

WASHINGTON COUNTY NEBRASKA

SUBDIVISION REGULATIONS

ADOPTED BY
WASHINGTON COUNTY, NEBRASKA
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(REVISIONS THROUGH OCTOBER 1, 2009)

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ARTICLE 1: SUBDIVISION REGULATIONS

SECTION 1.01 SCOPE

No owner of any real property, located outside the limits of subdivision jurisdiction of any city or village shall be permitted to subdivide, plat or lay out said real property into building lots, streets or other portions of the same intended to be dedicated for public use, or for the use of the purchasers or owners of lots fronting thereon or adjacent thereto, without first having obtained the approval thereof of the County Planning Commission and the County Board of Supervisors of Washington County.

SECTION 1.02 PURPOSE

The purpose of this Regulation is to regulate the subdivision of land to develop functional road and street layouts so as to provide for adequate size building lots which are in conformity with the highest and best use of the land; so as to provide for adequate open spaces for homes, schools, and recreation; so as to insure the installation of adequate sized utilities and adequately improved streets; and so as to provide for other features of the County Comprehensive Plan - all to the end that the development of land may proceed in an orderly manner, that good livable neighborhoods may be created with all of the needed community facilities, and that excessive maintenance expenses may be avoided.

SECTION 1.03 JURISDICTION

These Regulations shall apply to the unincorporated area of Washington County, Nebraska, excluding those areas that are within the zoning jurisdiction limits established, enacted, and exercised by any city or having separate subdivision regulations.

SECTION 1.04 Powers

At such time as the Board of Supervisors shall have adopted a Comprehensive Development Plan, which includes a Major Thoroughfare Plan, and shall have filed an official copy of such Major Thoroughfare Plan in the Office of the County Clerk of Washington County, Nebraska, no plat of a subdivision of land lying within Washington County, Nebraska and not within the subdivision jurisdiction of a city or village in the County exercising such jurisdiction, shall be filed or recorded until it shall have been submitted to, and a report and recommendations thereon made, by the County Planning Commission to the Board of Supervisors, and the Board of Supervisors has approved of the final plat.

SECTION 1.05 INTERPRETATION

These regulations shall be interpreted as minimum requirements. In the interpretation of these Regulations greater than 10 acres shall hereby mean 10.01 acres or greater (sentence added 06-23-2009).

SECTION 1.06 APPLICABILITY

Every owner, or his agent, of any tract or parcel of land in the unincorporated area of Washington County, Nebraska who has or shall hereafter subdivide the lot, tract or parcel of land, or other divisions of land for the purpose, whether immediate or future, of ownership or building development, except that the division of land shall not be considered to be a subdivision when the smallest parcel of land created is more than 10 acres in area.

SECTION 1.07 DEFINITIONS, SUBDIVISION REGULATIONS

Words are as defined in the Definitions Section of the Zoning Regulations, with these additional:

<i>Block:</i>	A tract or parcel of land bounded by public streets or lands, streams, railroads, unplatted lands or a combination of same.
<i>Engineer:</i>	A registered engineer authorized to practice engineering in the State of Nebraska.
<i>Highway:</i>	A major thoroughfare which carries a large volume of traffic (usually County, State, and Federal routes).
<i>Improvements:</i>	Pavements, curbs, gutters, sidewalks, water mains, sanitary sewers, storm sewers, grading, street lighting, street signs, plantings, and other items for the welfare of the property owners and the public.
<i>Landscape Architect:</i>	Any person registered to practice landscape architecture in the State of Nebraska.
<i>Road, Local:</i>	A road or street which is used primarily for access to abutting properties.
<i>Road, Major Collector:</i>	A thoroughfare of considerable continuity connecting various sections of the County and so designated on the Major Thoroughfare Plan for Washington County.
<i>Road, Minor Collector:</i>	A road or street which carries traffic from a local service road to a major road and is so designated on the Major Thoroughfare Plan for Washington County.
<i>Sidewalk:</i>	A pedestrian walkway with permanent surfacing in accordance with County standards.
<i>Surveyor:</i>	Any person registered to practice surveying in the State of Nebraska.

ARTICLE 2: SUBDIVISION; PLATTING; REQUIREMENTS**SECTION 2.01 PLATTING AND SUBDIVISION REQUIREMENTS**

No owner of any real property, located in an unincorporated area except in an area in which any city or village is exercising subdivision control, shall be permitted to subdivide, plat, or lay out said real property in building lots, streets, or other portions of the same intended to be dedicated for public use, or for the use of the purchasers or owners of lots fronting thereon or adjacent thereto, without first complying with either:

- a. Preliminary Plat and Final Plat
- b. Lot Split
- c. Small Tract
- d. Administrative Adjustment

For the purposes of this Section, the date of such subdivision, platting or laying out shall be the date the documents involved shall be filed with the County Clerk.

1. Definitions:
 - a. For purposes of this Section subdivision shall mean the division of a parcel of land, or other divisions of land for the purpose, whether immediate or future, of ownership or building development, except that the division of land shall not be considered to be a subdivision when the smallest parcel of land created is more than 10 acres in area.
 - b. For purposes of this Section parcel of land shall mean any parcel of land shown as a unit or as contiguous units on the January 1, 1979 tax rolls.
2. Exemptions:
 - a. A conveyance of land or interest therein for use as right-of-way by railroad or other public utilities subject to State or Federal regulation, where no new street or easement of access is created;
 - b. A conveyance made to correct a description in a prior conveyance;
 - c. Any transfer by operation of law;
 - d. Any lot split or vacation approved in accordance with these Regulations;
 - e. A conveyance of land to any governing body for right-of-way or other public use when such acceptance is in the public interest and not for the purpose of circumventing these Regulations.

SECTION 2.02 SUBDIVISION; PROCEDURE: LOT SPLITS**2.02.01 General Intent**

Lot split requests shall be presented to the Planning Commission with their recommendation forwarded to the County Board of Supervisors for final action.

2.02.02 Definition

Lot Split shall mean a division of land of ten acres or less in size and further defined as a subdivision for purposes of Nebraska Revised Statutes, Section 77-1347 (Greenbelt Regulations)

2.02.03 Application Procedure

Lot split application forms shall be obtained from the County Planning Department. An application shall be accompanied by a survey prepared by a Nebraska licensed surveyor in a format as set by the County. At time of application, one mylar and four paper originals of the survey shall be presented to the County Planning Department. Existing buildings shall be shown on the survey. Applications shall be filed with the County Planning Department. Application deadlines are as established by the County Planning Department. The application shall be signed by the owners of record.

2.02.04 Notifications

The applicant shall notify all owners of land lying within 200 feet of the outer boundaries (this refers to the "original" tract the proposed lot split is coming from) of the request. The list of landowners to be notified shall be prepared by the County Planning Department, which also shall provide the applicant with "Notice of Hearing" forms for this purpose. The notices are to be sent by the applicant to all parties on the aforementioned list by certified mail, return receipt requested, no less than 10 days prior to the Commission's public hearing, not including the date mailed or the date of the hearing. The white receipts for certified mail and the green return receipt cards must be returned to the County Planning Department prior to the Planning Commission's hearing, as part of the official record. If such mailing documentation is not submitted by the aforementioned deadline, the application may be continued to the next meeting.

2.02.05 Legal Publication

Upon receipt of a completed application, and payment of fees as specified by this Regulation, the lot split request shall be publicly advertised. Notice of the time and place of the public hearing before the Commission shall be given by publication thereof in the County's legal newspaper at least 10 days prior to the Commission's public hearing, not including the day published or the day of the hearing. The Commission shall hold the public hearing within 45 days of the completed application being filed with the County Planning Department.

2.02.06 Approval Guidelines

Approval or disapproval of lot splits shall be made based on the following guidelines:

1. No lot split shall be approved if:
 - a. A new street or alley is needed or proposed;
 - b. A vacation of streets, alleys, setback lines, access control of easements is required or proposed;
 - c. If such action will result in significant increases in service requirements, utilities, schools, traffic control, streets, etc.; or will interfere with maintaining existing service levels, additions, re-paving, etc;
 - d. There is less street right-of-way than required by these Regulations or the Comprehensive Development Plan unless such dedication is made through the lot split survey;
 - e. All easement requirements have not been satisfied;
 - f. If such split results in a tract without direct access to a street;
 - g. A substandard sized lot or parcel will be created.

2.02.07 Others

1. The Planning Commission shall either recommend approval, denial or a continuance of the lot split request within 45 days of application. All such recommendations will be forwarded to the Board for final action.
2. No lot split shall be filed until the County Treasurer has certified (by signature on the survey) that there are no regular or special taxes due or delinquent against the platted \ subdivided land.
3. All lot splits will be zoned "A\LSR".
4. An electronic version (Auto Cad) of the approved lot split shall be provided to the County.

SECTION 2.03 SUBDIVISION; PROCEDURE: SMALL TRACTS**2.03.01 Approval Guidelines**

Whenever any proposed subdivision shall meet the following qualifications the plat may be approved as a Small Tract Subdivision:

1. The proposed plat of a residential subdivision shall include not more than ten acres;
2. The proposed plat of subdivision shall create not more than five lots, tracts or parcels of land;
3. No public street or easement of access is sought to be dedicated or is contemplated or projected through (as opposed to adjacent to) the lot, tract or parcel proposed to be subdivided or re-subdivided; and
4. The proposed plat of subdivision shall be in the form required of these Regulations, including location and size of existing structures, and shall contain all the data information and certificates as required of final plats.
5. Submission of the filing fee required in these Regulations.

2.03.02 Notifications

The applicant shall notify all owners of land lying within 200feet of the outer boundaries (this refers to the "original" tract the proposed small tract subdivision is coming from) of the request. The list of landowners to be notified shall be prepared by the County Planning Department, which also shall provide the applicant with "Notice of Hearing" forms for this purpose. The notices are to be sent by the applicant to all parties on the aforementioned list by certified mail, return receipt requested, no less than 10 days prior to the Commission's public hearing, not including the date mailed or the date of the hearing. The white receipts for certified mail and the green return receipt cards must be returned to the County Planning Department prior to the Planning Commission's hearing, as part of the official record. If such mailing documentation is not submitted by the aforementioned deadline, the application may be continued to the next meeting.

2.03.03 Application Procedure

Small tract subdivision application forms shall be obtained from the County Planning Department. An application shall be accompanied by a survey prepared by a Nebraska licensed surveyor in a format as set by the County. At time of application, one mylar and four paper originals of the survey shall be presented to the County Planning Department. Existing buildings shall be shown on the survey. Applications shall be filed with the County Planning Department. Application deadlines are as established by the County Planning Department. The plat shall meet all the requirements of a final plat as detailed in these Regulations. The application shall be signed by the owners of record.

2.03.04 Legal Publication

Upon receipt of a completed application, and payment of fees as specified by this Regulation, the small tract subdivision request shall be publicly advertised. Notice of the time and place of the public hearing before the Commission shall be given by publication thereof in the County's legal newspaper at least 10 days prior to the Commission's public hearing, not including the day published or the day of the hearing. The Commission shall hold the public hearing within 45 days of the completed application being filed with the County Planning Department.

2.03.05 Coordination With Other Entities

When applicable, the County Planning Department shall transmit information regarding an application to the State Department of Environmental Quality, State Health Department, County Surveyor, superintendent of the applicable school district, cities, villages and other public agencies that may have an interest. The Commission and Board shall consider the comments from these agencies. No lot split shall be filed until the County Treasurer has certified (by signature on the survey) that there are no regular or special taxes due or delinquent against the platted / subdivided land.

2.03.06 Process

The Planning Commission shall either:

1. Forward the plat to the Board with the recommendation that the plat be considered a preliminary plat in which instance the preliminary and final plat procedures of this Regulation be followed; or
2. Forward the plat to the Board with the recommendation that the plat be approved without further hearing. The Board may approve the plat without further hearing, or elect to consider the plat a preliminary plat in which instance the preliminary and final plat procedures shall be followed.
3. Continue the request for further information;
4. Deny the request.

2.03.07 Electronic Mapping

An electronic version (Auto Cad) of the approved administrative adjustment shall be provided to the County.

2.03.08 Other Requirements

If required, a Sediment and Erosion Control Plan and an NPDES Permit shall be obtained from the relevant agencies.

SECTION 2.04 ADMINISTRATIVE ADJUSTMENTS**2.04.01 Administrative Adjustments Defined** (added: 4/26/11)

For the purpose of this Section, property owners may be eligible to seek approval to adjust an interior lot line, combine two or more lots, or have a boundary change processed without replatting, provided the following conditions are met:

1. Lot Line Adjustment. The adjustment of an interior lot line between two adjoining platted lots, provided the following conditions are met:
 - a. The lots involved must have the same zoning and the proposed adjustment will not create a violation of the Zoning Regulation.
 - b. The lots involved must be existing platted lots (not tax lots).
 - c. The adjustment involves only a minor change in lot line location.
2. Lot Consolidation. The combination of two or more lots into a lesser number of lots, provided the following conditions are met:
 - a. The lots involved must have the same zoning and the proposed consolidation will not create a violation of the Zoning Regulation.
 - b. The lots involved must be existing platted lots (not tax lots).
 - c. The lots must be under common ownership.
3. Boundary Change. A transaction between owners of adjoining land which involves only a change in the boundary between the land owned by such persons and does not create an additional lot, provided the following conditions are met:
 - a. The lots involved must have the same zoning and the proposed new boundaries will not create a violation of the Zoning Regulation.
 - b. The transaction must not involve more than three parcels of real estate.
 - c. The transaction must only involve tax lots or unplatted parcels of real estate in excess of 10 acres (not platted lots).
 - d. The boundary change involves only a minor change in the lot line location.
4. Lot Merger. (added: 4/26/11) The combination of platted lots (lots in a recorded subdivision) and tax lots into the same, or a lesser number of lots, provided the following conditions are met:
 - a. The lots involved must have the same zoning and the proposed merger will not create a violation of the Zoning Regulations
 - b. The lots involved are a mix of existing platted lots and tax lots
 - c. If needed, a road right-of-way dedication as per the Zoning and Subdivision Regulations and the Comprehensive Plan is performed

2.04.02 Administrative Approval

The County Planning Administrator and Chairman, Board of Supervisors, or other designees as set by the Board of Supervisors, shall have the authority to approve Lot Line Adjustments, Lot Consolidations and Boundary Changes when in compliance with 2.04.01. The County Planning Administrator and Chairman, Board of Supervisors, or other designees as set by the Board of Supervisors, shall not approve requests for an administrative adjustment if one or more of the following conditions are present:

1. The application would create multi-family lots from previously platted single-family lots;
2. The application would involve the vacation of any public right-of-way;
3. In the opinion of the Planning Administrator and Chairman, Board of Supervisors, the application should be processed under a different section of the Zoning Regulation.

2.04.03 Application Procedures

An application for an administrative adjustment shall be submitted to the County Planning Department on forms provided by the Department and with the following other information:

1. Application fee;
2. Written consent of all property owners;
3. One mylar and four paper original surveys signed and sealed by a State of Nebraska Land Surveyor;
4. No administrative adjustment shall be filed until the County Treasurer has certified (by signature on the survey) that there are no regular or special taxes due or delinquent against the platted \ subdivided land.
5. Location and size of existing structures;
6. Prepared in a format as established by the County.
7. The application shall be signed by the owners of record.

2.04.04 Administrative Action

The County Planning Administrator and Chairman, Board of Supervisors, or other designees as set by the Board of Supervisors, shall approve or disapprove the request for an administrative adjustment. In event of disapproval, the Planning Administrator or Chairman, Board of Supervisors, or other designees as set by the Board of Supervisors, shall provide the applicant a written statement with the reasons for disapproval.

2.04.05 Administrative Certificate of Approval

The Surveyor's Certificate shall include a certificate of approval to be signed by the County Planning Administrator and Chairman, Board of Supervisors, or other designees as set by the Board of Supervisors. Upon receiving approval, the five original Surveyor's Certificates will be distributed as follows:

1. Two to the Washington County Planning Department;
2. One to the Washington County Clerk;
3. One to the Washington County Surveyor;
4. One to remain with the applicant.

2.04.06 Filing Time Limit

Approval of the administrative adjustment shall become null and void if the Surveyor's Certificate has not been filed with the Washington County Clerk within 45 days from the date of approval.

2.04.07 Appeal

Appeal of the Planning Administrator and Chairman, Board of Supervisors, or other designees as set by the Board of Supervisors, decision shall be taken to the Planning Commission for recommendation and then forwarded to the County Board of Supervisors for final action.

2.04.08 Electronic Mapping

An electronic version (Auto Cad) of the approved administrative adjustment shall be provided to the County.

SECTION 2.05 REPLAT OF A SUBDIVISION (created 05-12-2008)

2.05.01 Replat Defined

For the purpose of this Section, a replat is defined as the act of: increasing the number of lots; changing the boundaries of an approved outlot or green space area; or changing the configuration of a platted street or public right-of-way; all in a recorded subdivision to achieve a reconfiguration of an existing subdivision.

2.05.02 Replat of a Subdivision

In the event that a proposed replat of a subdivision does not involve a change in subdivision type or a change in zoning district, an applicant (owner) shall apply for a replat under the provisions of this Section. The utilization of a replat does not relieve the applicant (owner) of the obligation to comply with standards and improvements in these Regulations. The necessity of establishing and dedicating easements for utilities shall not bar the utilization of a replat.

2.05.03 Replat Submission Requirements

Application for a replat shall be made to the Planning Department under the procedures as outlined for a final plat.

2.06.01 General Intent

Lot merger requests shall be presented to the Planning Commission with their recommendation forwarded to the County Board of Supervisors for final action.

2.06.02 Definition

Lot merger shall mean the combination of a platted lot (a lot in a recorded subdivision) or lots and a tax lot, or lots, into the same or a lesser number of lots.

2.06.03 Application Procedure

Lot merger application forms shall be obtained from the County Planning Department. An application shall be accompanied by a survey prepared by a Nebraska licensed surveyor in a format as set by the County. At time of application, one mylar and four paper originals of the survey shall be presented to the County Planning Department. Existing buildings shall be shown on the survey. Applications shall be filed with the County Planning Department. Application deadlines are as established by the County Planning Department. The application shall be signed by the owners of record.

2.06.04 Notifications

The applicant shall notify all owners of land lying within 200 feet of the outer boundaries of all lots involved in the request. If a recorded subdivision has a homeowners association and \ or an SID, and a mailing address is available, they shall also be notified. The list of landowners to be notified shall be prepared by the County Planning Department, which also shall provide the applicant with "Notice of Hearing" forms for this purpose. The notices are to be sent by the applicant to all parties on the aforementioned list by certified mail, return receipt requested, no less than 10 days prior to the Commission's public hearing, not including the date mailed or the date of the hearing. The white receipts for certified mail and the green return receipt cards must be returned to the County Planning Department prior to the Planning Commission's hearing, as part of the official record. If such mailing documentation is not submitted by the aforementioned deadline, the application may be continued to the next meeting.

2.06.05 Legal Publication

Upon receipt of a completed application, and payment of fees as specified by this Regulation, the lot merger request shall be publicly advertised. Notice of the time and place of the public hearing before the Commission shall be given by publication thereof in the County's legal newspaper at least 10 days prior to the Commission's public hearing, not including the day published or the day of the hearing. The Commission shall hold the public hearing within 45 days of the completed application being filed with the County Planning Department.

2.06.06 Approval Guidelines

1. All lots involved in the lot merger shall:
 - a. have the same zoning
 - b. if needed, comply with the County's road dedication requirements
 - c. not be required to perform a drainage study
 - d. not result in a tract without direct access to a street;
 - e. not create a substandard sized lot or parcel

2.06.07 Others

1. No lot merger shall be filed until the County Treasurer has certified (by signature on the survey) that there are no regular or special taxes due or delinquent against the affected properties.
2. The application fee for a lot merger shall be the same as for a lot split as detailed in these Regulations.

ARTICLE 3: GENERAL PROVISIONS**SECTION 3.01 CONFORMANCE TO THE COUNTY COMPREHENSIVE DEVELOPMENT PLAN**

In subdividing property, consideration shall be given to suitable sites for schools, parks, playgrounds, and other common areas for public use so as to best conform to any recommendations of the Comprehensive Development Plan. Any provisions for schools, parks, and playgrounds should be indicated on the preliminary plat in order that it may be determined when and in what manner such areas will be provided or acquired by an appropriate agency.

SECTION 3.02 CONFORMANCE WITH MAJOR THOROUGHFARE PLAN

Unless otherwise approved by the Commission and the Board, provision must be made for the extension of primary and secondary roadways as shown on the Major Thoroughfare Plan of the County, and service roads and streets must provide free circulation within the subdivision.

The system of roads or streets designated in the subdivision may take into consideration alignment with roads or streets already dedicated in adjacent subdivisions and, where no adjacent connections are platted, must in general be the reasonable projection of roads or streets in the nearest subdivisions and must be continued to the boundaries of the tract subdivided, so that other subdivisions may connect therewith.

Rights-of-way providing for the future opening, and extension of such roads and streets that may at the discretion of the Commission, be made a requirement of the plat.

Off-center road and street intersections will not be approved except in unusual cases.

In general, roads and streets shall be of a width at least as great as that of the roads and streets so continued or projected.

Local streets and service roads shall be arranged so as to discourage through traffic.

SECTION 3.03 ACREAGE SUBDIVISIONS

Where the parcel of land is subdivided into larger tracts than ordinarily used for building lots, such parcel shall be divided as to allow for the opening of major streets and the ultimate extension of adjacent streets.

SECTION 3.04 ACCESS

Every lot within a subdivision shall have County approved access.

SECTION 3.05 SUITABILITY OF THE LAND

Land subject to flooding, improper drainage, or erosion, or any land deemed to be topographically unsuitable for residential use, shall not be platted for residential occupancy nor shall such land be platted for any other uses as may continue such conditions or increase danger to health, safety, life, or property unless steps are taken to diminish the hazards mentioned above.

SECTION 3.06 GENERAL DEVELOPMENT PLAN

For any subdivision with more than ten residential building sites, a General Development Plan shall be presented to the Commission for recommendation to the Board. The Commission recommendation shall be transmitted to the Board in the form of approval, disapproval, approval with conditions or continuance.

The Board shall consider the Commission's recommendation and shall approve the General Development Plan without conditions, approve with conditions, refer back to the Commission for further consideration of specified matters, continue the request, or deny the application. Upon approval or approval with conditions by the Board of the General Development Plan, the applicant may prepare and submit a preliminary plat in content substantially the same as the General Development Plan as approved or approved with conditions.

The General Development Plan shall be presented to the Commission a minimum of one month prior to a preliminary plat being presented to the Commission. The General Development Plan will contain a description of the property involved and the basic development parameters including, but not limited to: street layout, approximate number, size and location of lots, and green space/buffer areas/perimeter fence. The applicant shall apply for a General Development Plan on application forms provided by the County Planning Department and pay the application fee as established by the County.

The applicant shall notify all owners of land lying within 200 feet of the outer boundaries (this refers to the "original" tract the proposed subdivision is coming from) of the request. The list of landowners to be notified shall be prepared by the County Planning Department, which also shall provide the applicant with "Notice of Hearing" forms for this purpose. The notices are to be sent by the applicant to all parties on the aforementioned list by certified mail, return receipt requested, no less than 10 days prior to the Commission's public hearing, not including the date mailed or the date of the hearing. The white receipts for certified mail and the green return receipt cards must be returned to the County Planning Department prior to the Planning Commission's

hearing, as part of the official record. If such mailing documentation is not submitted by the aforementioned deadline, the application may be continued to the next meeting.

Upon receipt of a completed application, and payment of fees as specified by this Regulation, the general Development plan request shall be publicly advertised. Notice of the time and place of the public hearing before the Commission shall be given by publication thereof in the County's legal newspaper at least 10 days prior to the Commission's public hearing, not including the day published or the day of the hearing. The Commission shall hold the public hearing within 45 days of the completed application being filed with the County Planning Department.

SECTION 3.07 COUNTY APPROVED EASEMENT ROAD

Refer to RS-1, RS-2 and RA zoning district requirements plus these:

1. Culverts shall comply with the Nebraska Department of Roads Roadway Design Manual - Chapter 11, Drainage. Roads with 1700 ADT (average daily traffic) or less will be designed to a 25-year storm frequency;
2. That all lots which abut the easement road shall access from that easement, not the County road, unless written approval has been obtained from the County Highway Superintendent and filed with the County Planning Department;
3. Other requirements may be required based on site-specific circumstances (creek crossings, flood plain stipulations, etc.);
4. No building permits shall be issued until all County requirements have been met.

SECTION 3.08 MODIFICATION OF REQUIREMENTS: (added 08/22/17)

The strict application of the terms of these regulations may be modified by the Planning Commission and Board of Supervisors in the event that it is found that any specific provision is impractical in its application to a specific parcel of land because of characteristics peculiar to said parcel and that the intent of these regulations will not be compromised. Creeks, streams and drainage ways will not constitute a characteristic peculiar to a parcel. Public infrastructure such as roads and right of ways shall be the primary means for application to this policy. Approval through a public hearing of the Planning Commission and by the County Board must be obtained for a 1-lot subdivision to be approved. The procedures for a preliminary plat and survey will be followed to gain approval.

ARTICLE 4: PRELIMINARY PLAT**SECTION 4.01 GENERAL**

The subdivider shall prepare and submit to the County Planning Department a preliminary plat together with an application form, receipt for platting fee, and any other necessary supplementary information required by this Regulation.

SECTION 4.02 PRELIMINARY PLAT REQUIREMENTS (revised 08-28-2007, 07-22-2008, 2/22/2011)

1. The subdivider shall have prepared at least 20 copies of a preliminary plat at a scale of 1-inch equal's 200 feet and preferably at 1 inch equals 100 feet and shall submit the plat to the County Planning Department not less than 17 days prior to a scheduled Commission meeting at which time the plat will receive consideration. If an application is submitted to the County Planning Department less than 17 days (not including the date submitted or the date of the Planning Commission meeting) prior to a scheduled Commission meeting, it shall not be placed on the Commission's agenda. The application can be re-submitted to the County Planning Department for Commission action when the application deadlines are met. The plat shall contain the following:
 - a. Proposed name of the subdivision which shall not duplicate nor resemble previously filed plat names.
 - b. Location of boundary lines tied in or referred to section or quarter section corners, including a legal description of the property.
 - c. Names and addresses of the developer and engineer, surveyor or land planner preparing the plat.
 - d. North point (which shall be directed to the top of the plat), scale and date.
 - e. Location, width and name of each existing road or platted street within the proposed subdivision and within 200 feet thereof; location and width of other public ways, railroads, utility right-of-way or easements, park, and other public open spaces within the proposed subdivision.
 - f. All existing sewers, water mains, culverts and other underground installations within the proposed subdivision or immediately adjacent thereto and the location of the nearest available same facilities.
 - g. Existing contours at intervals adequate to portray existing and proposed conditions, also the location of water courses, bridges, buildings, structures, wooded areas and such other topographic features as may be pertinent to the subdivision.
 - h. Existing and proposed zoning of proposed subdivisions and existing zoning of adjacent tracts.
 - i. The location and width of proposed streets, roadways, alley, pedestrian ways and easements.
 - j. The general location and character of proposed surface storm drainage and sanitary sewer facilities.
 - k. Layout, numbers and approximate dimensions of lots and the number of each block.
 - l. Location and size of any proposed school sites, parks, playgrounds, churches or other public lands in accordance with the Comprehensive Plan, to be considered for sale or dedication to public use.
 - m. Lot area.
 - n. Lots and blocks numbered numerically.
 - o. A written statement from the applicant\developer indicating to what standards in Title 428 all roads within the subdivision will be designed and constructed to.
2. The Commission will:
 - a. Consider the preliminary plat at a public hearing;
 - b. Review the preliminary plat and other material submitted for conformity to these Regulations;
 - c. Review recommendations of County Surveyor, Utility Department, School, NRD and other departments;
 - d. Review correspondence from County Surveyor;
 - e. review correspondence from the County Highway Superintendent;
 - f. Review correspondence from the Natural Resources District (NRD);
 - g. review correspondence from the Township;
 - h. Recommend to the subdivider on changes deemed advisable and the kind and extent of improvements to be made by him. The Commission shall act on the plat as submitted, or modified, and if approved, the Commission shall express its approval as conditional approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons thereof. The Commission may also continue the plat for stated reasons.
 - i. All Commission recommendations shall be forwarded to the Board for final action.

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3. Conditional approval of a preliminary plat shall not constitute an acceptance of the plat, but shall be deemed an expression of approval to the layout submitted on the preliminary plat, and an authorization to proceed with the preparation of the final plat.
 4. If neither a part nor all of a preliminary plat is submitted for final plat approval within one year after preliminary plat approval, the plat shall be void unless an extension of time is granted by the Commission.

SECTION 4.03 NOTIFICATIONS

The applicant shall notify all owners of land lying within 200 feet of the outer boundaries (this refers to the "original" tract the proposed small tract subdivision is coming from) of the request. The list of landowners to be notified shall be prepared by the County Planning Department, which also shall provide the applicant with "Notice of Hearing" forms for this purpose. The notices are to be sent by the applicant to all parties on the aforementioned list by certified mail, return receipt requested, no less than 10 days prior to the Commission's public hearing, not including the date mailed or the date of the hearing. The white receipts for certified mail and the green return receipt cards must be returned to the County Planning Department prior to the Planning Commission's hearing, as part of the official record. If such mailing documentation is not submitted by the aforementioned deadline, the application may be continued to the next meeting.

SECTION 4.04 APPLICATION PROCEDURE

Preliminary Plat application forms shall be obtained from the County Planning Department. An application shall be accompanied by a survey prepared by a Nebraska licensed surveyor in a format as set by the County. Existing buildings shall be shown on the survey. Applications shall be filed with the County Planning Department. Application deadlines are as established by the County Planning Department. The plat shall meet all the requirements of a preliminary plat as detailed in these Regulations. The application shall be signed by the owners of record.

SECTION 4.05 LEGAL PUBLICATION

Upon receipt of a completed application, and payment of fees as specified by this Regulation, the preliminary plat request shall be publicly advertised. Notice of the time and place of the public hearing before the Commission shall be given by publication thereof in the County's legal newspaper at least 10 days prior to the Commission's public hearing, not including the day published or the day of the hearing. The Commission shall hold the public hearing within 45 days of the completed application being filed with the County Planning Department.

SECTION 4.06 DRAINAGE STUDY (revised 07-22-2008)

Subsequent to County approval of a preliminary plat, but prior to County approval of the final plat, a drainage study shall be prepared for the property. Such study shall be performed by a registered professional engineer licensed in the State of Nebraska. The drainage study shall include a document explaining the calculations, source of the calculations, relevant maps, an explanation of the improvements and structures required, the cost of the required improvements, on-going maintenance responsibilities for the improvements \ structures, and a statement as to who will pay for the cost of such improvements. If easements are involved, this shall be reported at this "study" phase so the easements can be shown on the plat and relevant documents filed with the County Clerk. The end result of the drainage study, and any improvements on the developing land, shall Conform with the Douglas County – Washington County Stormwater Management Policies (Resolution 2007-33) and any subsequent revisions" as assessed and reported by the County's hired Nebraska licensed professional engineering firm. In addition, no final plat shall be approved by the County until the study has been completed, assessed by the County's hired Nebraska licensed professional engineering firm as being in conformance with Policy Group 1, Peak Flow Reduction criteria as contained in the Douglas County – Washington County Stormwater Management Policies, and any subsequent revisions, reviewed by the NRD, approved by the County, and filed with the County Planning Department.

SECTION 4.07 SUBDIVISION WIDE PERCOLATION TESTS

Subsequent to County approval of a preliminary plat, but prior to County approval of the final plat, subdivision wide percolation tests, done in accordance with State Title 124 - Rules and Regulations for the Design, Operation and Maintenance of Septic Tanks shall be provided to the County and done scattered throughout the proposed subdivision at the rate of one test hole per four building sites. The percolation test results shall be prepared on forms provided by the County Planning Department, shall contain a map showing the location of the test holes, and shall be submitted to the County Planning Department for review and approval. No final plat shall be approved until the Building Inspector has supplied a letter to the County Planning Department commenting on the percolation test results.

ARTICLE 5: FINAL PLAT**SECTION 5.01 GENERAL**

After the approval of the preliminary plat by the Commission, the subdivider shall submit to the Commission the final plat for approval.

SECTION 5.02 FINAL PLAT REQUIREMENTS (revised 07-22-2008)

1. The subdivider shall have prepared at least 20 copies of a final plat, at the same scale as the preliminary plat, and shall submit the plat to the County Planning Department, in addition to the original reproducible drawing on tracing cloth or similar material bearing the original signatures for the required certifications. These documents shall be submitted to the County Planning Department not less than 17 days prior to a scheduled Commission meeting at which time the plat will receive consideration. If an application is submitted to the County Planning Department less than 17 days (not including the date submitted or the date of the Planning Commission meeting) prior to a scheduled Commission meeting, it shall not be placed on the Commission's agenda. The application can be re-submitted to the County Planning Department for Commission action when the application deadlines are met. The final plat will contain and show the following (revised 05-12-2008):
 - a. Name of subdivision, scale, north arrow and date.
 - b. Location of control points and descriptions and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred. The controls shall be referred to permanent section or quarter section corners.
 - c. Tract boundary lines, right-of-way lines of streets, roads, easements and other rights-of-way and property lines of residential lots and other sites; with dimensions, bearings or deflection angles, and radii, arcs, and central angles of all curves.
 - d. Name and right-of-way width of each street, road, or other right-of-way.
 - e. Location, dimensions and purpose of any easements.
 - f. Number to identify each lot or site.
 - g. Minimum building setback line on all lots.
 - h. Location and description of monuments.
 - i. Certification by a registered land surveyor.
 - j. A notarized certification signed and acknowledged by all parties having any titled interest in, or lien upon the land to be subdivided consenting to the final plat including the dedication of parts of the land for streets, easements, and other purposes.
 - k. A certification signed by the County Treasurer stating that there are no regular or special taxes due or delinquent against the platted land.
 - l. A certification for the approval of the Commission.
 - m. A certification for the approval of the Board to be signed by the Board Chairman and attested to by the County Clerk.
 - n. Location description of the subdivision by the section, township, range, County and State and including metes and bounds description for the boundaries of the subdivision.
 - o. Lot area.
 - p. Lots and blocks numbered numerically.
 - q. A written statement from the applicant \ developer indicating to what standards in Title 428 all roads within the subdivision will be designed and constructed to.
2. Not less than 10 days prior to a scheduled Commission meeting at which time a final plat will receive consideration, the following shall have been provided to the County Planning Department: correspondence from the County Surveyor, County Highway Superintendent and Building Inspector (regarding the subdivision wide perc tests). (revised 05-12-2008)
3. After consideration and review by the Commission the final plat and the Commission's recommendation will be submitted to the Board within sixty days of the Planning Commission public hearing.
4. The Board will consider the final plat at a public hearing.
5. Not less than 10 days prior to a scheduled Commission meeting at which time a final plat will receive consideration, the following shall have been provided to the County Planning Department: correspondence from the County's hired registered

professional engineering firm on the submitted drainage study, including, but not limited to, compliance with the County's Stormwater Management Policies. (added 07-22-2008)

SECTION 5.03 APPLICATION PROCEDURE

Final Plat application forms shall be obtained from the County Planning Department. An application shall be accompanied by a survey prepared by a Nebraska licensed surveyor in a format as set by the County. Existing buildings shall be shown on the survey. Applications shall be filed with the County Planning Department. Application deadlines are as established by the County Planning Department. The plat shall meet all the requirements of a final plat as detailed in these Regulations. The application shall be signed by the owners of record.

SECTION 5.04 LEGAL PUBLICATION

Upon receipt of a completed application, and payment of fees as specified by this Regulation, the final plat request shall be publicly advertised. Notice of the time and place of the public hearing before the Commission shall be given by publication thereof in the County's legal newspaper at least 10 days prior to the Commission's public hearing, not including the day published or the day of the hearing. The Commission shall hold the public hearing within 45 days of the completed application being filed with the County Planning Department.

SECTION 5.05 OTHER REQUIREMENTS

If required, a Sediment and Erosion Control Plan and an NPDES Permit shall be obtained from the relevant agencies. A County approved electronic version of the approved final plat shall be provided to the County. (revised 05-12-2008)

ARTICLE 6: RURAL SUBDIVISION (RS-1) REQUIREMENTS**SECTION 6.01 REQUIREMENTS**

Lot size: 2 to 5 acres

Traffic study: County Highway Superintendent to do traffic study (traffic control, turn lanes, limited access points) and provide a recommendation to the Commission and Board.

Drainage study: required

Zoning: property will be zoned RS-1

Green space:

1. Required @ 10% of “gross area” of the entire subdivision (excluding roads and road right-of-ways) of taxable land.
2. Green space to be owned by the residents.
3. Green space is to enhance the subdivision including view areas, preserve areas, treed areas if possible and buffer area to adjacent property at the discretion of the Commission and Board.

Septic tank and drain field allowed? Yes

Water:

1. In the event a property is within the County's Water Development Map boundary (defined as being within one mile from a rural water system or another governmental entity's water line and as shown on the County's Water Development Map, which is attached to and is a part of this Resolution) such entity shall be notified of the proposed development via letter from the County Planning Department. A letter will be requested of the entity stating the feasibility, details and cost of providing water to the proposed development. The Commission shall then recommend to the Board as to whether the rural water system or other governmental entity's water lines shall be required or that a public water supply system is required of the property owner/developer.
2. When the proposed development is outside the boundary of the County's Water Development Map, a public water supply system shall be required.

Developers' agreement: required (roads, drainage, etc.)

Roads:

1. Internal roads in subdivisions shall be easement roads.
2. Adjacent County maintained roads shall be dedicated to the public.
3. For the interior subdivision roads, the “granting of a perpetual easement to the public” shall be done.
4. An entity, such as an SID or HOA (homeowners association) shall own the road and the creation document of such SID or HOA shall be presented to the County at the time the final plat is presented to the Commission and Board.
5. The SID or HOA is created to, among others, address road maintenance.
6. Roads are to be built to Nebraska Minimum Design Standards, Title 428 - Board of Public Roads Classifications and Standards, 001.16 Minimum Design Standards – Rural Roads for an RL-1 Road – any deviation from these standards must be requested from the Commission and Board.
7. Minimum 66-foot wide right-of-way.
8. Roads are to be designed by a Nebraska registered professional engineer and are to include proper hydraulic studies, culvert requirements, etc.
9. A written certification from a Nebraska registered professional engineer shall be supplied to the County Planning Department stating that the road has been constructed to State standards. No building permits shall be issued until such certification has been received by the County Planning Department.
10. Road plans are to be reviewed by the County Highway Superintendent and a letter supplied to the Commission and Board with his recommendations.
11. The tax lot that encompasses the easement road can be less in area than the minimum lot size of the zoning district in which it is located.
12. The Commission can recommend to the Board that an SID be created.
13. Comments from the appropriate Fire Department, Townships, School District and Post Office are to be obtained.

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14. A performance bond is required for road surfacing and road construction that will be done in phases – this will be part of the developers’ agreement. The bond will only be released upon completion of the entire project.
 15. Limited access onto adjacent roads.
 16. Maximum length of dead-end roads (cul-de-sac) is 600 feet. If a cul-de-sac exceeds 600 feet a waiver must be requested from the Commission and Board. In a review of a waiver request, the Commission and Board shall consider, but not be limited to the following factors:
 - a. length of cul-de-sac
 - b. number of lots served
 - c. water system provided (hydrants / fill stations)
 - d. water pressure available
 - e. size of water lines
 - f. comments from local fire department
 - g. comments from NRD
 - h. feasibility of eyebrows (as pull-overs)
 - i. traffic flow and traffic pattern for the entire subdivision
 - j. width of cul-de-sac driving surface
 17. Access to adjacent properties considered.
 18. The subdivision as well as all internal lots are required to gain access from a paved road.
 19. Central school bus load \ unload area and mail pick-up area required with road surface as per #20. (revised 01-27-2009)
 20. Internal subdivision roads can be either: a minimum of 6” asphaltic concrete or a minimum of 6”
 21. Portland Cement Concrete. (revised 08-28-2007)
 22. All lots within a subdivision shall only gain access from internal roads unless authorized by the Board
 23. of Supervisors prior to a final plat.

Public hearing process: general development plan – preliminary plat – final plat & rezone

ARTICLE 7: RURAL SUBDIVISION (RS-2) REQUIREMENTS**SECTION 7.01 REQUIREMENTS**

Lot size: greater than 5 to 10 acres

Traffic study: County Highway Superintendent to do traffic study (traffic control, turn lanes, limited access points) and provide a recommendation to the Commission and Board.

Drainage study: required

Zoning: property will be zoned RS-2

Green space: not required

Septic tank and drain field allowed? Yes

Water:

1. In the event a property is within the County's Water Development Map boundary (defined as being within one mile from a rural water system or another governmental entity's water line and as shown on the County's Water Development Map, which is attached to and is a part of this Resolution) such entity shall be notified of the proposed development via letter from the County Planning Department. A letter will be requested of the entity stating the feasibility, details and cost of providing water to the proposed development. The Commission shall then recommend to the Board as to whether the rural water system or other governmental entity's water lines shall be required or that a public water supply system is required of the property owner/developer.
2. Should the proposed development be outside the boundary of the County's Water Development Map, a public water supply system or a private water supply system shall be provided. If a private water supply system:
 - a. must meet State standards.
 - b. a letter from a Nebraska licensed pump installation contractor or Nebraska licensed well drilling contractor shall be submitted to the Commission and Board stating that "safe and adequate water" can be obtained to serve the subdivision. "Adequate water" shall mean a minimum of five gallons per minute per house (as per FHA standards) over at least a four-hour period.
 - c. the 500-foot community well radius (DEQ requirement) shall be contained in the property being developed, or, if not on property being developed, an easement, written for the life of the well, and stating the 500-foot well radius restriction is agreed to by all property owners that the well radius encompasses, shall be filed at the County Clerk's Office.

Developers' agreement: required (roads, drainage, etc.)

Roads:

1. Internal roads in subdivisions shall be easement roads.
2. Adjacent County maintained roads shall be dedicated to the public.
3. For the interior subdivision roads, the "granting of a perpetual easement to the public" shall be done.
4. An entity, such as an SID or HOA (homeowners association) shall own the road and the creation document of such SID or HOA shall be presented to the Commission and Board).
5. The SID or HOA is created to, among others, address road maintenance.
6. Roads are to be built to Nebraska Minimum Design Standards, Title 428 - Board of Public Roads Classifications and Standards, 001.16 Minimum Design Standards – Rural Roads for an RL-1 or RL-2 Road – any deviation from these standards must be requested from the Commission and Board.
7. Minimum 66-foot wide right-of-way.
8. Roads are to be designed by a Nebraska registered professional engineer and are to include proper hydraulic studies, culvert requirements, etc.
9. A written certification from a Nebraska registered professional engineer shall be supplied to the County Planning Department stating that the road has been constructed to State standards. No building permits shall be issued until such certification has been received by the County Planning Department.
10. Road plans are to be reviewed by the County Highway Superintendent and a letter supplied to the Commission and Board with his recommendations.

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11. The tax lot that encompasses the easement road can be less in area than the minimum lot size of the zoning district in which it is located.
 12. The Commission can recommend to the Board that an SID be created.
 13. Comments from the appropriate Fire Department, Townships, School District and Post Office are to be obtained.
 14. A performance bond is required for road surfacing and road construction that will be done in phases – this will be part of the developers’ agreement. The bond will only be released upon completion of the entire project.
 15. Limited access onto adjacent roads.
 16. Maximum length of dead-end roads (cul-de-sac) is 600 feet. If a cul-de-sac exceeds 600 feet a waiver must be requested from the Commission and Board. In a review of a waiver request, the Commission and Board shall consider, but not be limited to, the following factors:
 - a. length of cul-de-sac
 - b. number of lots served
 - c. water system provided (hydrants / fill stations)
 - d. water pressure available
 - e. size of water lines
 - f. comments from local fire department
 - g. comments from NRD
 - h. feasibility of eyebrows (as pull-overs)
 - i. traffic flow and traffic pattern for the entire subdivision
 - j. width of cul-de-sac driving surface
 17. Access to adjacent properties considered.
 - 18a. If property is accessed from a paved road, all subdivision entrance roads shall be paved a minimum distance of 100 feet into the property (or greater based on comments \ concerns from other regulating agencies).
 - 18b. If property is accessed from a base + armor coat road, all subdivision entrance roads shall match that base + armor coat road a minimum distance of 100 feet into the property (or greater based on the comments \ concerns from other regulating agencies).
 - 18c. If property is accessed from a gravel road in the County’s 1-Year Road Plan, the internal roads shall be constructed to match the ultimate surface of the county road in the Plan.
 - 18d. If property is accessed from a gravel road not in the County’s 1-Year Road Plan, the internal roads may be gravel.
 19. Central school bus load/unload area & mail pick-up area required with road surface as per point (18) above.
 20. All lots within a subdivision shall only gain access from internal roads unless authorized by the Board of Supervisors prior to a final plat.

Public hearing process: general development plan – preliminary plat – final plat & rezone

ARTICLE 8: RURAL ACREAGE SUBDIVISION (RA) REQUIREMENTS**SECTION 8.01 REQUIREMENTS**

Lot size: greater than 10 acres

Traffic study: County Highway Superintendent to do traffic study (traffic control, turn lanes, limited access points) and provide a recommendation to the Commission and Board.

Drainage study: not required

Zoning: property will be zoned RA

Green space: not required

Septic tank and drain field allowed? Yes

Water:

1. NRD, other governmental entity, public water supply system, private water supply system and private wells are all permitted.
2. If private water supply system: (revised 06-23-2009)
 - a. Must meet State standards.
 - b. A letter from a Nebraska licensed pump installation contractor or Nebraska licensed well drilling contractor shall be submitted to the Commission and Board stating that “adequate water” can be obtained to serve the subdivision. “Adequate water” shall be per FHA
 - c. standards. (revised 06-23-2009)
 - d. the 500-foot community well radius (DEQ requirement) shall be contained in the property being developed, or, if not on property being developed, an easement, written for the life of the well, and stating the 500-foot well radius restriction is agreed to by all property owners that the well radius encompasses, shall be filed at the County Clerk’s Office.

Developers’ agreement: required (roads, drainage, etc.)

Roads:

1. Internal roads shall be easement roads.
2. Adjacent County maintained roads shall be dedicated to the public.
3. For the interior subdivision roads, the “granting of a perpetual easement to the public” shall be done.
4. An entity, such as an SID or HOA (homeowners association) shall own the road and the creation document of such SID or HOA shall be presented to the County at the time the final plat is presented to the Commission and Board.
5. The SID or HOA is created to, among others, address road maintenance.
6. Roads are to be built to Nebraska Minimum Design Standards, Title 428 - Board of Public Roads Classifications and Standards, 001.16 Minimum Design Standards – Rural Roads for an RL-1, RL-2, or RL-3 Road – any deviation from these standards must be requested from the Commission and Board.
7. Minimum 66-foot wide right-of-way.
8. Roads are to be designed by a Nebraska registered professional engineer and are to include proper hydraulic studies, culvert requirements, etc.
9. A written certification from a Nebraska registered professional engineer shall be supplied to the County Planning Department stating that the road has been constructed to State standards. No building permits shall be issued until such certification has been received by the County Planning Department.
10. Road plans are to be reviewed by the County Highway Superintendent and a letter supplied to the Commission and Board with his recommendations.
11. The tax lot that encompasses the easement road can be less in area than the minimum lot size of the zoning district in which it is located.
12. The Commission can recommend to the Board that an SID be created.
13. Comments from the appropriate Fire Department, Townships, School District and Post Office are to be obtained.

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14. A performance bond is required for road surfacing and road construction that will be done in phases – this will be part of the developers’ agreement. The bond will only be released upon completion of the entire project.
 15. Limited access onto adjacent roads.
 16. Access to adjacent properties considered.
 - 17a. Internal roads can be gravel surfaced, but if property is accessed by a paved City, State, County/Village road, the entrance shall be paved.
 - 17b. Internal roads can be gravel surfaced and if property is accessed by a gravel City, State, County/Village road, the entrance can be gravel surfaced.
 18. All lots within a subdivision shall only gain access from internal roads unless authorized by the Board of Supervisors prior to a final plat.
 19. Central school bus load \ unload area and mail pick-up area shall be considered by the County and the necessity evaluated on such items as including, but not limited to, the number of lots served in the proposed subdivision, visibility along the County Road and existing school bus stops in the immediate area. If determined by the County that a central school bus load \ unload area and mail pick-up area is required, the road surface shall be as follows:
 - a) if property accessed by a paved City, State, County\Village road, the bus load\unload area shall be either a minimum of 6” asphaltic concrete or a minimum of 6” Portland Cement Concrete; or
 - b) if property is accessed by a gravel City, State, County\Village road, the bus load\unload area can be gravel surfaced (built to County standards). (revised 04-28-2009)

Public hearing process: preliminary plat – final plat – rezone

ARTICLE 9: SUBDIVISION DESIGN STANDARDS**SECTION 9.01 GENERAL**

No subdivision will be approved unless it conforms to the minimum design standards described herein and as also listed in the RS-1, RS-2 and RA Zoning Districts.

SECTION 9.02 MINIMUM DESIGN STANDARDS**9.02.01 Roads:**

1. The arrangement, character, extent, width, grade and location of all roads shall conform to the Washington County Comprehensive Plan and shall be considered in their relation to existing and planned roads, to topographical conditions, to public convenience and safety; and in their appropriate relation to the proposed uses of the land to be served by such roads. Minimum design standards, roadway grades, horizontal and vertical alignment are as established by the County.

9.02.02 Street Standards:

1. Values to be used for the purposes of determining average daily traffic (ADT) for streets associated with different housing types shall be as listed below:

Housing Type:	Typical:
single family detached homes	7.0 trips per dwelling unit/day
group or townhouses	6.0 trips per dwelling unit/day

2. Street or Road Surfacing shall be constructed in accordance with the standards as established by the County.
3. Where a proposed subdivision is adjacent to or contains an existing or proposed major inter-regional highway or collector roads, provision shall be made for a access road or street approximately parallel and adjacent to the highway, or lots shall back up to the major inter-regional highway or collector road and have access only to the local road or street.
4. Reserve strips controlling access to roads or streets shall be as established by the Commission and/or Board.
5. Road jogs with centerline offsets of less than one hundred and 25 feet shall be avoided.
6. A tangent at least two hundred feet long shall be introduced between reverse curves on collector roads.
7. Roads and streets shall be laid out so as to intersect as nearly as possible at right angles and no roads or streets shall intersect any other road or street at less than 60 degrees.
8. Half roads or streets shall be prohibited except where essential to the reasonable development of the subdivision in conformity with the other requirements of these Regulations or where it is found to be practicable to require the dedication of the other half when adjoining property is subdivided. Wherever a half road or street is adjacent to a tract to be subdivided, the other half of the road or street shall be platted within such tract.
9. Dead-end roads or streets, designed to be so permanently, shall not be longer than 600 feet unless otherwise approved by the Commission and Board and shall be provided at the closed end with a turn-around having an outside pavement diameter of at least 100 feet, and a road or street right-of-way line diameter of at least 125 feet.
10. No road or street names shall be used which will duplicate or be confused with the names of existing roads or streets. Road or street names shall be reviewed by the Planning Administrator and approved by the Commission and Board through the subdivision process.
11. Pavement width is as established by the County.
12. Road surfaces are as established by the County.

SECTION 9.03 EASEMENTS

1. Easements across lots or centered on rear or side lot lines shall be provided for utilities, where necessary, and shall be at least 10 feet wide.
2. Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such further width or construction, or both, as will be adequate for the purpose. Parallel roads or streets on either side may be required in connection therewith.

SECTION 9.04 BLOCKS

1. Except in unusual circumstances, the maximum length of blocks shall be 1,320 feet.
2. Pedestrian crosswalks, not less than ten feet wide, shall be required where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, and other community facilities.

SECTION 9.05 LOTS

1. The minimum lot width is 70 feet, and the minimum lot depth is 120 feet.
2. The subdividing of the land shall be such as to provide, by means of a public road, street, or County approved easement each lot with satisfactory access to an existing public road or street.
3. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

SECTION 9.06 ACREAGE SUBDIVISIONS

Whenever the area is divided into lots larger than ordinarily used in the area for building purposes, and there is reason to believe that such lots will eventually be re-subdivided into smaller building lots, consideration shall be given to the road or street and lot arrangement of the original subdivision so that additional local roads or streets can be opened which will permit a logical arrangement of small lots. Easements or deeds providing for the present or future opening and extension of such roads or streets, may, at the discretion of the Board, be made a condition of the approval of the plat.

ARTICLE 10: IMPROVEMENTS**SECTION 10.01 GENERAL**

The subdivider shall construct and install the improvements described herein in accordance with detailed construction plans and specifications approved by the Board and constructed to the Board's satisfaction within a specified time frame.

SECTION 10.02 AGREEMENT, BOND, GUARANTEEING INSTALLATION OF REQUIRED IMPROVEMENTS

Except for monuments and underground wiring, the following method shall be used by the subdivider to guarantee that improvements required by these Regulations can or will be installed in accordance with approved plans and specifications.

1. Upon final approval of plans or specifications for required improvements, the owners and/or the subdivider of the land proposed to be subdivided shall enter into an agreement with the County under which the owners and/or subdivider agree to install such required improvements at their own expense in accordance with the approved plans and specifications, within the time prescribed by the provisions of these Regulations. Such agreement shall be conditioned upon the approval of the final plat of the subdivision.
2. Simultaneously with the execution of the agreement provided for in Section 10.01 above, the owner and the subdivider of the land proposed to be subdivided shall furnish a corporate completion bond by a firm authorized to do business in Nebraska with good and sufficient sureties thereon, or a cashier's check, escrow account, or irrevocable letter of credit in favor of the County Board, in the amount of the estimated cost as approved by the official responsible for setting and enforcing the applicable design and construction standards of the installation of the required improvements. Such financial guarantee shall be conditioned upon the approval of the final plat and further conditioned upon the actual completion and installation of such required improvements within two years from the date that the final plat is approved by the Board.
3. Simultaneously with the execution of the agreement provided for in Section 10.01 above, if the subdivider furnishes a corporate completion bond, he shall also deposit in escrow with the County Board who is to accept such improvements, cash in the amount of 15 percent of the cost of all improvements to be made in accordance with the plans and specifications for required improvements therefore approved by the Board. If a subdivider furnishes a cashier's check, escrow account or irrevocable letter of credit in favor of the County Board, 15 percent of the amount of such cashier's check, escrow account or letter of credit of the County Board, and shall be held as a deposit in escrow after the final completion of such improvements. The subdivider shall agree that such deposit in escrow may be held by the County Board for a period of 18 months after the final completion of such improvements for the purpose of:
 - a. Guaranteeing and securing the correction of any defect in material or workmanship furnished for such improvements, latent in character, and not discernable at the time of final inspection or acceptance by the County Board; and
 - b. Guarantee against any damage to such improvements by reason of the settling of the ground, base or foundation thereof.

Such escrow agreement shall also provide that, as such defects have so developed, that the deposit may be applied by the County Board for any amounts incurred for correcting such defects; and that the balance of such deposit, if any, held at the end of such 18 month period shall be returned by the County Board to the depositor, or paid to the order of the depositor, or paid to the order of the depositor without payment of interest by the County Board. The contractor shall have the option, after the completion of the improvements to purchase a two-year maintenance bond in the amount of the original contract, which bond shall be approved by the Board, and upon approval of the cash bond, the 15 percent deposit in escrow shall be released.

4. Prior to offering any improvement to the Board, the subdivider shall furnish good and sufficient guarantee that all indebtedness incurred for supplies, material, labor furnished, or engineering and professional services in the construction of improvements shall have been paid in full and that there are no claims for damage or suits against such contractor involving said improvement.

SECTION 10.03 AUTHORIZATION

Receipt of the signed copy of the final plat by the Commission is authorization for the subdivider to proceed with the preparation of plans and specifications for the minimum improvements that will be required. Prior to the construction of any improvements, the subdivider shall furnish the Planning Administrator all such plans, information and data necessary for the construction of said improvements.

SECTION 10.04 OTHER IMPROVEMENTS

The Board of Supervisors may require the installation of other recommended improvements, constructed in accordance with standards and specifications as approved and adopted by the County.

SECTION 10.05 CONSTRUCTION SPECIFICATIONS

All related subdivision improvements shall also be constructed in accordance with the standards and specifications of Washington County and of the State of Nebraska, where applicable.

SECTION 10.06 CONSTRUCTION INSPECTION

Inspections are as required by the County.