Commission. If the Board of Supervisors does not act within thirty (30) days, the Preliminary Plat shall be deemed to be disapproved. If the Planning and Zoning Commission did not recommend approval for the Preliminary Plat, the Board of Supervisors may approve said plat and accept the public areas and easements thereof only by a four-fifths (4/5) vote of the entire membership of the Board of Supervisors.

G. Duration of Approval: Approval of the Preliminary Plat shall be effective for twelve (12) months: except, however, the Board of Supervisors, upon written request of the subdivider and advice of the Director, may grant an extension of time. If the Final Plat, which may be just a part of the Preliminary Plat, is not filed with the Director
within twelve (12) months, or authorized extension thereof, all previous approvals of the Preliminary Plat shall become null and void.

H. Status of Approval: Upon approval of the Preliminary Plat by the Board of Supervisors, the subdivider may proceed with the preparation of the Final Plat and detailed construction drawings and specifications for the improvements required under this Chapter, and may install these improvements when approved by the Director and County Engineer. The approval of the Preliminary Plat by the Board of Supervisors is not revocable if the Final Plat conforms in every respect with the Preliminary Plat as approved by the Board of Supervisors. The Final Plat may be disapproved by the Board of Supervisors if it contains changes from the Preliminary Plat not agreed upon during the Preliminary Plat review stage.

SEC. 9-15. FINAL PLAT SUBMITTAL (MINOR AND MAJOR PLATS)

Following approval of the sketch plan of a Minor Plat or the Preliminary Plat of a Major Plat, the subdivider may prepare a Final Plat and other material required to file for final approval. The Final Plat shall comply with the specific requirements of Chapter 409A, Code of Iowa. The application for final approval shall include the following:

SUBDIVISIONS

A. Plat: Nine (9) copies of the plat, made from an accurate survey by a surveyor drawn to a scale of not less than one (1) inch to one hundred (100) feet by a surveyor, and one (1) copy of the plat reduced to fit a 8.5 x 14 inch page. The plat shall include the following information:

(1) The boundaries of the property, the lines of all proposed streets with their width, and any other areas intended to be dedicated to public use. The boundaries shall be accurately tied to the nearest congressional land corner.

(2) The lines of adjoining roads and streets with their width and names.

(3) All lot lines, building setback lines, lot and block numbers and building lines in accordance with the Zoning Ordinance and easements, with figures showing their dimensions.

(4) All dimensions, both linear and angular, necessary for locating boundaries of the subdivided area, or of the lots, streets, easements, and building line setbacks, and any other similar public or private uses. The linear dimensions shall be expressed in feet and decimals of a foot.

(5) Radii, arc and chords, points of tangency, central angles for all curvilinear streets, and radii for rounded corners.

(6) Title, in bold print at top right of plat, and complete legal description of property subdivided, showing its location and extent, points of compass, date, scale of plat, and certification and name of surveyor who prepared and is responsible for monumentation.

(7) The accurate outline of all property which is offered for dedication for public use with the purpose indicated thereon, and of all property that may be reserved by deed covenant for the common use of the subdivision.

(8) Signed statements of telephone and power officials agreeing to the utility easements.

(9) Signed statement of surveyor that the plat complies with Chapter 114A, Code of Iowa.

B. Additional Materials: Two (2) copies of the following material shall also be submitted prior to or in conjunction with the Final Plat:

(1) Detailed Engineering Design-Construction Plans and Specifications: Plan

and profiles of all dedicated streets, one hundred (100) feet horizontal scale, and ten (10) feet vertical scale recommended. Profiles shall show proposed location, size and grade of all utilities including conduits, sewers, pipelines, etc., to be placed underground in the road right-of-way. 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 and profiles of north and south streets shall be drawn so that the south end of the profile shall be at the left end of the drawing. For details, see Appendix I, Section V of this Chapter.

(2) Erosion and Sediment Control Plan: For reducing erosion and controlling sediment on the subdivision site during and after construction, approved by the Soil Conservation District.

(3) Percolation Test: All proposed lots will have an acceptable percolation test or a design prepared by a registered professional engineer for an innovative or alternate sewage treatment and disposal system.

(4) Performance Bond and Approved Cost Estimate (if applicable).

(5) Filing fee.

SEC. 9-16. FINAL PLAT REVIEW AND APPROVAL

A. Distribution: Immediately upon filing of nine copies of the Final Plat and additional materials, one (1) copy of the plat shall be retained by the Director for the Planning and Zoning Commission file, one (1) copy shall be used for review by the Director, and one (1) copy shall be provided to each Planning and Zoning Commission member. Reduced copies of the plat along with necessary materials shall be sent to the County Engineer, Assessor, Auditor and Board of Health for review and comments.

B. Review by County Officials: Within ten (10) working days of receipt of materials from the Director, the several County officials or departments shall complete their reviews of the plat materials and shall submit their written comments to the Director.

C. Public Hearing: Before recommending approval of a Final Plat, the Planning and Zoning Commission may at its discretion hold a public hearing, notice of which shall be given by publication in a newspaper in general circulation in the county and by written notification to all property owners within five hundred (500) feet of the subject property.

D. Recommendation by Planning and Zoning Commission: The Planning and

Zoning Commission shall review the Final Plat and application materials and the technical review comments, including information on the status of implementation of the erosion and sediment control plan, at its next meeting and within thirty (30) days shall recommend to the Board of Supervisors that the Final Plat be approved or disapproved. If the Planning and Zoning Commission recommends disapproval, a statement setting forth reasons for disapproval shall be submitted to the Board of Supervisors and to the subdivider.

E. Approval or Rejection by Board of Supervisors: The Board of Supervisors will receive the Final Plat materials and all attachments required by Chapter 354, Code of Iowa, and within sixty (60) days review the Commission's recommendation. The Board shall act to either approve or disapprove the Final Plat within thirty (30) days after receipt of the plat from the Director. If the Planning and Zoning Commission did not recommend approval of the Final Plat, the Board of Supervisors may approve the Final Plat and accept the public areas and easements thereon only by a four-fifths (4/5) vote of the entire membership of the Board of Supervisors.

F. Final Plat Attachments: As required by Chapter 354.11, Code of Iowa, the following signed documents shall be submitted to the Planning and Development Department within sixty (60) days of the Planning and Zoning Commission recommendation, prior to the review by the Board of Supervisors:

(1) Proprietors' statement of consent and dedication of land for public use.

(2) Mortgage holders' or lien holders' statement of consent or substitute affidavit and bond.

(3) Attorney's opinion letter.

(4) Certificate of County Treasurer.

(5) Surveyor's Certificate.

(6) Restrictive or Protective Covenants/Homeowners Association documents, if applicable.

(7) Performance bond, if applicable.

G. Status of Approval: Approval by the Board of Supervisors authorizes the filing of the Final Plat with the County Auditor and Recorder, in accordance with the provisions of existing statutes and following procedures as required by the Auditor and Recorder, and acknowledges 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 herein shall be installed.

H. Duration of Approval: Approval of the Final Plat may become null and void if the plat is not recorded within sixty (60) days of Board of Supervisors approval. After said period of sixty (60) days, the Director shall place on the agenda of the Commission the Final Plat to consider whether it should be nullified or granted an extension. The subdivider shall be notified of the hearing and provided time to explain why the Final Plat was not recorded within sixty (60) days. After a hearing, the Commission shall recommend to the Board of Supervisors to either nullify or extend the recording time for the Final Plat. The Board shall review the recommendation and act to either nullify or grant an extension.

I. Appeal of disapproval: If the plat is disapproved or approved subject to condition(s) by the Board of Supervisors, the applicant has the right to appeal, subject to the provisions of 409A.10, Code of Iowa, to the District Court within twenty (20) days after the date of the denial of the application or the date of the receipt by the applicant of the requirements for approval of the subdivision.

No Minor or Preliminary Plat shall be approved by either the Planning and Zoning Commission or the Board of Supervisors unless it conforms to the Scott County Development Plan, the Land Use Policies, and the Scott County Zoning Ordinance. Such plats shall also conform to the following minimum standards and requirements:

A. Large Lot Subdivision: Whenever the area is divided into lots of such size that there are indications that the lot will eventually be re-subdivided into small building lots, consideration shall be given to the street and lot arrangement of the original subdivision so that additional minor streets can be opened which will permit a logical arrangement of small lots.

B. Relation to Adjoining Street System: The arrangement of streets in new subdivisions shall make provision for the continuation of the principal existing streets in adjoining subdivisions, or for a proper intersection with said streets in the new subdivision shall connect therewith, or their proper projection where adjoining property is not subdivided insofar as they may be necessary for public requirements. The width of such streets in new subdivisions shall not be less than the minimum street widths established herein. The street arrangement shall also be such as to cause no hardship to owners of adjoining property when they plat their own land and seek to provide for convenient

access to it.

The platting of half streets shall not be permitted.

C. Street: (See Appendix I).

(1) The width of the traffic surface for major thoroughfares shall conform to the widths designated by the Board of Supervisors upon recommendation of the County Engineer.

(2) The minimum right-of-way for local residential streets shall be fifty (50) feet, but may be wider due to estimated traffic and terrain (see Appendix I for specific R.O.W. requirements).

(3) Subdivisions with only one access shall not contain over thirty (30) residential lots unless streets within such subdivision are extended to the boundary of adjoining undeveloped property to allow for future connection and additional access; in which case such subdivision shall not contain more than fifty (50) residential lots until such time as a second access is provided. Cul-de-sacs or dead-end streets designed to be permanently closed shall not be more than thirteen hundred twenty feet (1,320') in length, when measured from centerline of the nearest intersecting street and the center radius of cul-de-sac turn around. All dead-end streets shall terminate in a circular right-of-way or cul-de-sac with a minimum easement or right of way diameter of one hundred (100) feet or other equally suitable provision for vehicular turning space. When a street is to be terminated at the boundary of the subdivision temporarily, until adjacent land is to be subdivided, a temporary circular right-of-way or cul-de-sac shall be provided. The surfacing required for such a temporary circular right-of-way or cul-de-sac shall be established by the County Engineer.

(4) It shall be the responsibility of the Board of Supervisors upon recommendation of the Planning and Zoning Commission to assign street names to new roads in Scott County as follows:

a. The developer may propose street names or numbers to the Commission. The official street designation shall comply with the standards of Section 8-4. County Code. The final plat shall show the assigned street name or number prior to recording. The residence or business address will not be assigned until a building permit is issued.

b. All new subdivisions shall be required to comply with the Rural Address System as adopted in Chapter 8 of the County Code.

c. Subdivision property owners on private roads and streets are responsible for the purchase, installation, and maintenance of road identification markers at private subdivision road intersections within their subdivision. The specifications for the markers shall be in accordance with the National Manual of Uniform Traffic Control Devices as specified in Section 8-2(6) and Section 8-7 of the County Code. Only those names/numbers assigned in the Property Numbering Map(s) are allowed on private roadway intersections. Any other roadway designations are in violation of this Chapter and must be removed within a reasonable time period.

(5) The intersection angle of road center lines shall be between eighty (80) and one hundred (100) degrees.

(6) Road intersections with center line offsets of less than one hundred fifty (150) feet shall be prohibited.

(7) Intersections of more than two (2) roads at a point shall be prohibited.

(8) Streets and roadways will be built to specifications as approved by the Board of Supervisors (see SEC. 9-19 and Appendix I). Roads to be dedicated to the county will meet the specifications and standards of the Board of Supervisors and the County Engineer. Private streets are permitted and must meet the standards as described in SEC. 9-19.

(9) Proper access shall be given to all lots from a dedicated or private street. The Policy and Regulations for Entrances to Primary Roads of the Iowa Department of Transportation are herewith adopted by reference and made a part of this Chapter, and violation of the aforesaid Policy and Regulations is a violation of this Chapter and subject to the penalties contained herein with the same force and effect as if said Policy and Regulations were contained herein. Said Policy and Regulations are on file in the Office of the County Engineer.

(10) Access from lots to county and state roads shall be made via subdivision roads whenever possible.

(11) The subdivider's engineer shall certify that the sight distance at all proposed intersections, both internally and at the county road intersection, meet Appendix I, Section VI, B 12 and 13 of this Chapter.

D. Utility Easements: Easements of not less than seven and one-half (7-1/2) feet in width shall be provided on all property lines or right-of-way lines, where necessary for poles, wires, conduits, storm and sanitary sewer pipe, gas water, telephone, cable TV or other utilities.

E. Blocks: No block should be longer than one thousand three hundred twenty (1,320) feet.

F. Lots:

(1) The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites properly related to topography and the character of adjacent development.

(2) All side lot lines shall be substantially at right angles or radial to street center lines unless the Planning and Zoning Commission shall agree that a variation to this requirement will provide for better street and lot arrangement. Double frontage lots shall be avoided except where essential to provide separation of residential development from major traffic arteries or to overcome specific disadvantages of topography.

(3) The minimum dimensions for lots shall be in accordance with the bulk regulations of the Zoning Ordinance for the district within which the subdivision is located; provided, however, that the minimum depth for a lot shall be one hundred (100) feet and that the depth shall not exceed three (3) times the width, unless it is a flag lot.

(4) Flag lots are permitted if the stem is at least twenty (20) feet wide from the street to the buildable portion of the lot.

(5) Corner lots shall be of such width as to permit the maintenance of all yard requirements as required by the Zoning Ordinance.

(6) All lots at street intersections shall have a radius of not less than twenty-five (25) feet at the street corner. A greater radius shall be required for intersections involving one or more major streets. A cut-off or chord may be substituted for the circular arc.

G. Building Lines: Building lines shall be shown on all lots intended for residential, commercial or industrial use. Such building lines shall not be less than the minimum yard requirements of the Zoning Ordinance for the district within which the property is located.

H. Sanitary Sewers: Subdivisions containing less than thirty (30) lots may install septic systems or other approved on-site treatment systems using County Health Department standards. Subdivisions containing thirty (30) or more lots when median lot size is less than one (1) acre shall provide for common sanitary sewage treatment using the administration rules of the Iowa Department of Natural Resources. Subdivisions containing more than thirty (30) lots when 90% or more of the lots are greater than 1 acre in size may install septic system in lieu of the common treatment using County Health Department standards. Lots where septic systems are proposed shall provide adequate space for two (2) septic fields, the second field to act as a back up when the first field fails.

I. Storm Water Management: All lots and internal streets shall be adequately drained. Storm water runoff shall be controlled through enclosed storm sewers or overland drainage. Detention facilities sufficient to capture the runoff of a one hundred (100) year storm shall be placed in the subdivision. The release rate of storm water out of the detention facility shall be restricted so as not to exceed the volume produced by a five (5) year storm when measured at the pre-developed flow rates. The velocity of the water leaving the subdivision shall be reduced so as not to cause erosion. Drainage easements or common outlots may be required, but the land shall remain privately owned. Suitable provisions for maintenance and upkeep of common stormwater facilities shall be provided through homeowners association, deed covenants, or through other similar provisions as approved by the Board of Supervisors. A drainage easement is required where storm water from a subdivision crosses an adjacent property to reach a natural stream or public drainage facility. Enclosed storm sewers require County Engineer approval before construction of the subdivision begins.

J. Water: Subdivisions containing fifteen (15) or more lots that are located within ½ mile of a public water utility shall extend water service from such utility when determined to be feasible. Subdivisions containing five (5) or more lots shall provide for a common water supply using the administrative rules of the Iowa Department of Natural Resources. Subdivisions containing fewer than five (5) lots may have private wells which meet the County Health Department standards. Once the development is complete, the restrictive covenants will provide for the common water system to be turned over to a homeowners' association or quasi-public organization. The association or organization would own, operate, and maintain the common water system.

K. Character of Development: The Board of Supervisors shall have the right to agree with the subdivider regarding the type and character of development that will be permitted in the subdivision, and may require that certain minimum regulations regarding this matter be incorporated in deed

restrictions. Such regulations shall be intended to protect the character and value of the surrounding development and shall also tend to secure the most appropriate development of the property being subdivided.

L. Easements Along Streams: Whenever any stream or major surface water course is located in an area that is being subdivided, the subdivider shall, at his own expense, make adequate provisions for protecting the channel so that it will properly carry the surface water. If the stream or water course drains an area in excess of ten (10) square miles, an application shall be made directly to the Iowa Department of Natural Resources. For drainage areas less than ten (10) square miles, any changes in the stream or water course as a result of the subdivision shall be approved by the Board of Supervisors during the subdivision review process. The subdivider also shall provide and dedicate to the Board of Supervisors an easement along each side of the stream, such easement shall be for the purpose of widening, improving or protecting said streams. The width of such easement shall be adequate to provide for any necessary channel relocation and straightening, but in no case shall such easement be less than fifty (50) feet on either side of stream centerline.

M. Erosion and Sediment Control: Practical combinations of the following general principles will provide effective erosion and sediment control when properly planned and supplied:

(1) The topography and soil characteristics will determine the type of development so as to minimize the erosion potential.

(2) Grading or alteration of land within the one hundred (100) year flood plain of watercourses will not be permitted unless sufficient topographic and hydrologic data are presented to indicate that improvements will be sufficiently protected from flooding and that the alteration will have no detrimental effect on the flow characteristics of the stream.

(3) Permanent vegetation and improvements such as streets, storm sewers or other features of the development, capable of carrying storm run-off in a safe manner, shall be scheduled for installation to the greatest extent possible before removing the vegetative cover from the area.

(4) Wherever feasible, natural vegetation shall be retained and protected.

(5) Where inadequate vegetation exists, temporary or permanent vegetation shall be established.

(6) The smallest practical area of land shall be exposed at any one time during development.

(7) When land is exposed during development, the exposure shall be kept to the shortest practical period of time.

(8) Critical areas exposed during construction shall be protected with temporary vegetation and/or mulching.

(9) Sediment basins (debris basins, desilting basins, or silt traps) shall be installed and maintained to remove sediment from run-off waters from land undergoing development.

(10) Provisions shall be made to effectively accommodate the increased run-off caused by changed soil and surface conditions during and after construction.

(11) Topsoil shall be stockpiled and protected by temporary vegetation or mulching and returned after grading and development is complete.

(12) The permanent final vegetation and structures shall be installed as soon as practical in the development.

(13) All measures undertaken to reduce erosion and control sediment shall be in conformance with the official technical standards and specifications of the Scott County Soil Conservation District.

N. Protection of Natural Vegetation Cover: Whenever a wooded site is to be developed no more than fifteen percent (15%) of the naturally occurring canopy-tree cover shall be removed due to surface earth grading, roadway construction, building site clearance, or any other construction activity associated with subdivision site improvement. Whenever removal of more than fifteen percent (15%) of the naturally occurring vegetation cover is deemed necessary and unavoidable a mitigation replanting measure shall be implemented. Such mitigation shall require re-establishment of one (1) native tree of a similar specie to those removed for every three trees of three (3) inch caliper or greater removed or fatally damaged. Environmentally sensitive and primitive areas should be avoided to the greatest extent possible. Such areas include slopes in excess of 25%, native forest growth, native prairie grass, and wetlands. If development is proposed for such an area, the subdivider shall present a protection plan to the Planning and Zoning Commission.

O. Open Space Requirements: In all residential subdivisions of fifteen (15) lots or more there shall be a minimum area of ten thousand (10,000) square feet plus an additional two thousand (2,000) square feet for each lot over fifteen

(15), dedicated or reserved as usable, common open space land. The land need not be contiguous, but no parcel dedicated or reserved for common open space shall be less than ten thousand (10,000) square feet in size. Common open space land shall be clearly designated on the subdivision plan as to character of use and development, be intended for the private use of the residents of the subdivision, and shall not include:

i. Areas reserved for the exclusive use or benefit of an individual tenant or owner;

ii. Dedicated streets, common wells, sewer treatment facilities, open drainage ditches, drainage storage areas, other public rights-of-way, and other areas deemed unsuitable open space;

iii. Vehicular drives, parking, loading, and storage areas.

(1) Suitable provisions for maintenance and upkeep of open space shall be provided through homeowners association, deed covenants, or through other similar provisions as approved by the Board of Supervisors.

(2) Large lot subdivisions, provided that at least ninety percent (90%) of all lots have lot areas of 1-1/2 acres or more shall be exempted from the open space requirements of this provision provided that adequate deed restrictions shall limit subsequent lot re-subdivisions. Exemptions may be provided if close to an existing public park or for personal hardships.

(3) Additional guidelines for determining open space:

(a) May include environmentally sensitive land such as stream beds, marshes, and steep slopes; however, a minimum of fifty percent (50%) of the land must be level ground that is contiguous and suitable for active recreation;

(b) The length is not more than five (5) times the width;

(c) Be easily accessible to all property owners within the subdivision;

(d) May include land in a high power transmission line easement, but only a maximum of twenty percent (20%) of the open space requirement.

(4) Bikeways may be included in the designated open space, but follow these construction standards:

(a) Right-of-way at least twelve (12) feet wide; and,

(b) A paved surface at least eight (8) feet wide, three (3) inches thick, on a well drained subsoil base.

As an incentive, the lands designated for a bikeway shall count double towards fulfilling the minimum open space requirement, provided that at least ten thousand (10,000) square feet of other open space has been set aside for active and passive use. The bikeway need not comply with the guidelines of Section 9-17 (O) (3).

P. Perimeter Fences: Any subdivision boundary adjoining an existing agricultural land use will be fenced with a lawful or a tight fence, as determined by the Board of Supervisors, to prevent livestock and horses from entering the other property. Where no fence exists or where an existing is in need of repair, the cost will be assigned to the developer. Future repair and maintenance will be done by the agricultural land owner with the cost prorated according to length of fence between the homeowners association and the agricultural land owner.

Q. Protecting Integrity of Drainage Tile: The subdivider shall design and construct the subdivision to protect the integrity of existing draining tile. If an operating drainage tile is not discovered until construction has begun, work shall stop until a new layout for the drainage tile has been engineered which is acceptable to the affected agricultural land owner. Differences between the developer and agricultural land owner will be decided by the Board of Supervisors.

SEC. 9-18. IMPROVEMENTS OR BOND REQUIRED

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 required before the plat is finally approved, the subdivider shall post a completion obligation bond, a set-aside letter from the bank, or comparable financial commitment, approved by the County Attorney and County Treasurer, with the Board of Supervisors, which will ensure to the County that the improvements will be completed by the subdivider. A detailed engineering estimate of cost for all improvements shall be prepared by the subdivider's engineer and shall bear the seal of a registered professional engineer. This will be used by the County Engineer for review and determination of the bond amount. 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 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 a municipality, the Planning and Zoning Commission and Board of Supervisors may waive the requirements of this section provided they are satisfied that the subdivision regulations of the municipality governing the area within which the subdivision is located or the terms of a Chapter 28E agreement, if applicable, are sufficient to ensure adequate conformance with these regulations.

SEC. 9-19. REQUIRED IMPROVEMENTS

The minimum improvements installed or for which bond is posted in any subdivision, before a final plat is approved shall be based on the total number of lots in the proposed subdivision plus any additional lots anticipated for any of the remaining adjacent unplatted land. The following subsections shall apply:

A. All new subdivision streets which will eventually serve five (5) or more lots will be constructed according to the standards and procedures as established by the Board of Supervisors. When the majority of the lots are sold to homeowners, the homeowners association may decide whether or not to dedicate the road and road right-of-way to the County. The roads will be constructed with an adequately compacted sub-soil base and proper drainage. The County Engineer will inspect and approve the sub-soil base and drainage before the base course is laid. The traffic surface will be built to the standards listed below and based on projected traffic counts for the subdivision as eventually completed. The paved portion shall meet standards equal to or greater than current Statewide Urban Design and Specifications (SUDAS) Manual and current Iowa Department of Transportation specifications.

(1) Local residential road standards (projected average daily traffic count under 250 vehicle trips) will depend upon the storm water drainage system. Underground: Right-of-way - fifty (50) feet, street width - twenty-six (26) feet wide back-to-back including four (4) inch roll curb and gutter. Open ditch: Right-of-way – sixty (60) feet, street width twenty-two (22) feet wide with no curb; shoulders - four (4) feet wide. (See Appendix I to this Chapter for further details).

(2) Sub-collector road standards (projected average daily traffic count over 250 vehicle trips) will depend upon the storm water drainage systems. Underground: Right-of-way - fifty (50) feet; street width - thirty (30) feet wide back-to-back including four (4) inch roll curb and gutter. Open ditch: Right-of-way seventy (70) feet; street width twenty-four (24) feet wide with no curb; shoulders - four (4) feet wide. (See Appendix I to this Chapter for further details).

B. All new subdivision streets which are not projected to serve more than four

(4) lots shall be designed and constructed to provide year round access for motorized vehicles. The County Engineer must approve the plans for the road, cross section, shoulders and ditches before road construction begins. In no case shall the traffic surface consist of less than six (6) inch coarse aggregate base with a two (2) inch fine aggregate surface with a dust retardant surface. The County Engineer may require a soil test of the sub-soil along the planned road bed. The right-of-way width will be fifty (50) feet minimum. Two (2) foot shoulders will be constructed on either side of the traffic surface.

C. The subdivider shall construct sanitary and storm water sewers according to the standards and specifications of Sections 9-17 (H), 9-17 (I), and Appendix I to this Chapter and the Iowa Department of Natural Resources regulations and provide a sanitary sewer connection to each lot. Health Department regulations do not permit installation of septic tanks on lots less than fifteen thousand (15,000) square feet in area. Where permitted, the subdivider shall furnish reports from the County Health Department and the engineer testing the lots, stating that the proposed lots have been tested and found suitable for primary sewage treatment. Approval from the Iowa Department of Natural Resources is required for a common water supply or sewage treatment system serving fifteen (15) or more dwelling units or twenty-five (25) or more persons. The County Health Department must approve a water supply or sewage treatment system serving fewer units or people.

D. Permanent monuments shall be set in 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, in accordance with Chapter 409A, Code of Iowa. 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 the County Engineer.

E. The subdivider will provide the water mains and lines in accordance with the provisions of this Chapter and other State and County regulations.

(1) No water mains or lines of the central water-tight system or sewer lines, except a stub end from said lines, shall be installed underneath the normal traveled portion of any street. The same to be located in an appropriate place as approved by the County Engineer.

(2) No street shall be maintained by Scott County unless and until a workable agreement has been entered into between the Board of Supervisors and the subdivider which will appropriately set forth the responsibility for payment of all costs by the subdivider or persons acquiring land therein for the maintenance of water and sewer utilities

installed in accordance with this Chapter; and further providing for payment to the County for any damage caused to roads which may occur by reason of maintenance of water and sewer lines.

F. All internal traffic control signs shall be placed by the developer in accordance with the Iowa Manual of Uniform Traffic Control Devices as part of the road and street construction; i.e., regulatory, warning, etc.

G. The Board of Supervisors and Planning and Zoning 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 facility lines shall be installed in such a manner so as not to interfere with other underground utilities. The location of all utilities within the road and street R.O.W. shall be approved by the County Engineer and shown on the engineering plans. Underground utility lines which cross underneath the right-of-way of any street, or way shall be installed prior to the improvements of any such street, 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. If overhead utility lines or wires are permitted, the electrical utility shall have the right to determine overhead line routing. In their determination on whether or not to require underground utilities, the Board of Supervisors and Planning and Zoning Commission may consider the recommendations of the utility company on such matters as soil, topography, or other conditions which make most installations within the subdivision unreasonable or impractical.

H. The subdivider shall provide an acceptable trust agreement or covenant within the deed restriction for adequate continuous maintenance of the subdivision roads, street signs, entry structures (if applicable), parks, sanitary and storm sewers, water supply system, and common facilities by the lot owners of the subdivision.

I. All plans, specifications, installation and construction required by this Chapter shall be subject to review, approval and inspection in accordance with Appendix I of this Chapter by the County Engineer or his authorized representative.

(1) 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.

(2) 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 forty-eight (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.

(3) The subdivider shall pay the County Engineer's office the standard rate for reviewing plans and specifications, inspecting and testing new roads and storm sewer systems, and any additional costs directly associated with installing the subdivision improvements.

J. 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.

SEC. 9-20. VARIATIONS AND EXCEPTIONS PERMITTED

Whenever the tract proposed to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in this Chapter would result in substantial hardships or injustices, the Board of Supervisors upon recommendation of the Planning and Zoning Commission may modify or vary such requirements to the end that the subdivider is allowed to develop the property in a reasonable manner; provided, however, that all such variations and exceptions granted hereunder shall be in harmony with the intended spirit of this Chapter and granted with the view toward protecting the public interest and welfare. Any variance recommended by the Planning and Zoning Commission is required to be entered in writing in the minutes of the Planning and Zoning Commission and the reasoning on which the departure was justified shall be set forth.

SEC. 9-21. LIMITATIONS

In no case shall any street standard variation or modification be more than a minimum easing of the requirements. In no case shall it have the effect of reducing the traffic capacity of any street or be in conflict with the Zoning Ordinance and Map.

SEC. 9-22. APPROVAL REQUIRED

Such variances and waivers may be granted by the affirmative vote of three-fifths (3/5) of the members of the Board of Supervisors.

SEC. 9-23. CONDITIONAL APPROVAL

In granting variances and modifications, the Board of Supervisors may require such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or modified.

SEC. 9-24. AMENDMENTS

Any regulation or provision of this Chapter 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 Planning and Zoning Commission and until after a public hearing has been held, a public notice of which shall have been given in the official newspapers in compliance with State law.

SEC. 9-25. ENFORCEMENT

No plat of any subdivision shall be entitled to be recorded in the County Recorder's office or have validity until it shall have been approved in the manner prescribed herein.

The Director shall not issue building permits or certificates of occupancy for any structure located in any subdivision, the plat of which has been prepared after November 15, 1979, but which has not been approved in accordance with the provisions contained herein.

SEC. 9-26. MUNICIPAL INFRACTION

Whoever, being the owner or agent of the owner of any land located within the unincorporated area of Scott County, knowingly or with intent to defraud, transfers or sells by reference to or exhibition of or by other use of a plat of subdivision of such land before such plat has been approved by the Board of Supervisors, shall be liable for the penalties outlined in the municipal infraction Chapter 29 of the County Code.

SEC. 9-27. FEES

A. Plat of Survey filing fee: twenty dollars ($20).

B. Minor Plats: Prior to the Planning and Zoning Commission considering the

Sketch Plan and Final Plat, the subdivider shall deposit with the Planning and Development Department the following fees; Sketch Plan - one hundred dollars ($100); Final Plat - fifty dollars ($50).

C. Major Plats: Prior to the Planning and Zoning Commission considering the Preliminary Plat and Final Plat, the subdivider shall deposit the following fees: Preliminary Plat - one hundred-fifty dollars ($150) Final Plat - one hundred dollars ($100); plus five dollars ($5) per lot.

CONSTRUCTION STANDARDS, SPECIFICATIONS, PLANS AND GENERAL CONSTRUCTION PROCEDURES

APPENDIX I

I. GENERAL PURPOSE:

It is the intent of this Appendix to lay down and more clearly define the details, procedures and requirements for the plans, standards, specifications, inspections, and construction of subdivision plats covered in the main body of the County Subdivision Ordinance (Chapter 9 of the County Code).

II. ORDER OF PROCEDURE:

The following steps, which will be explained in more detail in subsequent sections and which are also covered in the main body of the County Subdivision Ordinance, will be followed in considering any subdivision.

A. Sketch plan - optional.

B. Preliminary plat.

C. Engineering plans and specifications.

D. Final plans, specifications, covenants, dedication, and final plat.

E. Site grading and construction - interim inspections.

F. Final inspection and approval of construction.

G. Two year maintenance - construction warranty bond.

H. Final reinspection.

III. DEFINITIONS

A. Board: Scott County Board of Supervisors.

B. County Engineer: The County Engineer for Scott County or any of his assistants designated to act for the County Engineer in carrying out the duties prescribed by the Code of Iowa and the County Code.

C. Surveyor: The registered land surveyor, employed by the proprietor of a subdivision to carry out the surveying requirements necessary for development of a subdivision.

D. Engineer: The registered engineer employed by the proprietor of a subdivision to prepare the design plans and specifications and to oversee the construction of all engineering improvements shown on the approved final plans and the requirements of Chapter 9 of the County Code.

E. Laboratory: Any materials testing laboratory which is approved by the County Engineer.

F. A.S.T.M.: American Society for Testing Materials.

G. A.A.S.H.O.: American Association of State Highway Officials.

H. I.D.O.T.: Iowa Department of Transportation.

IV. PRELIMINARY PLAT - PLAN:

The Preliminary Plat - Plan shall contain the information required under Section 9-13 of the Code and any other topographic features that may have an effect on the development and its design. Streets should be arranged to provide for a continuous circuit for travel and provide for two access points whenever possible; the right is reserved to reject "dead-end" streets or roads. The preliminary plat shall be subject to all the requirements of Section 9-17 of the Code and any other engineering criteria deemed appropriate and applicable.

The purpose of the preliminary plat is to provide for a review of the geometrics and general layout, safety of access points to county roads, the suitability and practicality of the proposed development, the compatibility with the surrounding area, the existence of any special topographical and/or soil problems, the need for any special design and plan requirements and other items affecting the development of the final plat.

A. The following minimum widths of right-of-way will be required:

1. Internal drainage easements along lot lines is twenty (20) feet minimum.

2. Natural drains of ten (10) square miles or more drainage area is fifty (50) feet minimum.

3. Local residential streets:
   Curb and gutter - fifty (50) feet
   Open ditch - sixty (60) feet

4. Sub-Collector Streets:
   Curb and gutter - fifty (50) feet.
   Open ditch - seventy (70) feet.

5. Private streets serving four (4) lots or less:
   Open ditch - fifty (50) feet

6. Existing County roads:
   Local area service roads - sixty-six (66) feet.
   Farm to market roads - one hundred (100) feet.
   Federal and Secondary roads - one hundred twenty (120) feet.

   Note: Platting along County roads on one side would require one half (1/2) of the above.

   Note: Greater widths of right-of-way may be required when considered necessary for heavier or higher traffic counts.

B. The following minimum pavement thickness will be required for public roads:

1. Portland Cement Concrete - 6".

2. Asphaltic Concrete - 5" asphalt base plus 2" surface cover for a 7" total thickness.

3. Macadam - 6" macadam base, 2" choke stone and 2" asphaltic concrete for a 10" total thickness.

4. A thicker pavement and base course will be required for commercial and industrial subdivisions.

5. If a residential subdivision road is rezoned to a commercial and/or industrial land use, the County Engineer shall have the developer re-design and reconstruct the existing pavement to meet the heavier and increased traffic.

V. FINAL PLAT - ROAD PLANS:

After approval of the preliminary plan the final plans shall be prepared by the developer's (owner's) engineer. These final plans shall contain detailed engineering drawings and specifications on all the proposed improvements and contain all the items under Section 9-15 of the Code. Additional information and engineering computations may be required to document and verify final design criteria. The plans and specifications shall be detailed enough to be used as construction plans for building the improvements within the subdivision. The final plans and specifications shall comply with the requirements and specifications given in this Appendix and in conformance with any additions or changes required by the Board of Supervisors or the County Engineer.

The road and drainage plans shall be drawn on plan and profile sheets measuring twenty-two inches by thirty-four inches (22" x 34"). The scale shall not be less than one (1) inch equals one hundred (100) feet horizontally and one (1) inch equals ten (10) feet vertically (recommend one (1) inch equals fifty (50) feet horizontally and one (1) inch equals five (5) feet vertically). The percent grades and length of vertical curves shall be shown as well as elevations every one hundred (100) feet for the finished surface grade. The storm drainage plans (surface and underground) shall be superimposed on the road plans along with grades and elevations. The road and drainage plans shall also include the water and sanitary sewer locations and grades. The plans shall also include a typical cross section or cross sections to which the streets are to be built with all necessary widths, depths and types of material to be used in their construction. The Engineer, in special cases, may require a complete soils survey by a competent soils engineer. If so required, a copy of the soil survey shall be attached to and made a part of the plans and specifications, including any and all recommendations by the soils engineer. The completed plans must bear the seal of the engineer.

VI. SPECIFICATIONS AND REQUIREMENTS:

A. General: The roads shall be constructed in accordance with the Iowa Department of Transportation specifications and standards and the Statewide Urban Design and Specifications Manual (SUDAS) for all items not specifically covered in this Appendix. The soil erosion control plans shall conform to the specifications of the Soil Conservation District and the County Engineer's recommendations. The water systems and sanitary sewer systems shall be constructed in accordance with all Local, State and Federal requirements, standards and specifications that are applicable. All storm drainage plans shall conform to the requirements noted herein and in accordance with the Iowa Department of Natural Resources.

B. Road and Roadway Drainage:

1. All trees, brush, shrubs and other undesirable vegetation shall be removed from the right-of-way of all streets.

2. All top soil shall be removed from the roadway before any fill material is placed.

3. Any deleterious materials in the sub-base shall be removed and replaced with suitable materials as directed by the County Engineer.

4. Grades shall be constructed in accordance with the typical cross section and thoroughly compacted before placing any base materials or surface materials. The Engineer may require standard density and soils test to be taken by the developer's engineer.

5. All street construction shall be centered on the right-of-way.

6. All streets and roads shall be constructed with adequate facilities for surface drainage.

7. The road surface drainage may be provided for by roadside ditches (when ditch section is utilized) or by underground storm sewers (when curb and gutter section is utilized). A combination of roadside ditches and underground drainage may be required when the distance the water must travel down said roadside ditch exceeds one thousand (1,000) lineal feet. All surface drainage must outlet into an adequate natural stream or major water course or constructed tributaries thereto. In all cases the drainage outlet shall have adequate capacity to accept the additional surface run-off generated by the development. In some cases retention basins with controlled outlets may be required so as not to exceed the capacity of the stream. Adequate soil erosion control shall be provided for the roadside ditches and outlets.

8. Culverts, storm sewers, catch basins, manholes and miscellaneous structures necessary for the storm run-off must be designed by the developer's engineer and approved by the County Engineer and other appropriate agencies. Outlets for roadside ditches through the subdivision shall be along lot lines and twenty (20) foot drainage easements shall be provided.

9. If the outlet for surface drainage is outside the boundaries of a subdivision, the developer shall also provide drainage easements and/or flowage agreements from the abutting property owners to said approved outlet.

10. Asphalt pavement and asphalt base:

    Asphalt base of the thickness and width shown on the typical cross section shall be in accordance with Statewide Urban Design and Specifications (SUDAS) and Section 2203 Asphalt Base Class 2 of the I.D.O.T. "Standard Specification for Highway and Bridge Construction"(current edition). The job mix formula to be determined by a commercial asphalt testing company and approved by the County Engineer based on the aggregate to be used. Daily samples shall be taken by the subdivider's engineer and submitted to an approved asphalt testing lab for verification of compliance with specifications (owner's expense). The material shall be placed in two equal lifts that combined equal the compacted thickness shown on the typical cross section.

    Asphalt surface of the thickness and width shown on the typical cross section shall be in accordance with Statewide Urban Design and Specifications (SUDAS) and Section 2303 - Type "B" asphalt cement concrete leveling and surface of the I.D.O.T. "Standard Specifications for Highway and Bridge Construction" (current edition). The job mix formula to be determined by a commercial asphalt testing company and approved by the County Engineer based on the aggregate to be used. Daily samples shall be taken by the subdivider's engineer and submitted to an approved asphalt testing lab for verification of compliance with specifications and job mix formula (at owner's expense). The material is to be placed in two (2) lifts: Leveling course one (1) inch thick utilizing three-fourths (3/4) inch maximum size aggregate mix and a wearing course of one (1) inch thick utilizing one-half (1/2) inch maximum size aggregate mix.

11. Non-reinforced portland cement concrete shall be placed on the approved subgrade in accordance with Statewide Urban Design and Specifications (SUDAS) and Section 2301 "Portland Cement Concrete Pavement" of IDOT "Standard Specifications for Highway and Bridge Construction" (current edition). Mesh reinforcement will not normally be required and the provision of Section 2301 relative to this will not apply. The concrete mixture shall conform to Class C - Type 1. If an adequate approved base cannot be attained

utilizing existing material an aggregate base will be required. Joint spacing and joint details will be in accordance with I.D.O.T. standard plans.

12. Minimum sight distance at intersections of County roads shall be seven hundred fifty (750) feet where practical and possible. In no case will sight distances be less than ten (10) times the speed limit of the County road.

13. Vertical curves shall be used at all changes in grade and shall be a minimum length of one hundred (100) feet and provide a minimum sight distance of two hundred (200) feet (whenever possible sight distances shall exceed this minimum).

14. Minimum grades shall not be less than one half percent (0.5%) and maximum grades shall not be greater than seven percent 7%. (In some cases topography may be such that this may be modified).

15. When curb and gutter is used, the concrete material shall conform to that in Item No. 11 above. It shall be twenty-four (24) inches wide and shall be constructed in accordance with the standard plan and cross section shown in Section XI. Curb and gutter drainage inlets shall also be constructed in accordance with the details shown in Section XI. (Neenah type R3246-A or equal).

16. When sidewalks are called for on the plans, they shall be not less than four (4) inches thick except at the driveways where they shall be not less than six (6) inches thick. Minimum width of the walk shall not be less than four (4) feet. Grades are to conform to that of the curb and pavement (approximately two (2) inches above top of curb).

17. Driveways in curb and gutter sections shall conform to the IDOT standard plans for driveway openings (concrete) with a width at the curb of twenty (20) feet tapered to a minimum width of ten (10) feet at the right-of-way line. Driveway thickness shall be in accordance with current County Engineer's policies and procedures. Driveway fore slope shall be a minimum of 10:1 for driveways without drainage structure and 6:1 where there is a drainage structure.

18. Driveways in ditch sections shall be constructed with asphalt or concrete surfaces with ten (10) feet radiuses and a minimum width

at the right-of-way line of ten (10) feet. Drive culverts shall be of the size required (minimum 18") and a minimum length of twenty-four (24) feet. Driveway thickness shall be in accordance with current County Engineer's policies and procedures. Driveway fore slope shall be a minimum of 10:1 for driveways without a drainage structure and 6:1 where there is a drainage structure.

19. Sight distances at all driveway entrances shall not be less than two hundred fifty (250) feet on internal streets and a minimum of ten (10) times the speed limit on all County roads.

20. Top soil, seeding, mulching and fertilizing of all disturbed areas shall be completed in accordance with I.D.O.T. specifications to establish soil erosion control. The areas to be seeded shall be covered with a minimum of two (2) inches of top soil. Seeding mixtures to be shown on plans and approved by the County Engineer. In areas where erosion control may be difficult, erosion control measures in addition to the above will be constructed in accordance with the approved soil erosion control plan as specified by the County Engineer. All such devices and measures constructed within the right-of-way shall be in accordance with I.D.O.T. standard plans and specifications.

21. "Local Residential Streets", "Sub-Collector Streets" and streets serving less than four (4) lots (Sections 9-19 (A) and 9-19 (B) in the Code) shall be constructed in accordance with the standard cross sections shown in Section XI.

22. Streets which are not projected to exceed four (4) lots (Section 9-19 (B)) shall be constructed with a six (6) inch rock base and the asphalt surface may be deleted by the County Engineer.

23. Community water lines shall be in the location shown on the typical cross sections shown in Section XI or as approved by the County Engineer.

24. Sanitary sewer lines shall be in the location shown on the typical cross sections shown in Section XI or as approved by the County Engineer.

25. Normally other utility lines will be located on private easements outside of the road right-of-way, and if not they shall be placed in a location approved by the County Engineer.

26. All roads and streets to have traffic control signs and street name signs in accordance with the Iowa Manual of Uniform Traffic Control Devices. The cost of manufacturing and installing the signs will be born by the subdivider.

27. All street crossings by utility service lines shall be backfilled and compacted to ninety-five percent (95%) of maximum density (sand backfill may be required). These should be placed prior to construction of the road on street base and surface courses and if possible, prior to grading the sub-base. All utility appurtenances such as transformers, pedestals and cabinets shall be placed outside the road right-of-way. Utility poles, if permitted, shall be located at or outside the right-of-way and shall have the required lines clearances.

28. All street intersections shall have paved radiuses of twenty-five (25) feet.

29. Storm and sanitary manholes and sewer pipe shall conform to the I.D.O.T. or industry standards or as approved by the County Engineer.

30. All dead-end streets shall terminate in a circular cul-de-sac with a one hundred (100) foot diameter right-of-way and an eighty (80) foot diameter paved turn-around (See Section X). If a street is to be extended at a later date a temporary easement and a temporary turn-around will be required. The dimensions shall be the same as above except that a gravel or rock surface may be substituted for the eighty (80) foot paved diameter. In some cases an alternate type of turn-around may be used if approved by the County Engineer.

31. All entrances onto County roads will require a County permit from the County Engineer's office (both street and driveway approaches).

32. All roads and driveways shall be pitched away from the road at a descending grade extending at least to the road ditch lines so as to prevent water from running out onto the roadway. A relatively flat section of roadway should also be provided at the approach to all intersecting streets to provide for adequate sight distance and stopping. (Exceptions to this may be allowed due to extreme topographic features by the County Engineer). Excessive amounts

of storm run-off will not be allowed to enter the roadside ditch from the development.

VII. INSPECTION OF ROADWAY CONSTRUCTION:

After the final plat plans and specifications are approved all construction shall be done in accordance with said plans and specifications in accordance with the provisions of this Appendix and the Subdivision Ordinance itself. The County Engineer will inspect all phases of the construction of the streets and storm sewers. Regularly scheduled inspections will be required at each of the following stages and approval from the County Engineer's office will be required before proceeding to the next stage of construction.

A. Preliminary site inspection - upon receipt of preliminary plat.

B. Plans and specifications site inspection - upon receipt of engineering plans and specifications.

C. Site grading and installation of underground storm sewer, sanitary sewer, water mains and other utilities.

D. Subgrade inspection - during construction of the grading and compacting of the subgrade to the required typical cross section and the grades shown on the engineering plans.

E. Base inspection - during construction of asphalt or aggregate base placement and compaction.

F. Asphalt surface or concrete surface inspection - during construction of placing asphalt or concrete surface (also shoulder gravel for ditch section).

G. Final construction inspection - upon completion of all construction work including final soil erosion control, placement of signs and all other requirements associated with final plans.

H. Reinspection after two (2) years after date noted in Item G above (two year warranty on maintenance requirement).

It will be the responsibility of the owner, developer or the engineer to notify the County Engineer's office at least two (2) days in advance of the time desired for any inspections. The County Engineer will schedule the required inspection as expeditiously as possible. It is desirable that the developer and his engineer be present at these inspections to

discuss problems and remedies.

VIII. APPROVAL OF FINAL PLAT CONSTRUCTION:

After all construction has been completed, a certification from the developer and his engineer stating that all work has been completed in conformance with the final approved engineering plans and specifications as well as the requirements herein, will be required. This letter should also contain the request for the final inspection noted in Section VII-G previously.

If the work is not complete and satisfactory, the developer or his engineer will be notified as to the deficiencies and a reinspection will be made upon being notified that all deficiencies have been corrected.

Core samples will be taken to verify base and surface thicknesses and quality by a commercial testing company.

When all plat procedures have been completed satisfactorily, the final plat will be recommended by the County Engineer for Board approval or construction bond release. Prior to the final construction approval and/or construction bond release, the subdivider/owner shall furnish the warranty (two years) as required in Section 9-19 (J) of the Code.

If the construction is being done under the bonding procedures noted in the Subdivision Ordinance, partial releases may be requested and allowed by the County Engineer as specific items of work are completed.

Record samples and cores may be required by the County Engineer and tested to ascertain that the materials and workmanship comply with the requirements noted herein.

IX. ENGINEERING INSPECTION, TESTING AND ADMINISTRATIVE COST

The subdivider/owner shall reimburse the County Engineer's office (Secondary Roads Department) for the cost expended for all inspection services, testing and related administrative expenses furnished and conducted by or on behalf of the County Secondary Road Department. Adequate records and documentation will be kept by the Secondary Roads Department to provide for an accounting of these costs.

X. ACCEPTANCE OF STREETS INTO COUNTY SYSTEM FOR MAINTENANCE

Upon completion of all previous requirements, all roads and streets designated in the plat as public roads and streets will be recommended by the County

Engineer to the County Board for acceptance to the County Roads and Street System. Upon approval by the Board the County Secondary Road Department will start maintaining these public roads and streets.

Any roads and streets not designated as public will not be maintained by the Secondary Road Department.

XI. GRAPHS OF ROAD CROSS-SECTIONS AND LAYOUTS AND STORMWATER MANAGEMENT SYSTEMS