

Title 5-Property and Land Use

Chapter 46 Subdivision Regulations

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46.01 Title and Jurisdiction

This chapter may be known and cited as the "Subdivision Ordinance" of Warren County, Iowa. This chapter shall apply to all subdivisions hereafter made of land in the unincorporated area of Warren County, except lands within two (2) miles of a City which has enacted subdivision regulations in accordance with the provisions of Iowa Code §354.9, as amended. In cases where a subdivision lies within two (2) miles of such a City, the City Council of such city and the Warren County Board of Supervisors may cooperate and agree that the approval of a plat by the City Council and City Planning Commission shall be conditioned upon receiving advice from, or approval by, the Warren County Zoning Commission and Board of Supervisors as provided by Section 46.02 of this Chapter.

46.02 Plats in Unincorporated Areas Within Two Miles of Corporate Limits of Cities

With regard to subdivisions located in the unincorporated area of Warren County, within two (2) miles of the corporate limits of cities that have enacted subdivision regulations in accordance with the provisions of Iowa Code §354.9 as amended, the provisions of this chapter shall apply. However, the City Planning Commission and the City Council may agree to waive such requirements as are contained in their local ordinances to the end that the Commission and Council are satisfied that equally suitable regulations shall be placed on these subdivisions by the Warren County Zoning Commission under the provisions of this chapter. In such instance, the Warren County Zoning Commission shall furnish the City Planning Commission with a copy of the said subdivision, as approved, certifying that all requirements of the Warren County Subdivision Ordinance have been met. The purpose of this section is to facilitate the orderly processing of subdivisions in unincorporated areas within two (2) miles of the corporate limits of cities and to avoid conflicting regulations while at the same time assuring that provisions are made for proper and orderly future growth of the County and its cities.

46.03 Definitions

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

1. “Auditor’s Plat” means a subdivision plat required by either the County Auditor or Assessor to clarify property descriptions for the purposes of assessment and taxation, prepared by a surveyor under the discretion of the Auditor, as defined by Iowa Code §354 as amended.
2. “Block” means an area of land within a subdivision that is entirely bounded by streets or highways; or by streets or highways and the exterior boundary or boundaries of the subdivision.
3. “Board” means the Board of Supervisors of Warren County.
4. “Buildable Lot” means a lot, parcel, or tract of land that meets all applicable zoning, health, access, and subdivision requirements and is eligible for the issuance of a building permit for a principal structure. A buildable lot shall have legal and physical access to a public road or approved private drive, and shall comply with minimum lot area, width, frontage, and setback standards of the applicable zoning district.
5. “Building Line” means a line on a plat between which line and public or private right-of-way line where no buildings or structures may be erected.
6. “Zoning Commission” means the Warren County Zoning Commission.
7. “Cul-de-sac” means a short, minor street, having one end open to motor traffic, the other end being permanently terminated by a vehicular turnaround.
8. “Developer’s Agreement” means a written contract between the subdivider (or developer) and the County that sets forth the terms, conditions, and obligations under which the subdivider will design, construct, install, and maintain required public improvements (roads, utilities, drainage, sidewalks, etc.) serving the subdivision; provides financial security to guarantee performance and maintenance; specifies deadlines, inspection, acceptance and dedication procedures; binds successors; and ensures compliance with the approved construction plans, specifications, and

- subdivision regulations in force at the time of agreement. Also referred to as a Development Agreement or Subdivision Improvement Agreement.
9. "Division" means dividing a tract or parcel of land into two (2) parcels of land by conveyance or for tax purposes as defined by Iowa Code §354 as amended.
10. "Easement" means the right of a person or corporation to use land of another for a definite purpose.
11. "Engineer" means a registered engineer authorized to practice civil engineering, as defined by the registration act of the State of Iowa.
12. "Farm Lot" means a lot, parcel, or tract of land within the AG Agricultural District that is primarily intended for agricultural production or use in support of agricultural operations, including but not limited to, cropland, pasture, livestock raising, or related accessory farm structures. For the purposes of a Simple Agricultural Division, a Farm Lot shall be considered the portion of the Parent Tract retained for continued agricultural use and shall meet the minimum area and bulk requirements of the AG Agricultural District.
13. "Lot" means a portion of a subdivision or other parcel of land intended for the purpose, whether immediate or future, of transfer of ownership or for building development.
14. "Lot Line Adjustment" means a minor modification of the boundary line between two (2) or more contiguous lots or parcels that does not create additional lots or building sites and is completed by Plat of Survey in accordance with Iowa Code §Iowa Code §354, as amended. Also referred to as Boundary Adjustment.
15. "Lot Tie Agreement" means a recorded legal instrument, executed by the property owner(s) and approved by the County, which combines or consolidates two (2) or more contiguous lots, parcels, or tracts of land under common ownership into a single, unified lot for purposes of development or regulation. The agreement shall restrict the separate conveyance, transfer, or development of the individual lots and shall run with the land until formally released by the County or superseded by an approved subdivision or replat. Also referred to as Lot Combination.
16. "Nominal Acreage" means a lot, parcel, or tract of land that is within five percent (5%) difference of the minimum acreage required for the zoning district.
17. "Non-Buildable Lot" means a lot, parcel, or tract of land that does not meet the minimum requirements for development under the applicable zoning, health, or subdivision regulations. A non-buildable lot may be created for purposes such as open space, stormwater management, agricultural preservation, or utility easements, and shall not be eligible for a building permit unless reconfigured or reapproved through a subdivision or zoning process.
18. "Non-Farm Lot" means a lot, parcel, or tract of land within the AG Agricultural District that is intended primarily for residential use, specifically for the placement of a non-farm single-family detached dwelling, rather than agricultural production. For the purposes of a Simple Agricultural Division, a Non-Farm Lot shall be the portion of the Parent Tract divided from agricultural land to accommodate a non-farm dwelling and shall comply with all minimum lot area, width, and bulk regulations applicable to the AG Agricultural District.
19. "Outlot" means a portion of a subdivision intended as a unit for the proposed (whether immediate or future) transfer of ownership. An outlot shall be an

- unbuildable lot, in and of itself. Outlots are typically reserved for future development, stormwater management, private access, or other non-residential purposes and shall not be considered buildable unless re-subdivided or re-platted in accordance with this Ordinance.
20. “Parent Tract” means the lot, parcel, or tract of record as it existed on the effective date of this Ordinance, from which one (1) or more new lots may be created for the purposes of a Simple Agricultural Division.
21. “Plat” means a map, drawing, or chart on which the subdivider’s plan of the subdivision is presented and which the subdivider submits for approval and intends in final form to record.
22. “Plat of Survey” means a graphical representation of a survey of one (1) or more parcels of land, including a complete and accurate description of each parcel within the plat, prepared by a licensed professional land surveyor as defined by Iowa Code §355 as amended. For this Ordinance, a Plat of Survey shall be used for lot line adjustments, lot tie agreements, or simple divisions, not requiring full subdivision procedures.
23. “Plat, Final” means the final drawing or drawings, prepared in accordance with the requirements of this Chapter, of the subdivision and any accompanying material, prepared for filing and recordation, that incorporates all changes or requirements imposed by the County in its approval of the Preliminary Plat.
24. “Plat, Preliminary” means a preliminary drawing or drawings, prepared in accordance with the requirements of this Chapter, showing the proposed layout of the subdivision and the improvements to be installed therein.
25. “Private Road” means a road or street in a subdivision not dedicated and/or accepted by Warren County as a public street but built in accordance with standard specifications of Warren County. Maintenance of said private road shall not be the responsibility of Warren County.
26. “Proprietor’s Plat” means a plat as defined herein submitted by the owner of the land being platted, or an agent or other private entity, acting with the consent of the owner.
27. “Public Improvements” means any infrastructure, facility, or utility that is required to be constructed, installed, dedicated, or otherwise provided for public use or maintenance as a condition of subdivision approval. Public Improvements include, but are not limited to, public streets and rights-of-way, sidewalks, storm sewers, sanitary sewers, water mains, drainageways, bridges, culverts, street lighting, fire hydrants, or other utilities and appurtenances intended for public ownership or service.
28. “Public Road” means a road or street in a subdivision which meets all requirements and has been constructed in accordance with the standard specifications of Warren County and for which an easement has been granted and accepted by Warren County.
29. “Simple Division” means the legal division of a single lot, parcel, or tract of land into two (2) or more smaller lots, with the intent of creating new, legally distinct lots, not requiring new public streets, utilities, or other public improvements. Also referred to as a “Lot Split.” For AG Agricultural zoned properties dividing land into two (2) lots of land, without private or public roads or public improvements, refer to Simple Agricultural Division.

- 168 30. “Site Plan” means a plan prepared to scale showing accurately and with complete
169 dimensioning, the boundaries of a site and location of all buildings, structures, uses,
170 drives, parking, drainage, utilities, landscape features, and other principal site
171 development improvements for a specific parcel of land.
- 172 31. “Subdivision” means the division of a lot, tract, or parcel of land that creates at least
173 three (3) lots, parcels, or other divisions of land for the purpose of immediate or
174 future sale or transfer or building development.
- 175 32. “Simple Agricultural Division” means the legal division of a single lot, parcel, or tract
176 of land zoned AG Agricultural into two (2) or smaller lots, through a Plat of Survey,
177 for the purpose of creating a non-farm single-family dwelling lot and an associated
178 parent agricultural tract (“Parent Tract”). A Simple Agricultural Division shall not
179 require the installation or extension of public or private streets, utilities, or other
180 public improvements.
- 181 33. “Subdivision, Major” means a subdivision of land that creates five (5) or more lots of
182 land for the purpose, whether immediate or future, of sale, transfer of ownership, or
183 building development and/or public improvements within the subdivision.
- 184 34. “Subdivision, Minor” means a subdivision of land that creates at least three (3) but no
185 more than four (4) lots of land for the purpose, whether immediate or future, of sale,
186 transfer of ownership, or building development with no private or public roads and no
187 public improvements within the subdivision.
- 188 35. “Surveyor” means a registered land surveyor authorized to practice surveying as
189 defined by the registration act of the State of Iowa.
- 190 36. “Right-of-Way” means the total area of land, whether reserved by public ownership
191 or easement, that is reserved for the operation and maintenance of a legally
192 established public roadway. This usually includes the road, shoulder, portions of the
193 ditch, and/or buffer land. It is the portion of land upon which facilities such as streets
194 and utilities are constructed. It is the legal right of a person, vehicle, or utility to use
195 this parcel of land, as granted, to pass over property owned by another party, per Iowa
196 Code §318.1(3) as amended.
- 197 37. “Right-of-Way, Public Road” means an area of land, the right to possession of which
198 is secured or reserved by the state or a governmental subdivision for roadway
199 purposes. The right-of-way for all secondary roads is sixty-six (66) feet in width,
200 unless otherwise specified by the Warren County Board of Supervisors, per Iowa
201 Code §3036.3 as amended.

202 **46.04 Land Division Application, Review, and Approval Process**

- 203 1. Applicability. The requirements of this section apply to all land division applications
204 reviewed under the Warren County Subdivision Ordinance, including Plats of Survey,
205 Lot Line Adjustments, Lot Ties/Combinations, Simple Divisions, Simple Agricultural
206 Divisions, Preliminary Plats, Final Plats, and Auditor’s Plats. No division of land
207 shall be recorded, sold, or transferred until approval has been granted in accordance
208 with the procedures of this Ordinance.
- 209 2. Authority. The Zoning Administrator is responsible for the administration and
210 enforcement of the regulations of the Subdivision Ordinance and shall serve as the
211 primary reviewing official for all land division applications.
- 212 3. The Zoning Administrator shall:

- 213 a. Receive, review, and determine completeness of land division applications;
214 b. Coordinate technical review with the County Engineer, Health Department,
215 and other affected agencies;
216 c. Prepare reports and recommendations for the Zoning Commission and Board
217 of Supervisors; and
218 d. Approve, where authorized, administrative plats such as Plats of Survey, Lot
219 Line Adjustments, Lot Ties Agreements, Simple Divisions, and Simple
220 Agricultural Divisions that do not require public improvements or public
221 hearings.
- 222 4. The Zoning Commission shall review and make recommendations on land division
223 plats as required, and the Board of Supervisors shall act as the final approval
224 authority for all recorded plats, dedications, and public improvements.
- 225 5. Authority to File Land Use Applications. Unless otherwise specified in this section, a
226 subdivision or land division-related applications may be initiated by:
227 a. When multiple property owners, contract purchasers, or other parties hold an
228 interest in the property, all such persons shall sign the application.
229 b. A person or entity authorized in writing by the property owner to act on the
230 owner's behalf. The authorized agent shall provide a signed authorization
231 from the fee title owner stating that the owner agrees to be bound by all
232 decisions, agreements, and conditions made by such agent.
233 c. The County, including the Zoning Administrator or Board of Supervisors, may
234 initiate a subdivision process such as an Auditor's Plat under Iowa Code §
235 354.13 to resolve boundary or title discrepancies.
- 236 6. Application Submission Schedule. The schedule for the submission of applications
237 shall be maintained by the Zoning Administrator and made available to the public.
- 238 7. Application Contents.
239 1. Organization and Copies. The organization of applications and the number of
240 copies of required information to be submitted shall be determined by the Zoning
241 Administrator.
242 2. General Submittal Requirements. All applications shall include:
243 a. A completed Warren County subdivision or land division-related
244 application form;
245 b. Verification of authority to file applications per the requirements of the
246 subsection above;
247 c. A legal description of the property(s);
248 d. Supporting title information establishing ownership interests in the
249 property (i.e., a title commitment and/or signature of fee title property
250 owner);
251 e. All submittal requirements outlined in the article for the specific
252 application type; and
253 f. Electronic copies of all written narratives and plan sets required by the
254 Zoning Administrator as part of the specific application.
- 255 8. Amendments. The Board of Supervisors may amend, supplement, or repeal the
256 regulations of this Chapter after a public hearing has been held at a Zoning
257 Commission meeting. An amendment may be initiated by the Board of Supervisors,
258 Zoning Commission, or by petition. A notice of the time, place, and purpose of the

hearing shall be published in the official newspaper of the County not less than four (4) days nor more than twenty (20) days before the date of hearing.

9. General Application Procedures.

Table 1: Summary of the Roles of Decision-Making Boards

Procedure	Zoning Administrator	Zoning Commission	Board of Supervisors
Plat of Survey (Lot Line Adjustment, Lot Tie, Simple Division, Simple Agricultural Division)	R, D		
Auditor's Plat (per Iowa Code §354.15) ¹	R	R	H, D
Preliminary Plat (required for Major Subdivision)	R	H, R	H, D
Final Plat (required for Minor and Major Subdivisions)	R	H, R	H, D

H=Hearing (public hearing required)

D=Decision (responsible for final decision)

R=Recommendation (responsible for review and a recommendation)

¹ While prepared by the County Auditor (not applicant-initiated), Board of Supervisors must approve it if it changes boundaries or creates new parcels. The Zoning Administrator typically coordinates review to ensure compliance.

46.05 Fee Schedule

Reasonable land use application fees shall be established by resolution of the Board of Supervisors from time to time to help defray the administrative costs associated with the review and processing of land use applications and other administrative duties required under this Chapter.

Each land use application submitted pursuant to this Ordinance shall be accompanied by the applicable fee as set forth in the current fee schedule, available on the Warren County website. Payment shall be made by check payable to the Warren County Treasurer by cash payment. These fees are intended to cover administrative expenses, including, but not limited to, staff review time, public meeting preparation, and the costs of publishing, mailing, or posting public notices, where applicable.

All fees are non-refundable, regardless of whether the application is approved, denied, withdrawn, or otherwise not enacted. No application shall be deemed complete or processed until the required fee has been received.

283 Table 2: Land Use Applications Fee Schedule – *Propose we put on County website*

Procedure	Fee
Pre-Application Meeting	No fee
Preliminary Plat	\$1,000.00 (base fee) for up to 10 lots; plus \$100.00 per lot over 10
Final Plat	\$2,000.00
Plat of Survey (Lot Line Adjustment, Lot Tie, Simple Division, Simple Agricultural Division)	\$250.00 per division or parcel
Auditor's Plat	Actual cost of surveying, platting, and recording as determined under Iowa Code §354.13
Re-submittal or Revision Fee	25% of original application fee
Extension Request Fee (under approved plat procedures)	\$150.00

284 **46.06 Minor Subdivision**

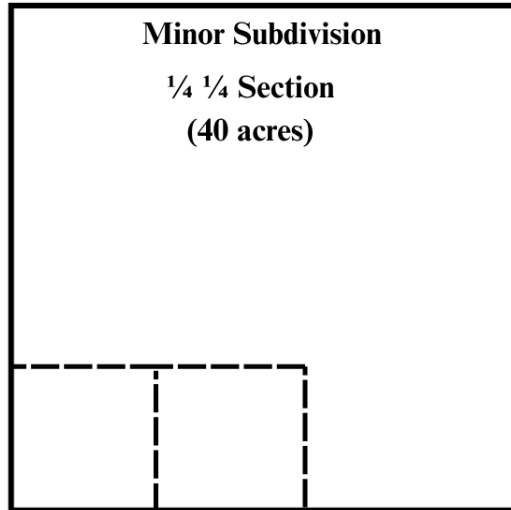
285 A Minor Subdivision process is established to prescribe uniform procedures for subdivisions of
 286 land that create at least three (3) but no more than four (4) lots of land for the purpose, whether
 287 immediate or future, of sale, transfer of ownership, or building development with no private or
 288 public roads and no public improvements within the subdivision. The following provisions
 289 establish a review process and review standards for a Minor Subdivision.

- 290 1. Preliminary Plat Not Required. Because a Minor Subdivision does not include the
 291 creation of public improvements, the subdivider is not required to submit a Preliminary
 292 Plat. The public interest is served by submittal, review, and approval of a Final Plat only.
 293 However, if during review of the Final Plat, County staff, the Zoning Commission, or the
 294 Board of Supervisors determines that additional information is necessary to ensure
 295 adequate review, the subdivider may be required to submit any materials typically
 296 required with a Preliminary Plat.
- 297 2. Application Requirements. All applications for a Minor Subdivision shall satisfy the
 298 following development criteria to be approved:
- 299 a. Application form and filing fee.
 - 300 b. Written statement addressing the following:
 - 301 c. A written statement identifying:

- i. The specific quarter section(s), township, parcel identification numbers, number of lots, total subdivision area in acres, and civil township location.
- ii. The purpose of the subdivision (e.g., sale, transfer, or development).
- iii. A plat prepared in accordance with the standards of Chapter 46, and any other supporting documentation as required by the Zoning Administrator to ensure full and proper review.

3. Standards and Procedure for Approval. The Minor Subdivision shall be reviewed and approved based on the standards applicable to a Final Plat, as set forth in Section 46.14.

Figure 1: Minor Subdivision Diagram



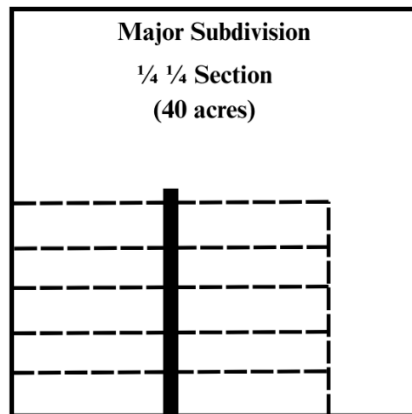
46.07 Major Subdivision

A Major Subdivision process is established to prescribe uniform procedures for subdivisions of land that create five (5) or more lots of land for the purpose, whether immediate or future, of sale, transfer of ownership, or building development and/or public improvements within the subdivision. The following provisions establish a review process and review standards for a Major Subdivision.

1. Application Requirements. All applications for a Major Subdivision shall satisfy the following development criteria to be approved:
 - a. Application form and filing fee.
 - b. Written statement addressing the following:
 - c. A written statement identifying:
 - 1) The specific quarter section(s), township, parcel identification numbers, number of lots, total subdivision area in acres, and civil township location.
 - 2) The purpose of the subdivision (e.g., sale, transfer, or development).
 - 3) A plat prepared in accordance with the standards of Chapter 46, and any other supporting documentation as required by the Zoning Administrator to ensure full and proper review.
2. Standards and Procedure for Approval.

- a. The Major Subdivision shall be reviewed and approved based on the standards applicable to a Preliminary Plat, as set forth in Section 46.13 and Final Plat, as set forth in Section 46.14.
- b. The Preliminary Plat and Final Plat for a Major Subdivision may be reviewed concurrently, provided all required materials are submitted and the proposal meets the standards of both plats.
- c. The Zoning Commission shall hold at least one (1) public hearing on the Preliminary Plat and shall forward a recommendation to the Board of Supervisors. The Board of Supervisors shall take final action following the public hearing.
- d. No construction of public or private improvements shall commence until the Final Plat has been approved and all necessary improvement plans have been reviewed and accepted by the County Engineer.
- e. All Major Subdivisions shall be consistent with the Warren County Comprehensive Land Use Plan and shall meet all applicable requirements of the Warren County Zoning Ordinance and Chapter 46, Subdivision Regulations.

Figure 2: Major Subdivision Diagram



46.08 Lot Line Adjustment

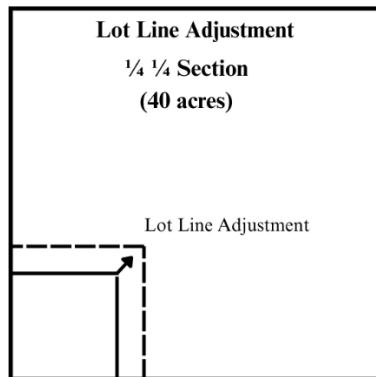
A Lot Line Adjustment process is established to prescribe uniform procedures for the review and approval of minor modifications to the boundary lines between two (2) or more contiguous lots, parcels, or tracts of land that do not create additional lots or building sites, do not alter existing public rights-of-way, and do not require the installation or extension of public improvements. The purpose of a Lot Line Adjustment is to allow the relocation or reconfiguration of property boundaries or easements to correct survey errors, clarify legal descriptions, or improve lot design, while ensuring compliance with the Warren County Zoning Ordinance and Subdivision Regulations. The following provisions establish a review process and review standards for a Lot Line Adjustment.

1. **Applicability.** A division of a parcel to allow all or a portion of one parcel to be incorporated into one (1) or more abutting parcels shall qualify as a Lot Line Adjustment if all of the following conditions are met:
 - a. Any new parcel created as a result of the adjustment is immediately incorporated with an abutting parcel into a unified parcel under single ownership.
 - b. The total number of parcels at the conclusion of the adjustment does not exceed the number of parcels prior to the adjustment.

- 364 c. No new parcels or buildable lots are created, and no existing public rights-of-way
365 are vacated, altered, or dedicated.
- 366 d. All parcels resulting from the adjustment comply with the minimum lot area,
367 width, and setback requirements of the applicable zoning district and meet all
368 access and health regulations.
- 369 e. The adjustment does not require the installation or extension of public
370 improvements such as streets, water mains, or sewer lines.
- 371 2. Purpose and Types. Lot line adjustments may include:
- 372 a. Adjustments of boundary lines and/or easements between two (2) or more
373 abutting parcels; or
- 374 b. Corrections to an existing recorded plat, for purposes including but not limited to:
- 375 c. Correcting an error in any course, bearing, or distance shown on a prior plat.
- 376 d. Adding a missing course, bearing, or distance to a prior plat.
- 377 e. Correcting an error in the description of real property shown on a prior plat.
- 378 f. Indicating monuments set after the death, disability, or retirement of the original
379 surveyor.
- 380 g. Showing the proper location or character of a monument originally shown
381 incorrectly on a prior plat.
- 382 h. Correcting scrivener's or clerical errors or omissions previously approved by the
383 Zoning Commission or Board of Supervisors, including but not limited to: lot
384 numbers, acreage, street names, or identification of adjacent recorded plats.
- 385 i. Correcting an error in the courses or distances of lot lines between two adjacent
386 lots, where both owners join in the application and neither lot is abolished,
387 provided such correction does not alter covenants, restrictions, or materially affect
388 the property rights of other owners.
- 389 3. Application. All lot line adjustment applications properly signed by the property owner
390 and all additional application requirements shall be submitted to the Planning and Zoning
391 Department, including:
- 392 a. An application form and filing fee;
- 393 b. Verification of ownership or authorization to file;
- 394 c. A Plat of Survey prepared by a licensed professional land surveyor in accordance
395 with Iowa Code §355; and
- 396 d. Any other information the Zoning Administrator determines necessary to review
397 the application.
- 398 4. Review Process. A lot line adjustment may be reviewed and approved administratively by
399 the Zoning Administrator provided that all applicable conditions of this Ordinance and
400 the Zoning Ordinance are met. The Zoning Administrator may also distribute the Plat of
401 Survey to the County Engineer, Health Department, or other affected agencies for
402 technical review and comment prior to approval.
- 403 5. Decision and Recording. If approved, upon approval, the applicant shall cause the
404 approved Plat of Survey and deed(s) to be recorded with the County Auditor and
405 Recorder in accordance with Iowa Code §354. No further review or approval by the
406 Zoning Commission or Board of Supervisors is required, unless the adjustment is
407 associated with a subdivision or requires a vacation, dedication, or other action under
408 Iowa law.
- 409 6. Effect of Approval.

- a. Upon recording, the adjusted boundary lines shall replace and supersede previous property descriptions.
- b. The Lot Line Adjustment shall not be deemed to create a new lot for development purposes unless expressly approved as part of a separate subdivision process.
- c. Any subsequent development, division, or sale of the adjusted parcels shall comply with all applicable Zoning, Subdivision, and other applicable County regulations.

Figure 3: Lot Line Adjustment Diagram



46.09 Lot Tie Agreement

A lot tie/combination process is established to allow applicants to legally combine or consolidate two (2) or more adjacent lots, parcels, or tracts of land into a single, unified lot, which restricts the future division or transfer of the parcels separately. A lot tie agreement is a legal document where the property owner agrees that the combined lots, parcels, or tracts of land will remain under the same ownership and cannot be sold separately without County approval and this agreement is recorded with the Warren County Recorder. The following provisions establish a review process and review standards for lot tie agreements.

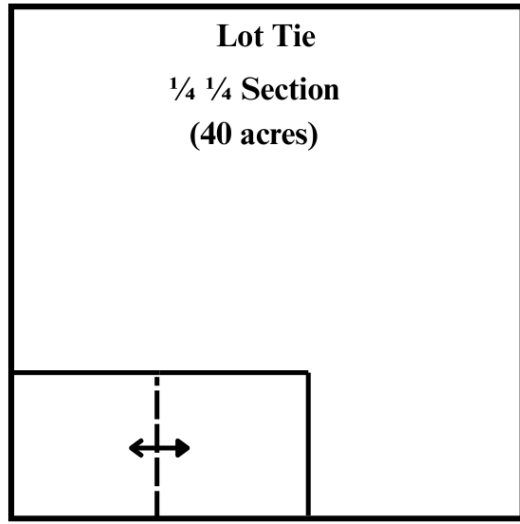
1. Application. All lot tie/combination applications property signed by the property owner and all additional application requirements shall be submitted to the Planning and Zoning Department, including:
 - a. Application form and filing fee.
 - b. A lot tie survey completed by a registered land surveyor in the State of Iowa.
 - c. Legal descriptions of the original lots, parcels, or tracts of land as they exist prior to the combination.
 - d. A deed and agreement, signed by the property owner, that the one (1) resulting lot, parcel, or tract of land will remain under the same ownership, unless subsequently subdivided or otherwise approved by the County in accordance with the requirements of law.
 - e. Any other information the Zoning Administrator determines necessary to review the application.
2. Review Process.
 - a. The Zoning Administrator shall review the proposed lot tie agreement application for compliance with the Standards for Approval outlined below and the Zoning and

- 443 Subdivision Ordinance, and may approve, approve with conditions, or deny the lot tie
444 agreement application.
- 445 3. Standards for Approval. All lot tie/combination applications shall satisfy the following
446 standards for the application to be approved:
- 447 a. The proposed lot tie/combination results in only one (1) lot, parcel, or tract of land
448 without any remnant lots, parcels, or tracts of land.
 - 449 b. The lot tie/combination does not create any violation of lot or development standards
450 under the Zoning Ordinance, including the bulk regulations of the respective zoning
451 district. If the existing lot, parcel, or tract of land is nonconforming, the proposed lot
452 tie/combination does not increase the nonconformity.
 - 453 c. All lots, parcels, or tracts of land subject to the lot tie agreement are under common
454 ownership, and the property owner has agreed to the combination.
 - 455 d. The legal descriptions are accurate and conform with legal requirements and
456 standards as determined by the County Engineer.
 - 457 e. The deed and agreement are legally sufficient to effect the combination as determined
458 by the Warren County Attorney's Office.
- 459 4. Decision. Once the lot tie application is filed with the Zoning Administrator, the Zoning
460 Administrator and/or appropriate County Staff shall review the application within thirty (30)
461 days and the Director of Planning and Zoning and/or appropriate County Officials shall
462 approve, approve with conditions, or deny the application in writing within sixty (60) days of
463 receipt of the completed application.
- 464 a. If approved, the applicant shall record with the Warren County Recorder a deed and
465 agreement that includes the following:
 - 466 1) A notice of approval signed by the Zoning Administrator.
 - 467 2) The notarized signature of the property owner.
 - 468 3) The legal descriptions of the original lots, parcels, or tracts of land, and the
469 resulting combined lot, parcel, or tract of land.
 - 470 4) A deed and agreement, signed by the property owner, that the resulting parcel
471 or lot will remain under the same ownership unless subsequently subdivided
472 or otherwise approved by the County in accordance with the requirements of
473 law.
 - 474 b. If denied, a notice of the decision shall be sent to the applicant specifying the reasons
475 for denial and advising them that they may appeal the decision to the Board of
476 Adjustment pursuant to Chapter 43, Enforcement and Administration.
- 477 5. Supplemental Standards.
- 478 a. Once combined, lots, parcels, or tracts of land may not be restored except through
479 approval of a subdivision.
 - 480 b. Once combined, the prior lots, parcels, or tracts of land may not be sold or
481 conveyed separately without approval of a subdivision or other procedure
482 authorized under this Zoning Ordinance.
 - 483 c. This Ordinance does not limit the ability of property owners to combine the legal
484 descriptions of separate lots, parcels, or tracts of land for taxing or sale purposes
485 without following the requirements of this Ordinance. However, lots, parcels, or
486 tracts of land combined only for taxing or sale purposes remain separate lots,

parcels, or tracts of land for purposes applying the Zoning Ordinance until or unless they are combined following the provisions of this Ordinance.

- d. This Ordinance also prohibits encroaching on easements. When combining lots, parcels, or tracts of land, into one (1) lot, any intervening easements will need to be abandoned.

Figure 4: Lot Tie Diagram



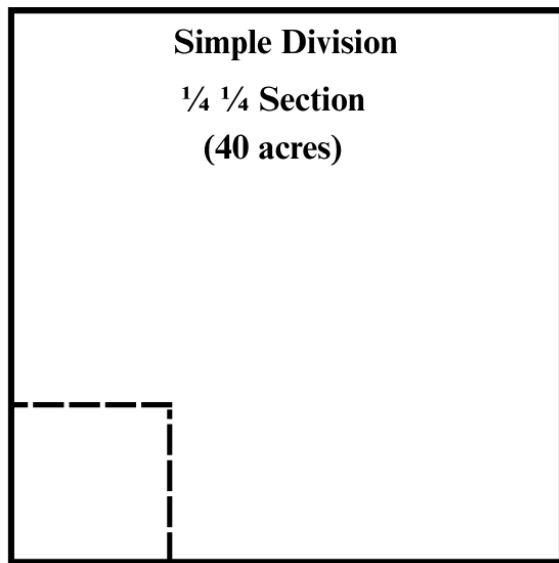
46.10 Simple Division

A Simple Division process is established to prescribe uniform procedures for the administrative review and approval of minor divisions of land that create no more than two (2) new lots and do not require the construction or extension of public improvements. The purpose of a Simple Division is to allow the efficient creation of limited new buildable lots that comply with zoning, health, and access standards without the need for full subdivision review procedures. The following provisions establish the review process and review standards for a Simple Division.

1. **Applicability.** A division of a lot, parcel, or tract of land into no more than two (2) lots shall qualify as a Simple Division if all of the following conditions are met:
 - a. The division results in no more than two (2) new buildable lots and does not require the construction or extension of public improvements or utilities.
 - b. Each resulting lot complies with the minimum lot area, width, setback, and other applicable zoning district regulations.
 - c. Each resulting lot has legal and physical access to an existing public road or an approved private drive that meets County standards.
 - d. The division does not create or leave any unbuildable remnants or outlots, except where specifically approved for open space, stormwater management, or agricultural preservation purposes.
 - e. All required easements for utilities, drainage, or access are shown on the Plat of Survey.
 - f. The division is not part of a previously approved subdivision or parent tract that has exhausted its allowed number of buildable lots under this Ordinance.
 - g. The division complies with all applicable provisions of the Warren County Zoning Ordinance, Comprehensive Land Use Plan, and Subdivision Regulations.

- 518 2. Application. All simple division application properly signed by the property owner and
519 all additional application requirements shall be submitted to the Planning and Zoning
520 Department, including:
- 521 a. A completed application form and fee;
 - 522 b. Verification of ownership or authorization to file;
 - 523 c. A Plat of Survey prepared and certified by a licensed professional land surveyor
524 in accordance with Iowa Code §355; and
 - 525 d. Any other information the Zoning Administrator determines necessary to review
526 the application.
- 527 3. Review Process. A simple division shall be reviewed and approved administratively by
528 the Zoning Administrator, with concurrent review and comment by the County Engineer
529 and County Health Department (if applicable). The Zoning Administrator may distribute
530 the Plat of Survey to other relevant County departments or utility providers for technical
531 review as deemed necessary.
- 532 4. Standards for Approval. The Zoning Administrator shall approve a simple division if it
533 meets all requirements of this Ordinance and the Zoning Ordinance, and if adequate
534 access, utilities, and health facilities are available to serve the lots.
- 535 5. Recording. Upon approval, the applicant shall cause the approved Plat of Survey and any
536 accompanying deed(s) to be recorded with the County Auditor and Recorder in
537 accordance with Iowa Code §354.
- 538 6. Supplemental Standards.
- 539 a. Any further division of the resulting lots shall be subject to the Minor or Major
540 Subdivision procedures and requirements of this Ordinance.
 - 541 b. If during review it is determined that a proposed division:
 - 542 i. Requires the construction, extension, or dedication of public
543 improvements;
 - 544 ii. Creates additional buildable lots beyond those permitted under this
545 section; or
 - 546 iii. Otherwise fails to comply with County Subdivision, Zoning, or other
547 applicable standards; then the applicant shall be notified that the proposal
548 constitutes a subdivision under this Ordinance. No building permit shall be
549 issued until a subdivision plat has been prepared, reviewed, approved, and
550 recorded in accordance with the Major or Minor Subdivision procedures
551 of this Chapter.

Figure 5: Simple Division Diagram



46.11 Simple Agricultural Division

A Simple Agricultural Division process is established to prescribe uniform procedures for the division of land zoned AG Agricultural into no more than two (2) lots, where no public improvements are required. The purpose of this process is to allow the creation of a non-farm single-family dwelling lot from a larger agricultural tract (parent tract) while ensuring the protection of agricultural land, compliance with the Warren County Comprehensive Land Use Plan, and adherence to the Warren County Zoning and Subdivision Ordinances. Any division resulting in more than two (2) lots or requiring the construction or extension of public improvements shall be processed as a Minor or Major Subdivision under this Chapter. The following provisions establish a review process and review standards for Simple Agricultural Divisions.

1. Application. All Simple Agricultural Division applications shall be submitted to the Planning and Zoning Department, properly signed by the property owner, and accompanied by the following materials:
 - a. A completed Subdivision Application Form and the required filing fee.
 - b. A Plat of Survey prepared and certified by a licensed land surveyor in the State of Iowa, showing the proposed division and including:
 - i. The boundaries, dimensions, and size of the parent tract and the proposed lots;
 - ii. The location of all existing buildings, wells, and on-site wastewater systems;
 - iii. The location of water bodies, drainageways, or flood hazard areas within one hundred (100) feet of the property; and
 - iv. The location and dimensions of all existing and proposed easements within twenty (20) feet of the property.
 - v. The Plat of Survey for such division shall contain the following notation: "Note: This plat is for agricultural purposes only. No further development,

including issuance of Building Permits, may take place on it without complying with the subdivision regulations of Warren County, Iowa.”

1. By recording a division of land for agricultural purposes only, the property owner agrees that any listing, offer for sale, or other document(s) contemplating the transfer of any such parcel, or portion of such parcel and any deed or other instrument transferring any interest in the same shall contain the following notation in at least eight (8) point bold faced type in all capital letters:
2. “NOTE: THIS PARCEL IS PART OF A PLAT FOR AGRICULTURAL PURPOSES ONLY. NO FURTHER DEVELOPMENT, INCLUDING ISSUANCE OF BUILDING PERMITS, MAY TAKE PLACE ON IT WITHOUT COMPLYING WITH THE SUBDIVISION REGULATIONS OF WARREN COUNTY, IOWA.”
- c. Legal descriptions of the parent tract and each resulting lot.
- d. Documentation verifying ownership of the parent tract.
- e. A statement identifying which lot shall be designated as the non-farm residential lot and which shall remain the farm lot.
- f. Any additional documentation required by the Zoning Administrator, including evidence of adequate access, drainage, and utility service or on-site systems.
2. Review Process. The Zoning Administrator shall review the proposed Simple Agricultural Division for compliance with this Ordinance, the Zoning Ordinance, and all applicable County standards. The application may be distributed to the County Engineer, Health Department, or other County departments for technical review and comment. The Zoning Administrator may approve, approve with conditions, or deny the application.
3. Standards for Approval. All Simple Agricultural Division applications shall satisfy the following standards to be approved:
 - a. The property shall be zoned AG Agricultural, and the parent tract shall contain at least forty (40) nominal gross acres or recorded acres prior to division.
 - b. The proposed division shall result in no more than two (2) total lots, including:
 - i. One (1) non-farm lot primarily intended for a single-family dwelling, with a minimum area of two (2) acres; and
 - ii. One (1) farm lot, retaining the remaining portion of the parent tract primarily for agricultural production.
 - c. The division shall not require the installation, extension, or dedication of any public improvements, including streets, utilities, or stormwater facilities.
 - d. Each resulting lot shall have legal and physical access to an existing public road or approved private drive that meets County standards.
 - e. The proposed division shall not create additional buildable lots, outlots, or unbuildable remnants, except where specifically designated for open space, stormwater management, or agricultural preservation.
 - f. Each resulting lot shall meet all minimum lot area, width, frontage, and setback requirements of the AG Agricultural District.
 - g. The non-farm lot and farm lot shall be labeled accordingly on the Plat of Survey, along with any unbuildable or reserved areas.

- h. All legal descriptions shall be accurate and conform to County surveying and recording standards as verified by the County Engineer.
4. Decision and Recording. Upon approval, the applicant shall record the approved Plat of Survey and any associated deeds or agreements with the Warren County Recorder, including:
- A notice of approval signed by the Zoning Administrator;
 - The notarized signature of the property owner;
 - The legal descriptions of the parent tract and resulting lots; and
 - Any recorded conditions, covenants, or agreements required by the County.

If denied, the Zoning Administrator shall issue a written notice specifying the reasons for denial and advising the applicant of the right to appeal the decision to the Board of Adjustment in accordance with Chapter 43, Enforcement and Administration.

5. Supplemental Standards.

- Once recorded, the resulting farm lot and non-farm lot shall be recognized as separate parcels for ownership and tax assessment purposes.
- The farm lot shall remain primarily in agricultural use and may not be further divided through this process. Any additional division shall require approval as a Minor or Major Subdivision.
- The non-farm lot shall be limited to a single-family detached dwelling and accessory uses permitted within the AG Agricultural District.
- Each resulting lot shall be labeled on the Plat of Survey as "Buildable Lot," "Non-Buildable Lot," or "Outlot," as applicable.
- All buildable lot rights are tied to the parent tract as it existed on the effective date of this Ordinance. Once the maximum number of buildable lots allowed has been created, no additional buildable lots shall be approved or recorded from that tract.
- If the proposed division requires public improvements, exceeds the allowed number of buildable lots, or otherwise does not comply with County standards, the division shall be processed as a Minor or Major Subdivision.

Figure 6: Simple Agricultural Division of Existing Non-Farm Single-Family Dwelling Division From Parent Tract

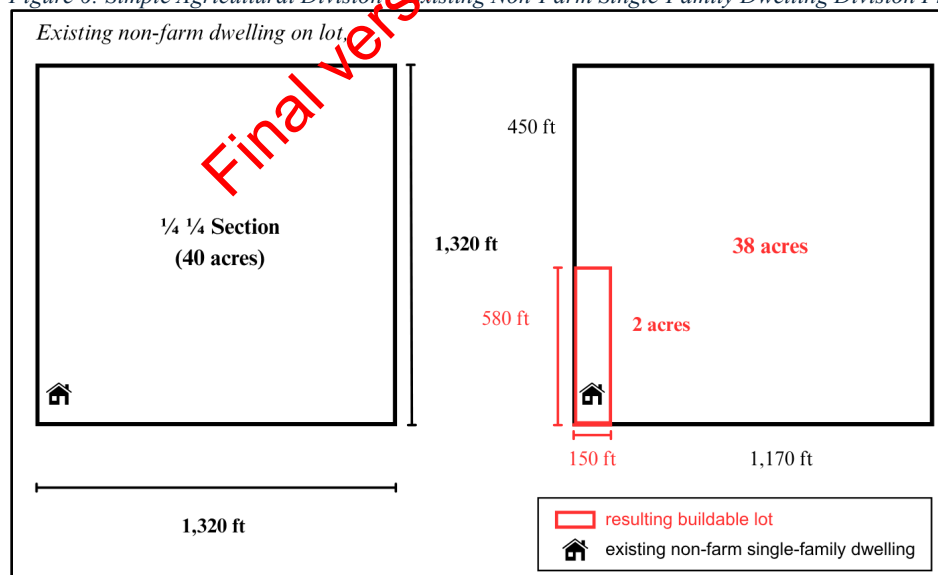
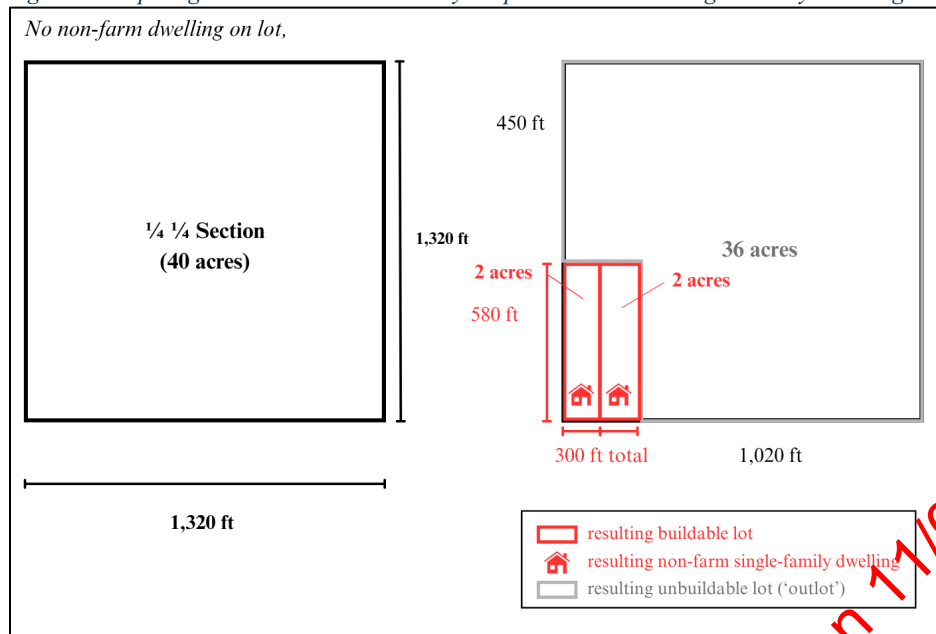


Figure 7: Simple Agricultural Division – Newly Proposed Non-Farm Single-Family Dwelling Division From Parent Tract



46.12 Auditor's Plat

An Auditor's Plat process is established to provide uniform procedures for the review and acceptance of plats prepared at the direction of the County Auditor, in accordance with Iowa Code §354.13–§354.17, as amended, when existing land descriptions or recorded plats are found to be inaccurate, incomplete, or noncompliant with state or county platting requirements. The purpose of an Auditor's Plat is to ensure that all parcels of land within a designated area are clearly and accurately described for taxation, ownership, and assessment purposes, while maintaining consistency with the Warren County Subdivision Ordinance, Zoning Ordinance, and Comprehensive Land Use Plan. Unlike other subdivision plats, an Auditor's Plat is initiated by the County Auditor rather than a private property owner.

1. Initiation. An Auditor's Plat may be ordered by the County Auditor when any of the following conditions exist:

- a. An existing subdivision plat or plat of survey does not comply with the requirements of Iowa Code §354.4 or §354.6; or
- b. The descriptions of one (1) or more parcels within a tract are not sufficiently certain or accurate for the purposes of property assessment, taxation, or record title.

2. Preparation.

- a. The County Auditor shall cause an Auditor's Plat to be prepared by a licensed professional land surveyor in accordance with Iowa Code §354.13–§354.17 and Iowa Code §355.
- b. The survey and plat shall include all boundary information, easements, and parcel descriptions necessary to correct or clarify existing property lines and shall comply with the survey standards of this Ordinance and Iowa Code.

- 683 c. The Auditor shall notify affected property owners in writing of the intent to
684 prepare an Auditor's Plat as required by state law.
- 685 3. Application and Filing.
- 686 a. The completed Auditor's Plat shall be submitted by the County Auditor to the
687 Zoning Administrator for coordination of County review.
- 688 b. The Zoning Administrator shall distribute copies of the plat and supporting
689 materials to the County Engineer, County Health Department, and any other
690 departments or public agencies deemed appropriate for technical review and
691 comment.
- 692 c. The review shall determine whether the proposed Auditor's Plat complies with:
- 693 a. The survey and monumentation standards of Iowa Code §355; and
694 b. The applicable provisions of the Warren County Subdivision Ordinance, to
695 the extent feasible.
- 696 4. Review and Recommendation.
- 697 a. Following agency review, the Zoning Administrator shall prepare a staff report
698 summarizing findings and forward the plat to the Zoning Commission for
699 consideration.
- 700 b. The Zoning Commission shall review the Auditor's Plat at a public meeting and
701 make a written recommendation to the Board of Supervisors to approve, approve
702 with conditions, or deny the plat based on compliance with Iowa law and County
703 standards.
- 704 c. The Zoning Commission's recommendation shall be forwarded to the Board of
705 Supervisors within sixty (60) days of official filing unless an extension is granted
706 in writing by the County Auditor.
- 707 5. Board of Supervisors Action.
- 708 a. The Board of Supervisors shall hold at least one (1) public meeting on the
709 proposed Auditor's Plat. Notice of the meeting shall be published in the official
710 newspaper of the County at least four (4) days but no more than twenty (20) days
711 prior to the meeting.
- 712 b. The Board shall approve the Auditor's Plat only if it results in changes to parcel
713 boundaries, creates new parcels, or otherwise affects ownership or development
714 rights.
- 715 c. If the Auditor's Plat is prepared solely to clarify legal descriptions or correct
716 survey errors without altering boundaries or creating new lots, the Board may
717 accept the plat administratively without formal approval.
- 718 d. In all cases, the Auditor's Plat must comply with Iowa Code §355 and Iowa Code
719 §354.15.
- 720 e. The Board shall approve the Auditor's Plat if it is found to comply with the
721 requirements of Iowa Code §355 and Iowa Code §354.15.
- 722 f. Approval may reserve the County's right to withhold or condition Building
723 Permits or development approvals if the Auditor's Plat does not meet the
724 subdivision design and improvement standards of this Ordinance.

- g. Following approval, the Auditor's Plat shall be recorded by the County Auditor and Recorder in accordance with state law.

6. Waivers and Exceptions.

- a. Because an Auditor's Plat is ordered by the County Auditor to correct or clarify existing records, the Zoning Commission and Board of Supervisors may waive certain procedural or design standards otherwise applicable to proprietor's plats, including:
- i. Preliminary Plat review; and
 - ii. Public improvement requirements, where such improvements are not necessary to achieve the purpose of the plat.
- b. Such waivers may only be granted upon receipt of a written request from the County Auditor ordering preparation of the plat and a written statement from the Auditor certifying that the plat satisfies the purposes for which it was ordered.
- c. Any granted waiver shall be noted in the official record of approval.

7. Supplemental Standards.

- a. An Auditor's Plat shall not create or authorize new lots for development beyond those necessary to correct existing boundary descriptions.
- b. Any future subdivision, development, or issuance of permits on land included within an Auditor's Plat shall comply fully with the requirements of the Warren County Subdivision Ordinance and Zoning Ordinance.

46.13 Preliminary Plat

A Preliminary Plat process is established to prescribe uniform procedures for the review of proposed subdivisions of land that create new lots, dedicate rights-of-way, or include the installation of public improvements. The Preliminary Plat is not a record plat and shall not be filed for recording. Its purpose is to show on a map all facts needed to enable the Zoning Commission to determine whether the proposed layout, design, and proposed improvements of a subdivision are consistent with the Warren County Comprehensive Land Use Plan, Zoning Ordinance, Subdivision Regulations, and the public interest prior to the preparation of a Final Plat. The following provisions establish a review process and review standards for a Preliminary Plat.

1. Pre-Application Meeting. Before an applicant submits a Preliminary Plat application for a Minor or Major Subdivision, the applicant may schedule a pre-application meeting with Planning and Zoning Staff to review the procedures and requirements for a Preliminary Plat. Representatives from other relevant County departments, and when applicable, affected cities, may also attend the meeting.
2. Application. All applications for a Preliminary Plat shall satisfy the following development criteria to be approved:
 - a. Application form and filing fee.
 - b. Eight (8) copies of the Preliminary Plat, for the Zoning Commission's preliminary study and approval, containing the following:

- i. Name of subdivision, date, point of compass, scale (1" = 100' maximum unless permission is obtained from the Board of Supervisors) and the legal description of the property being platted.
- ii. Name and address of property owner.
- iii. Name and address of land surveyor and engineer who prepared the map.
- iv. Location of existing buildings, railroads, underground utilities, and other rights-of-way.
- v. Location, names and widths of all existing and proposed roads, alleys, streets, and highways in or adjoining the area being subdivided.
- vi. Location and names of adjoining subdivisions, and the names and addresses of the owners of adjoining acreage parcels.
- vii. Proposed lot lines with approximate dimensions and the square foot area of non-rectangular lots.
- viii. Areas dedicated for public use, such as schools, parks, and playgrounds.
- ix. Contour lines at intervals of not more than five (5) feet.
- x. Building setback lines.
- xi. Boundaries of the proposed subdivision shall be indicated by a heavy line.
- xii. Existing and proposed land use, zoning, and Future Land Use Map designation for the subject property and adjacent properties.
- xiii. The source, size, type, and location of proposed water supply and sewer treatment facilities.
- a. Water quality sampling tests shall be required pursuant to State Health Division policies for any subdivision using individual wells. For parcels smaller than ten (10) acres, the applicant shall provide soil profile percolation and other information sufficient to evaluate the use of on-site wastewater systems.
- xiv. The provisions for sewage disposal, drainage, and flood control including the location of proposed storm sewers, ditches, culverts, bridges and other structures.
- xv. A statement of plan regarding methods and/or techniques to be used in controlling soil erosion during construction and the development of the subdivision.
- xvi. A statement from applicable utility companies indicating their approval of the utility easements shown on the plat.
- xvii. Sinkholes, wetlands, floodways, floodway fringe areas and areas with slopes exceeding thirty percent (30%).

- xviii. A vicinity sketch at a legible scale showing the relationship of the plat to its general surroundings.
- xix. Lot numbers and the gross area, area included in the road right-of-way, and net area shall be shown for each lot.
- xx. Location and dimensions of sidewalks to be installed (only in cases where a city has jurisdiction within two miles).
- c. An attorney's opinion of title confirming ownership and listing encumbrances, liens, or easements.
- d. Any additional documentation or studies (e.g., traffic impact study, drainage report) deemed necessary by the Zoning Administrator or County Engineer.
3. Distribution for Review. Upon acceptance of a complete application and fee, the Zoning Administrator shall transmit copies of the Preliminary Plat and supporting documentation to the following entities for review and comment: County Engineer; appropriate school district; appropriate fire protection district; County Sheriff's Office; County Health Department; and any other department, utility provider, or public agency deemed appropriate by the Zoning Administrator. Comments and recommendations shall be submitted to the Zoning Administrator as soon as practical, but typically within twenty (15) working days of transmittal.
4. Zoning Commission Public Hearing. Before taking final action on a Preliminary Plat application, the Zoning Commission shall hold at least one (1) public hearing on the proposed Preliminary Plat in accordance with the notice and meeting requirements outlined in 43.02 Zoning Commission. Notice of the hearing will be published in an official newspaper of the County at least four (4) days but no more than twenty (20) days prior to the hearing. Written notice of the hearing shall be mailed at least ten (10) days prior to the hearing to all owners of property within five hundred (500) feet of the Preliminary Plat subdivision boundary, as shown on the current records of the County Assessor. If the subdivider is the only adjacent land owner within five hundred (500) feet of the plat boundary, notice shall be sent to the next adjacent land owner(s). At the public hearing, any party may appear in person or by representative. However, failure of the party or representative to attend the public hearing will result in dismissal of the respective Preliminary Plat and no new respective Preliminary Plat can be submitted for one (1) year from the date of dismissal.
5. Zoning Commission Recommendation. Following the public hearing, the Zoning Commission shall transmit to the Board of Supervisors its written recommendation to approve the Preliminary Plat, approve the Preliminary Plat with specified conditions, or deny the Preliminary Plat, citing specific reasons for denial. The Zoning Commission's recommendation shall be forwarded to the Board of Supervisors within sixty (60) days of the date the application was officially filed unless an extension is agreed to in writing by the applicant.
6. Board of Supervisors Public Hearing. After receiving the Zoning Commission's recommendation, the Board of Supervisors shall hold at least one (1) public

847 hearing on the proposed Preliminary Plat in accordance with the notice and
848 meeting requirements outlined in 43.04 Board of Supervisors. Notice of the
849 hearing will be published in an official newspaper of the County at least four (4)
850 days but no more than twenty (20) days prior to the hearing. Written notice of the
851 hearing shall be mailed at least ten (10) days prior to the hearing to all owners of
852 property within five hundred (500) feet of the Preliminary Plat subdivision
853 boundary, as shown on the current records of the County Assessor. If the
854 subdivider is the only adjacent land owner within five hundred (500) feet of the
855 plat boundary, notice shall be sent to the next adjacent land owner(s).
856 Supplemental or additional notices may be published or distributed as the Board
857 of Supervisors may prescribe. At the public hearing, any party may appear in
858 person or by representative. However, failure of the party or representative to
859 attend the public hearing will result in dismissal of the respective Preliminary
860 Plat and no new respective Preliminary Plat can be submitted for one (1) year
861 from the date of dismissal.

- 862 7. Standards for Approval. All applications for a Preliminary Plat shall satisfy the
863 following development criteria to be approved:
- 864 a. The application conforms with environmental and health laws and
865 regulations concerning water and air pollution, the disposal of solid waste,
866 facilities to supply water, community, or public sewage disposal and, where
867 applicable, individual systems for sewage disposal.
 - 868 b. The applicant has shown the availability of water which meets applicable
869 health standards and is sufficient for the reasonably foreseeable needs of the
870 subdivision.
 - 871 c. The site is served, or will be served at the time of development, with all
872 necessary public utilities, including, but not limited to, electric and telephone
873 service.
 - 874 d. The site is in an area of the County that is appropriate for proposed
875 development activity and which will not contribute to the need for inefficient
876 extensions and expansions of public facilities, utilities, and services.
 - 877 e. The applicant has shown the availability and accessibility of public services
878 such as schools, public safety, and fire protection.
 - 879 f. The site represents an overall development pattern that is consistent with the
880 goals and policies of the Comprehensive Land Use Plan and any other
881 applicable planning documents adopted by the County.
 - 882 g. The site and application conform to all applicable provisions of these
883 regulations.
 - 884 h. The application considers the effect of the proposed subdivision on existing
885 public streets and the need for new streets or highways to serve the
886 subdivision.

- i. The Preliminary Plat shows the location, spacing and design of proposed streets, curb cuts and intersections, all of which are consistent with good traffic engineering design principles.
- j. Each lot in the map of a residential development has adequate and safe access to/from a local street. If lot access is to/from a collector or arterial street, the Zoning Commission shall expressly find that such access is safe and that no other lot access or subdivision configuration is feasible.
- k. The site contains a parcel, lot and land subdivision layout that is consistent with the Zoning Ordinance, good land planning and site engineering design principles.
- l. The site will be laid out and developed in a manner that is sensitive to environmental features and/or characteristics of the tract or parcel including, but not limited to, topography, slope, soils, geology, hydrology, floodplains, wetlands, vegetation and trees;
- m. The applicant agrees to dedicate and improve land, right-of-way, and easements, as may be determined to be needed to effectuate the purposes of these regulations and the standards and requirements incorporated herein.

8. Decision and Records.

- a. The Board of Supervisors shall render a written decision on an application for a Preliminary Plat after the close of the public hearing. The final decision of the Board shall contain specific findings of fact supporting the granting or denial of the Preliminary Plat and shall clearly set forth any conditions or restrictions imposed pursuant to this Ordinance.
- b. The Zoning Department shall maintain complete records of all action with respect to applications for a Preliminary Plat.
- c. If denied, applicants may not reapply for the same Preliminary Plat to the Board before one (1) year have passed from the date of the hearing on the first petition.

9. Supplemental Standards.

- a. Approval of a Preliminary Plat shall not, by itself, constitute final acceptance of the subdivision. Such approval signifies only the general acceptability of the proposed layout and authorizes the subdivider to proceed with preparation of detailed construction plans and a Final Plat. Approval of the Preliminary Plat shall become null and void unless a Final Plat for all or a portion of the subdivision is submitted to the Board of Supervisors within one hundred eighty (180) days of the date of Preliminary Plat approval, unless an extension is granted by the Board of Supervisors.
- b. The Preliminary Plat and Final Plat shall not be submitted for consideration at the same meeting.

46.14 Final Plat

A Final Plat process is established to prescribe uniform procedures for the review and approval of proposed subdivisions of land that create new lots, dedicate rights-of-way, or include the installation of public improvements. The Final Plat is the official record plat and, upon approval, shall be filed for recording with the Warren County Auditor and Recorder. Its purpose is to ensure that all conditions of Preliminary Plat approval (when applicable) have been satisfied, that all required improvements are installed or guaranteed, and that the subdivision is consistent with the Warren County Comprehensive Land Use Plan, Zoning Ordinance, and Subdivision Regulations. The following provisions establish a review process and review standards for a Final Plat.

1. Pre-Application Meeting. Before an applicant submits a Final Plat application for a Minor or Major Subdivision, the applicant may schedule a pre-application meeting with Planning and Zoning Staff to review the procedures and requirements for a Final Plat. Representatives from other relevant County departments, and when applicable, affected cities, may also attend the meeting.
2. Application. All applications for a Final Plat shall satisfy the following development criteria to be approved:
 - a. Application form and filing fee.
 - b. Eight (8) copies of the Final Plat, for the Zoning Commission's preliminary study and approval, containing the following:
 - i. Name of subdivision, date, point of compass, scale (1" = 100' maximum unless permission is obtained from the Board of Supervisors) and the legal description of the property being platted.
 - ii. Name and address of property owner.
 - iii. Name and address of land surveyor and engineer who prepared the map.
 - iv. Accurate boundary survey with bearings and distances for all lines; angular and linear dimensions sufficient to locate all lines on the ground; an unadjusted perimeter closure error not to exceed 1 in 10,000; and submission of traverse closure (latitude/departure) computations to the County Engineer.
 - v. Exact references to known or permanent monuments, including the bearing and distance from a corner of a congressional division of the County; description, location, type, size, and material of all monuments and markers set, meeting the monumentation requirements of Iowa Code §355.6.
 - vi. Names, centerlines, widths, and right-of-way limits of all existing and proposed streets within and adjoining the subdivision, with bearings and distances shown along centerlines and right-of-way lines.
 - vii. Complete curve data for every curve (delta angle, radius, arc length, chord and chord bearing, and tangent).
 - viii. Lot and block layout with all lot lines bearing and distance labeled; lots numbered consecutively and blocks lettered in sequence; building setback lines dimensioned.
 - ix. Lot areas shown as both gross and net (net excludes rights-of-way); areas under two (2) acres stated in square feet and areas two (2) acres or more stated to the nearest one-hundredth of an acre.

- 972 x. Easements (utility, drainage, access, or other) shown and labeled with
973 width, purpose, beneficiaries, and any limitations or restrictions.
- 974 xi. Areas dedicated or reserved for public use (e.g., parks, schools, open
975 space) dimensioned with bearings, distances, and acreage; metes-and-
976 bounds descriptions provided for each such tract.
- 977 xii. Accurate location of all existing and recorded roads, railroads, utilities,
978 and other rights-of-way intersecting or adjoining the plat boundaries.
- 979 xiii. Identification of adjoining subdivisions by name and recording
980 information; for unplatted adjoining lands, show boundary lines for at
981 least two hundred (200) feet and label any adjacent streets/alleys with
982 widths and names.
- 983 xiv. Identification of floodways, floodway fringe, wetlands, sinkholes, and
984 other regulated natural features present on the site; reference the effective
985 FEMA panel number(s), if applicable.
- 986 xv. Statement of water supply and wastewater disposal method for each lot
987 (public or on-site). For on-site systems, provide percolation/soil profile
988 data sufficient to demonstrate feasibility in accordance with County Health
989 requirements; for wells, include any required water quality testing
990 compliance statements.
- 991 xvi. Location of stormwater management facilities and drainage easements;
992 notation of compliance with County stormwater and erosion/sediment
993 control standards.
- 994 xvii. Signature blocks and certificates in recordable form, including: Surveyor's
995 Certificate, Owner's and (if applicable) Spouse's Consent and Dedication,
996 Mortgagee/Lienholder Consent and Subordination (if encumbered),
997 Zoning Administrator Certificate, County Engineer Certificate, County
998 Attorney Approval as to Form, Board of Supervisors Approval, and any
999 additional certificates required by Iowa Code §354.11 and the County
1000 Recorder.
- 1001 xviii. Notations identifying any private roads, common areas, or outlots,
1002 together with responsibility for ownership and maintenance.
- 1003 xix. If within two (2) miles of a city, a certified resolution or certificate of
1004 approval by the city council, when required.
- 1005 xx. Any other notes, details, or references necessary to ensure the plat is
1006 complete, unambiguous, and suitable for filing and indexing by the
1007 County Auditor and Recorder.
- 1008 c. Construction plans or as-built plans (as applicable) for all public
1009 improvements (streets, grading, drainage, sanitary sewer, water, and other
1010 utilities), prepared and sealed by an Iowa-licensed professional engineer,
1011 including plan and profile sheets (50' horizontal / 5' vertical scale) and
1012 standard orientation (west end of E-W streets and south end of N-S streets at
1013 left side of sheet). Public and private roads shall meet the requirements of
1014 Section 46.15 of this Chapter.
- 1015 d. Engineer's itemized cost estimate for all required public improvements; if
1016 improvements are not yet accepted, a performance guarantee (bond/LOC) in a
1017 form acceptable to the County Attorney in an amount not less than one

- 1018 hundred twenty-five percent (125%) of the approved estimate, together with a
1019 maintenance guarantee for workmanship and materials for a minimum of two
1020 (2) years after acceptance.
- 1021 e. Developer's Agreement on a form approved by the County Attorney,
1022 committing to install all required improvements and to provide any required
1023 surety.
- 1024 f. Attorney's opinion of title or title guarantee current to the date of submittal,
1025 confirming ownership and listing all easements, liens, and encumbrances of
1026 record; if encumbered as described in Iowa Code §354.12, provide the
1027 required encumbrance bond and certificate approved by the County Auditor.
- 1028 g. Certificate from the County Treasurer that taxes and special assessments on
1029 the land to be platted are paid to date.
- 1030 h. Executed easement and dedication instruments for all streets and areas
1031 intended for public use or utilities, in a form approved by the County Attorney
1032 and County Engineer.
- 1033 i. Protective covenants, restrictions, and (if applicable) homeowners' association
1034 articles/bylaws; include provisions allocating ownership and long-term
1035 maintenance responsibility for common areas, private roads, stormwater
1036 facilities, and other shared improvements.
- 1037 j. Written confirmations from applicable utility providers acknowledging review
1038 and acceptance of proposed utility easements and facility layouts.
- 1039 k. Required technical reports and approvals, as applicable: stormwater
1040 management/drainage report, erosion and sediment control plan, traffic impact
1041 study, floodplain development permit, IDNR or other state/federal permits or
1042 clearances.
- 1043 l. Any additional documentation reasonably required by the Zoning
1044 Administrator or County Engineer (i.e., Traffic Impact Study) to verify
1045 compliance with this Ordinance, the Zoning Ordinance, the Comprehensive
1046 Land Use Plan, and the Iowa Code, and to facilitate review and recording.
- 1047 3. Distribution for Review. Upon acceptance of a complete application and fee, the
1048 Zoning Administrator shall transmit copies of the Final Plat and supporting
1049 documentation to the following entities for review and comment: County Engineer;
1050 appropriate school district; appropriate fire protection district; County Sheriff's
1051 Office; County Health Department; and any other department, utility provider, or
1052 public agency deemed appropriate by the Zoning Administrator. Comments and
1053 recommendations shall be submitted to the Zoning Administrator as soon as practical,
1054 but typically within twenty (15) working days of transmittal.
- 1055 4. Zoning Commission Public Hearing. Before taking final action on a Final Plat
1056 application, the Zoning Commission shall hold at least one (1) public hearing on the
1057 proposed Final Plat in accordance with the notice and meeting requirements outlined
1058 in 43.02 Zoning Commission. Notice of the hearing will be published in an official
1059 newspaper of the County at least four (4) days but no more than twenty (20) days
1060 prior to the hearing. Written notice of the hearing shall be mailed at least ten (10)
1061 days prior to the hearing to all owners of property within five hundred (500) feet of
1062 the Final Plat subdivision boundary, as shown on the current records of the County
1063 Assessor. If the subdivider is the only adjacent land owner within five hundred (500)

- 1064 feet of the plat boundary, notice shall be sent to the next adjacent land owner(s). At
1065 the public hearing, any party may appear in person or by representative. However,
1066 failure of the party or representative to attend the public hearing will result in
1067 dismissal of the respective Final Plat and no new respective Final Plat can be
1068 submitted for one (1) year from the date of dismissal. If the Final Plat conforms in all
1069 respects to an approved Preliminary Plat and all conditions of approval have been
1070 satisfied, a public hearing by the Zoning Commission shall not be required. In such
1071 cases, the Zoning Administrator may forward the Final Plat directly to the Board of
1072 Supervisors for consideration following administrative verification of compliance.
- 1073 5. Zoning Commission Recommendation. Following the public hearing, or review if the
1074 hearing is waived, Following the hearing (or review, if hearing is waived), the Zoning
1075 Commission shall recommend to the Board of Supervisors that the Final Plat be
1076 approved, approved with conditions, or denied. The recommendation shall be in
1077 writing and shall include findings of fact and any conditions imposed. The
1078 Chairperson of the Zoning Commission shall sign and date the plat to indicate the
1079 action taken. The Zoning Commission's recommendation shall be forwarded to the
1080 Board of Supervisors within sixty (60) days of the filing of a complete application
1081 unless an extension is granted in writing by the applicant.
- 1082 6. Board of Supervisors Public Hearing. After receiving the Zoning Commission's
1083 recommendation, the Board of Supervisors shall hold at least one (1) public hearing
1084 for the final approval of the Final Plat and for the acceptance of all roads, streets,
1085 alleys, easements, parks, or other areas reserved for or dedicated to the public, along
1086 with the required surety bonds or checks guaranteeing that the improvements required
1087 under Section 46.15 herein shall be installed. Notice of the hearing shall be in
1088 accordance with the notice and meeting requirements outlined in 43.04 Board of
1089 Supervisors and will be published in an official newspaper of the County at least four
1090 (4) days but no more than twenty (20) days prior to the hearing. Written notice of the
1091 hearing shall be mailed at least ten (10) days prior to the hearing to all owners of
1092 property within five hundred (500) feet of the Preliminary Plat subdivision boundary,
1093 as shown on the current records of the County Assessor. If the subdivider is the only
1094 adjacent land owner within five hundred (500) feet of the plat boundary, notice shall
1095 be sent to the next adjacent land owner(s). Supplemental or additional notices may be
1096 published or distributed as the Board of Supervisors may prescribe. At the public
1097 hearing, any party may appear in person or by representative. However, failure of the
1098 party or representative to attend the public hearing will result in dismissal of the
1099 respective Preliminary Plat and no new respective Preliminary Plat can be submitted
1100 for one (1) year from the date of dismissal. The approval of the Final Plat by the
1101 Zoning Commission shall be null and void unless the Final Plat is submitted to the
1102 Board of Supervisors within one (1) year after date of approval by the Zoning
1103 Commission.
- 1104 7. Standards for Approval. All applications for a Final Plat shall satisfy the following
1105 development criteria to be approved:
- 1106 a. The application conforms with environmental and health laws and regulations
1107 concerning water and air pollution, the disposal of solid waste, facilities to
1108 supply water, community, or public sewage disposal and, where applicable,
1109 individual systems for sewage disposal.

- 1110 b. The applicant has shown the availability of water which meets applicable
1111 health standards and is sufficient for the reasonably foreseeable needs of the
1112 subdivision.
- 1113 c. The site is served, or will be served at the time of development, with all
1114 necessary public utilities, including, but not limited to, electric and telephone
1115 service.
- 1116 d. The site is in an area of the County that is appropriate for proposed
1117 development activity and which will not contribute to the need for inefficient
1118 extensions and expansions of public facilities, utilities, and services.
- 1119 e. The applicant has shown the availability and accessibility of public services
1120 such as schools, public safety, and fire protection.
- 1121 f. The site represents an overall development pattern that is consistent with the
1122 goals and policies of the Comprehensive Land Use Plan and any other
1123 applicable planning documents adopted by the County.
- 1124 g. The site and application conform to all applicable provisions of these
1125 regulations.
- 1126 h. The application considers the effect of the proposed subdivision on existing
1127 public streets and the need for new streets or highways to serve the
1128 subdivision.
- 1129 i. The Final Plat shows the location, spacing and design of proposed streets,
1130 curb cuts and intersections, all of which are consistent with good traffic
1131 engineering design principles.
- 1132 j. Each lot in the map of a residential development has adequate and safe access
1133 to/from a local street. If lot access is to/from a collector or arterial street, the
1134 Zoning Commission shall expressly find that such access is safe and that no
1135 other lot access or subdivision configuration is feasible.
- 1136 k. The site contains a parcel, lot and land subdivision layout that is consistent
1137 with the Zoning Ordinance, good land planning and site engineering design
1138 principles.
- 1139 l. The site will be laid out and developed in a manner that is sensitive to
1140 environmental features and/or characteristics of the tract or parcel including,
1141 but not limited to, topography, slope, soils, geology, hydrology, floodplains,
1142 wetlands, vegetation and trees;
- 1143 m. The applicant agrees to dedicate and improve land, right-of-way, and
1144 easements, as may be determined to be needed to effectuate the purposes of
1145 these regulations and the standards and requirements incorporated herein.
- 1146 8. Decision and Records.
- 1147 a. The Board of Supervisors shall render a written decision on an application for
1148 a Final Plat after the close of the public hearing. The final decision of the
1149 Board shall contain specific findings of fact supporting the granting or denial
1150 of the Final Plat and shall clearly set forth any conditions or restrictions
1151 imposed pursuant to this Ordinance.
- 1152 b. Approval of the Final Plat shall also constitute acceptance by the County of all
1153 dedications of streets, rights-of-way, easements, parks, or other areas reserved
1154 for or dedicated to the public, subject to the filing of required performance
1155 guarantees and approval by the County Engineer and County Attorney.

- 1156 c. If approved, the Final Plat, as approved by the Board, shall be filed with the
1157 County Auditor and Recorder within ninety (90) days of the date of approval,
1158 unless an extension is granted by the Board of Supervisors. Failure to record
1159 the plat within the prescribed time shall render the approval null and void.
1160 d. The Zoning Department shall maintain complete records of all action with
1161 respect to applications for a Final Plat.
1162 e. If denied, applicants may not reapply for the same Final Plat to the Board
1163 before one (1) year has passed from the date of the hearing on the first
1164 petition.
1165 9. Supplemental Standards.
1166 a. Approval of a Final Plat shall become null and void unless the plat is recorded
1167 within ninety (90) days of approval or unless an extension is granted by the
1168 Board of Supervisors prior to expiration. The Board may grant an extension of
1169 up to one (1) year upon written request by the subdivider, stating just cause for
1170 delay.
1171 b. If the subdivision improvements have not been installed at the time of Final
1172 Plat approval, construction shall commence within one (1) year following the
1173 date of Board approval unless an extension is granted by the Board of
1174 Supervisors. Failure to begin construction within the specified time frame may
1175 result in the plat being declared null and void and require reapplication.
1176 c. Any proposed change to a recorded Final Plat shall be processed as a replat or
1177 amended plat in accordance with the procedures and standards of this
1178 Ordinance.
1179 d. Approval and recording of a Final Plat shall not be construed as guaranteeing
1180 future land use development applications or Building Permit approvals. All
1181 development subsequent to Final Plat approval shall comply with the Zoning
1182 Ordinance and all other applicable regulations in effect at the time of
1183 permitting.
1184 e. The provisions of this Section shall also be applicable to all plats approved
1185 prior to the effective date of the ordinance codified in this chapter.

1186 **46.15 Improvements Required**

1187 Before the Final Plat of any area shall be approved by the Board of Supervisors and recorded, the
1188 subdivider shall make and install the improvements described in this section. In lieu of final
1189 completion of the minimum improvements before the plat is finally approved, the subdivider
1190 shall post a bond or a set-aside letter of credit from a bank, approved by the County Attorney and
1191 County Treasurer, with the Board of Supervisors, which bond or a set-aside letter of credit from a
1192 bank will insure to the County that the improvements will be completed by the subdivider within
1193 one (1) year after final approval of the plat. The amount of the bond or the set-aside letter of
1194 credit from a bank shall not be less than the estimated cost of the improvements and the amount
1195 of the estimate must be approved by the County Engineer. If the improvements are not completed
1196 within the specified time, the County may use the bond or the set-aside letter of credit from a
1197 bank or any portion thereof to complete same. For plats located in unincorporated areas within
1198 two (2) miles of the corporate limits of cities that have adopted the provisions of Iowa Code
1199 §354.9 as amended, the Zoning Commission and Board may waive the requirements of this
1200 section provided they are satisfied that the subdivision regulations of the City governing the

1201 areas within which the subdivision is located are sufficient to insure adequate conformance with
1202 these regulations.

- 1203 1. Minimum Improvements Required. The minimum improvements installed or for
1204 which bond is posted, in any subdivision, before the plat can be finally approved shall
1205 be in accordance with the following subsections:
- 1206 a. The subdivider shall grade and improve all new streets between the right-of-way
1207 lines within the subdivided area.
 - 1208 b. All street paving requirements shall be design driven and as determined by the
1209 site plan.
 - 1210 c. The subdivider shall, whenever necessary, grade any portion of the property
1211 subdivided into lots so that each lot will be usable and suitable for the erection of
1212 residences or other structures thereon.
 - 1213 d. The county shall require proof of sign off from the Iowa Department of Natural
1214 Resources in terms of stormwater management and grading if the proposed
1215 development disturbs one (1) or more acres.
 - 1216 e. The subdivider shall construct sanitary sewers according to the standards and
1217 specifications of Warren County and provide a connection for each lot to the
1218 sanitary sewer. Where existing sewer outlets are not within reasonable distance,
1219 installation of private sewer facilities or septic tanks shall be permissible. Where a
1220 private sewage treatment system is proposed, the subdivider shall furnish
1221 evidence that these facilities have been approved by the Iowa Department of
1222 Natural Resources (IDNR).
 - 1223 f. The subdivider shall provide, where applicable, for the installation of water mains
1224 and fire hydrants in the subdivided area, and such installation shall be made prior
1225 to the street pavement construction and shall be in accordance with the standards
1226 and specifications of Warren County. Where a private water supply system is
1227 proposed, the subdivider shall furnish evidence that such a system has been
1228 approved by the Iowa Department of Natural Resources. Private wells shall meet
1229 the requirements of the County Board of Health.
 - 1230 g. Storm drainage and storm sewer facilities shall be provided, including permanent
1231 culverts or bridges or a size and design approved by the County Engineer.
 - 1232 h. Permanent monuments shall be set at each corner of the perimeter of the
1233 subdivision and at the corner of each block within the subdivision and at the
1234 corner of each lot. All monuments shall be made of permanent material, sensitive
1235 to a dip needle and at least thirty (30) inches long and shall conform with standard
1236 specifications of Warren County. The requirements of Iowa Code §355.6, as
1237 amended, regarding monumentation shall also apply.
 - 1238 i. Street signs shall be required at all intersections and shall be of the type approved
1239 by the County Engineer.
 - 1240 j. The Board and Zoning Commission may require that all utility lines except
1241 electric lines of nominal voltage in excess of fifteen thousand (15,000) volts, be
1242 installed underground. The subdivider shall be responsible for making the
1243 necessary arrangements with the utility companies for installation of such
1244 facilities. Said utility lines shall be installed in such a manner so as not to interfere
1245 with other underground utilities. Underground utility lines which cross underneath
1246 the right-of-way of any street, alley or way shall be installed prior to the

improvement of any such street, alley, or way in the subdivision. Incidental appurtenances, such as transformers and their enclosures, pedestal mounted terminal boxes, meters and meter cabinets may be placed above ground but shall be located so as not to be unsightly or hazardous to the public. Such incidental appurtenances shall be in accordance with the standards and specifications of Warren County. If overhead utility lines or wires are permitted, they shall be placed in the easements provided in the rear of the lots. In their determination on whether or not to require underground utilities, the Board and Zoning Commission may consider that soil, topographical, or other conditions make such installations within the subdivision unreasonable or impractical.

2. Approval by Engineer. All plans, specifications, installation, and construction required by this chapter shall be subject to review, approval and inspection by the County Engineer or an authorized representative.
 - a. The County may require contracts for all public improvements to be executed on forms furnished and approved by the County Attorney and the Board of Supervisors.
 - b. The subdivider shall furnish the County Engineer with a construction schedule prior to commencement of any and/or all construction, and shall notify the County Engineer, not less than 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. Warranty. The subdivider shall be responsible for the installation and/or construction of all improvements required by this chapter, and shall warrant the design, materials and workmanship of such improvements, installation, and construction for a period of two (2) years from and after completion. Such warranty shall be by bond or a set-aside letter of credit from a bank; and shall be subject to review by the County Attorney; shall assure the expedient repair or replacement of defective improvements under warranty; and shall indemnify the County from all costs or losses resulting from or contributed to such defective improvements.

46.16 Subdivision Design Standards

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

1. Streets. The general requirements for streets are as follows:
 - A. Comprehensive Plan. All proposed plats and subdivisions shall conform to the Comprehensive Land Use Plan of Warren County.
 - B. Continuation of Existing Streets. Proposed streets shall be designed to continue or complete any existing (constructed or recorded) streets on adjoining properties, with right-of-way widths that are equal to or greater than those of the existing streets. The street right-of-way width shall be determined by design requirements; however, no right-of-way shall be less than fifty (50)

- 1291 feet in width or deviate from the general alignment of the existing
1292 (constructed or recorded) street, unless otherwise approved by the County
1293 Engineer.
- 1294 C. Circulation. The street pattern shall provide ease of circulation within the
1295 subdivision as well as convenient access to adjoining streets, thoroughfares, or
1296 unsubdivided land as may be required by the Zoning Commission. In a case
1297 where a street will eventually be extended beyond the plat, but is temporarily
1298 dead ended, an interim turnaround may be required.
- 1299 D. Street Intersections. Street intersections shall be as nearly at right angles as
1300 possible.
- 1301 E. Cul-de-sacs. Whenever a cul-de-sac is permitted, such street shall be provided
1302 at the closed end with a turnaround having a street property line diameter of at
1303 least one hundred fifty (150) feet in the case of the residential subdivision.
1304 The right-of-way width of the street leading to the turnaround shall be a
1305 minimum of fifty (50) feet. The property line at the intersection of the
1306 turnaround and the lead-in portion of the street shall be rounded at a radius of
1307 not less than seventy-five (75) feet.
- 1308 F. Street Names. All newly platted streets shall be addressed in a manner
1309 consistent with the present street addressing system. A proposed street that is
1310 obviously in alignment with other existing streets, or with a street that may be
1311 logically extended, although the various portions be at a considerable distance
1312 from each other, shall bear the same name. Names of new streets shall be
1313 subject to the approval of the E911 Director or other designated official
1314 responsible for 911 addressing in order to avoid duplication or close similarity
1315 of names.
- 1316 G. Physical and Cultural Features. In general, streets shall be platted with
1317 appropriate regard for topography, creeks, wooded areas, and other natural
1318 features which would lend themselves to attractive treatment.
- 1319 H. Half Streets. Dedication of half streets will be discouraged. Where there exists
1320 a dedicated or platted half street or alley adjacent to the tract to be subdivided,
1321 the other half shall be platted if deemed necessary by the Zoning Commission.
- 1322 I. Alleys. Alleys may be required in business areas and industrial districts for
1323 adequate access to block interiors and for off-street loading and parking
1324 purposes. Except where justified by unusual conditions, alleys will not be
1325 approved in residential districts. Dead-end alleys shall be provided with a
1326 means of turning around at the dead-end thereof.
- 1327 J. Easements. Easements for utilities shall be provided along rear or side lot
1328 lines or along alleys, if needed. Fee owner or equitable owner shall not erect
1329 any permanent structures but shall have the right to make any other use of the
1330 land subject to such easement which is not inconsistent with the rights of the
1331 grantee. Whenever any stream or important surface water course is located in
1332 an area that is being subdivided, the subdivider shall, at said owner's own
1333 expense, make adequate provision for straightening or widening the channel
1334 so that it will properly carry the surface water, and shall provide and dedicate
1335 to Warren County an easement, along each side of the stream, which easement
1336 shall be for the purpose of widening, improving, or protecting the stream. The

width of such easement shall be not less than twenty (20) feet and the total width of the easement shall be adequate to provide for any necessary channel relocation or straightenings.

- K. Neighborhood Plan. If any overall plan has been made by the Zoning Commission for the neighborhood in which the proposed subdivision is located, the street system of the latter shall conform in general thereto.
- L. Unsubdivided Portion of Plat. Where the plat to be submitted includes only part of the tract owned by the subdivider, the Zoning Commission will require topography and a sketch of a tentative future street system of the unsubdivided portion.
- M. Major Thoroughfares. Where a new subdivision, except where justified by limiting conditions, involves frontage on a traffic way, limited access way, freeway, or parkway, the street layout shall provide motor access to such frontage by one of the following means:
- (1) A parallel street supplying frontage for lots backing onto the traffic way.
 - (2) A series of cul-de-sacs or short loops entered from and planned at right angles to such a parallel street, with their terminal lots backing onto the highway.
 - (3) An access drive separated by a planting strip from the highway to which motor access from the drive is provided at points suitably spaced.
 - (4) A service drive or alley at the rear of the lots. Where any one of the above-mentioned arrangements is used, deed covenants or other means should prevent any private residential driveways from having direct access to the traffic way.
 - (5) An easement to Warren County shall be given for all streets before same will be accepted for County maintenance.
 - (6) Any new subdivision fronting on a traffic way shall have no more than three (3) accesses onto such traffic way in each one thousand three hundred twenty (1,320) feet. All accesses to be placed at the direction of the Warren County Engineer. No access drive shall be permitted to a County public road in a subdivision where access is available to a private road within a subdivision.
- N. Railroads. If a railroad is involved, the subdivision plan should:
- (1) Be so arranged as to permit, where necessary, future grade separations at highway crossings of the railroad.
 - (2) Border the railroad with a parallel street at a sufficient distance from it to permit deep lots to back onto the railroad; or form a buffer strip for park, commercial, or industrial use.
 - (3) Provide cul-de-sacs at right angles to the railroad so as to permit lots to back thereon to.
- O. Street Width. Major thoroughfares shall have a minimum right-of-way as specified by the Warren County Engineer of applicable County standards. The width of minor or residential streets shall not be less than fifty (50) feet.

- 1382 P. Street Grades. Streets and alleys shall be completed to grades which have
1383 been officially determined or approved by the County Engineer. All streets
1384 shall be graded to the full width of the right-of-way and adjacent side slopes
1385 graded to blend with the natural ground level. The maximum grade for major
1386 thoroughfares shall be as specified in the Comprehensive Land Use Plan of
1387 Warren County and shall not exceed six percent (6%) for main and secondary
1388 thoroughfares and ten percent (10%) for minor or local service streets. All
1389 changes in grades on major roads or highways shall be connected by vertical
1390 curves of a minimum length equivalent to twenty (20) times the algebraic
1391 difference between the rates of grade, expressed in feet per hundred, or
1392 greater, if deemed necessary by the County Engineer; for secondary and minor
1393 streets, fifteen (15) times. The grade alignment and resultant visibility,
1394 especially at intersections, shall be worked out in detail to meet the approval
1395 of the County Engineer.
- 1396 Q. Street Paving. All streets within a subdivision shall be paved in accordance
1397 with the standards of this Ordinance and the requirements of the current Iowa
1398 Department of Transportation (IDOT) standards and specifications, including
1399 subgrade preparation, pavement thickness, and materials. The type and
1400 thickness of pavement shall be determined based on anticipated traffic
1401 volumes and soil conditions, subject to review and approval by the County
1402 Engineer. As provided in Table 1: Summary of Zoning Districts Development
1403 Standards in Chapter 41, Zoning Districts and Boundaries, where a
1404 subdivision connects to an existing paved public road, the developer shall
1405 pave the new subdivision street(s) from the point of connection to the nearest
1406 existing paved road.
- 1407 R. Erosion Control. No subdivision shall be approved unless it includes soil
1408 erosion control measures approved by the County Engineer.
- 1409 S. Street Trees. Trees or bushes shall not be planted within the street or road
1410 right-of-way in subdivisions located in the PR Planned Residential or VR
1411 Village Residential zoning districts.
- 1412 2. Blocks. The general requirements for Blocks shall be as follows:
1413 A. No block shall be longer than one thousand three hundred twenty (1,320) feet,
1414 except in areas zoned RR Rural Residential by the Zoning Ordinance.
1415 B. At street intersections, block corners shall be rounded with a radius of not less
1416 than twenty-five (25) feet; where, at any one intersection a curve radius has
1417 been previously established, such radius shall be used as a standard.
- 1418 3. Lots. The general requirements for Lots shall be as follows:
1419 A. Corner lots shall be of such width as to permit the maintenance of all yard
1420 requirements as may be required by the Zoning Ordinance.
1421 B. Double frontage lots should be avoided except where essential to provide
1422 separation of residential development from major traffic arteries or to
1423 overcome specific disadvantages of topography.
1424 C. Side lot lines shall be approximately at right angles to the street or radial to
1425 curved streets. On large size lots and except when indicated by topography, lot
1426 lines shall be straight.

- 1427 D. Subdivisions shall be located on Paved County and State Highways. If the
1428 proposed subdivision is on a Grade A or Grade B County road, that road shall
1429 be paved to the interconnecting paved road by the developer to the Warren
1430 County Engineer's standards prior to platting.

1431 **46.17 Variations and Exceptions**

1432 Whenever the tract proposed to be subdivided is of such unusual topography, size, or shape, or is
1433 surrounded by such development or unusual conditions that the strict application of the
1434 requirements contained in these regulations would result in substantial hardships or injustices,
1435 the Board of Supervisors, following report of the Zoning Commission may vary or modify such
1436 requirements so that the subdivider is allowed to develop property in a reasonable manner, but
1437 so, at the same time, the public welfare and interest of the County and surrounding area are
1438 protected and the general intent and spirit of these regulations are preserved.

1439 **46.18 Enforcement**

- 1440 1. Validity. No plat of any subdivision shall be entitled to be recorded in the County
1441 Recorder's office or have any validity until it has been approved in the manner
1442 prescribed herein.
- 1443 2. Public Improvements. The Board of Supervisors shall not permit any public
1444 improvements over which it has control to be made from the County Road Fund, or
1445 any County money expended for improvements or maintenance in any area that has
1446 been subdivided or upon any street that has been dedicated after the date of adoption
1447 of these regulations unless such subdivision or street has been approved in accordance
1448 with the provisions contained herein and accepted by the Board of Supervisors as a
1449 public highway and added to the Secondary Road System of Warren County. Streets
1450 within a subdivision not accepted by the Board as public highways shall remain
1451 private roads.
- 1452 3. Building Permits. The Zoning Administrator shall not issue Building Permits for any
1453 structure located on a lot in any subdivision, the plat of which has been prepared after
1454 the date of the adoption of the ordinance codified in this chapter, but which has not
1455 been approved in accordance with the provisions contained herein.

1456 **46.19 Changes and Amendments**

1457 Any provisions of these regulations may be changed and amended from time to time by the
1458 Board of Supervisors; provided, however, that such changes and amendments shall not become
1459 effective until after study and report by the Zoning Commission and until after a public hearing
1460 has been held, public notice of which shall have been given in a newspaper of general circulation
1461 in the County not less than four (4) days nor more than twenty (20) days prior to such hearing.