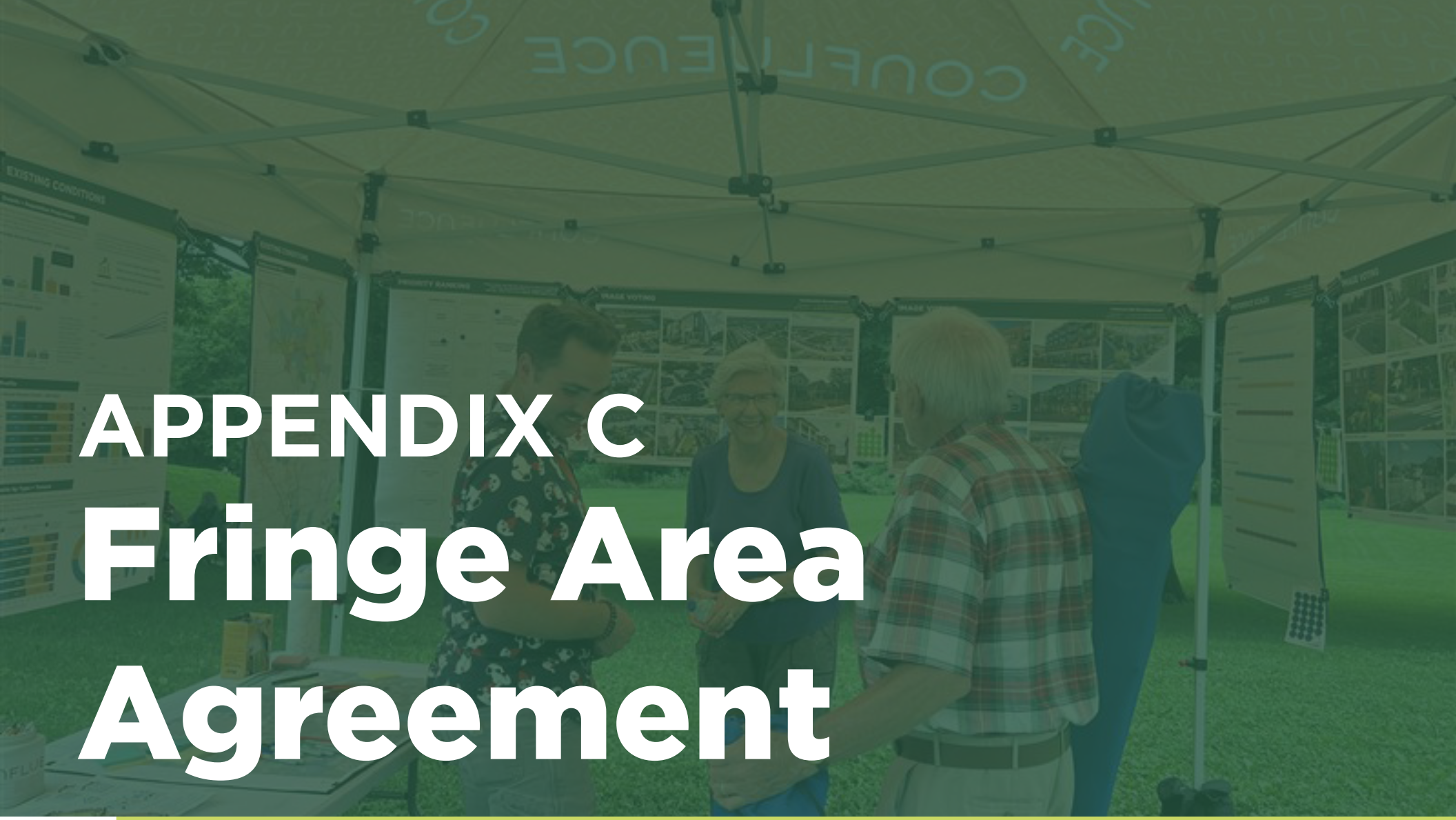


APPENDIX C
Fringe Area Agreement

Doc ID: 031700440023 Type: GEN
Kind: AGREEMENT
Recorded: 11/19/2021 at 03:19:43 PM
Fee Amt: $0.00 Page 1 of 23
Johnson County Iowa
Kim Painter County Recorder
BK 6313 PG 806-828

RESOLUTION NO. 10-14-21-03

RESOLUTION APPROVING THE FRINGE AREA POLICY AGREEMENT BETWEEN JOHNSON COUNTY, IOWA AND THE CITY OF IOWA CITY, IOWA

WHEREAS, Chapter 28E of the Iowa Code (2021) enables two or more local governments to enter into agreements to cooperate for their mutual advantage; and

WHEREAS, Iowa Code Section 354.9 gives the City and the County the authority to establish, by agreement, the standards and conditions applied by a city or county for review and approval of a county subdivision, and other development applications to which such an agreement may be addressed; and

WHEREAS, pursuant to these powers, the City and County did enter into a 28E Agreement in October 2006 pertaining to the City / County Fringe Area, which has not been renewed as of October 12, 2021; and

WHEREAS, it is in the interest of the County and the City to update the applicable policies for orderly growth and development within the City / County Fringe Area and, accordingly, the planning and development staff of both the County and the City have developed a draft new agreement to supersede and replace the October 2006 fringe area agreement; and

WHEREAS, the Johnson County Planning and Zoning Commission, following a public meeting on September 13, 2021, has reviewed this draft new fringe area policy agreement, filed its report, and recommended that said agreement be approved; and

WHEREAS, having received the report and recommendation of the Johnson County Planning and Zoning Commission, conducted a public hearing on October 14, 2021, considered the information and objections presented at said hearing, if any, and otherwise informed itself of the particulars of the proposed Fringe Area Policy Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JOHNSON COUNTY, IOWA:

1. That the Johnson County Board of Supervisors hereby accepts and agrees to the Fringe Area Policy Agreement between Johnson County and the City of Iowa City as recommended by the Planning and Zoning Commission.
2. That the Chairperson be authorized and directed to sign said Fringe Area Policy Agreement and arrange for its filing with the Iowa Secretary of State as required by Iowa Code Sec. 28E.5 upon full execution by the parties.

It was moved by Green and seconded by Green-Douglass the Resolution be adopted this 14th day of October, 2021.

Roll Call: Green Aye Green-Douglass Aye Heiden Aye Porter Aye Sullivan Aye

Pat Heiden, Chairperson
Board of Supervisors

10/14/21
Date

ATTEST:
Travis Weipert, Auditor
Johnson County, Iowa

11.a

Prepared by: Anne Russett, Senior Planner, 410 E. Washington St, Iowa City, IA

RESOLUTION NO. 21-285

Resolution to amend the Comprehensive Plan and approve a 28E Fringe Area Policy Agreement between Johnson County and the City of Iowa City. (CPA21-0003)

Whereas, the Comprehensive Plan serves as a land-use planning guide by illustrating and describing the location and configuration of appropriate land uses throughout the City, provides notification to the public regarding intended uses of land; and illustrates the long-range growth area limit for the City; and

Whereas, if circumstances change and/or additional information or factors come to light, a change to the Comprehensive Plan may be in the public interest; and

Whereas, circumstances have changed, including the adoption of the Johnson County Comprehensive Plan in 2018, new City public infrastructure projects at the periphery of the city that will accommodate new growth, and an interest in updating the City's land use plans to ensure a diversity of housing types and highly interconnected street networks through form-based planning principles; and

Whereas, Chapter 354, Code of Iowa (2021) allows the City of Iowa City to establish an extraterritorial area, known as the fringe area, within two miles of the city boundaries for the purpose of reviewing and approving subdivisions; and

Whereas, Chapter 354, Code of Iowa (2021) further grants the City the authority to require that subdivisions within the fringe area adhere to the City's subdivision standards and conditions, unless the City establishes alternative standards and conditions for review and approval of subdivisions through a 28E agreement between the City and the County; and

Whereas, Chapter 28E of the Code of Iowa (2021) enables two or more local government to enter into agreements to cooperate for their mutual advantage; and

Whereas, pursuant to these powers, the City and County entered into a Fringe Area Policy Agreement in 2006 (Resolution No. 06-318) governing the development of land within the extraterritorial area of Iowa City; and

Whereas, it is in the interest of the County and the City to establish policies for the orderly growth and development within the City Fringe Area through an updated agreement; and

Whereas, such policies are necessary to more effectively and economically provide services for future growth and development and to protect and preserve the fringe area's natural resources and its environmentally sensitive features; and

Whereas, the Planning and Zoning Commission reviewed this amendment at its meeting on October 7, 2021 and determined that circumstances changed to the extent that an amendment to the comprehensive plan is warranted and the proposed 28E Agreement is compatible with other policies or provisions of the comprehensive plan.

Now, Therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that:

1. It is in the public interest to update the Comprehensive Plan to respond to changes in circumstances in the City.

2. The Comprehensive Plan is hereby amended as set forth in Appendix 1, attached and incorporated herein by this reference.

3. The City Council of the City of Iowa City, Iowa hereby accepts and agrees to the 28E Fringe Area Policy Agreement between Johnson County and the City of Iowa City as set forth in Appendix 2, attached and incorporated herein by this reference.

4. The Mayor is hereby authorized to sign and the City Clerk to attest to the 28E agreement between Johnson County and Iowa City (Appendix 2) establishing land use policies for the two-mile extraterritorial jurisdiction of Iowa City, for recordation as provided by law upon execution by Johnson County.

5. Resolution No. 06-318 is hereby rescinded.

Passed and approved this 16th day of November, 2021.

Mayor Pro Tem

Attest: _____
City Clerk

_____
City Attorney's Office
(Sara Greenwood Hektoen – 11/09/21)

Resolution No. 21-285
Page 3

It was moved by Thomas and seconded by Taylor the Resolution be adopted, and upon roll call there were:

AYES:	NAYS:	ABSENT:	
X			Bergus
		X	Mims
X			Salih
X			Taylor
		X	Teague
X			Thomas
X			Weiner

Effective: November 16, 2021

Appendix 2

Fringe Area Policy Agreement between
Johnson County and the City of Iowa City

This agreement is entered into pursuant to Chapter 28E of the Code of Iowa, by and between Johnson County, Iowa, hereinafter referred to as "County," and the City of Iowa City, Iowa, a municipal corporation, hereinafter referred to as "City," (together, the "Parties").

Whereas, pursuant to Iowa Code Section 354.9, the City has adopted Iowa City Ordinance 15-1-4 requiring that all subdivisions located within two (2) miles of the City's corporate boundaries shall be subject to City review and approval, except for those areas exempt from such review pursuant to the Johnson County/Iowa City fringe area agreement; and

Whereas, Iowa Code Section 354.9 gives the City and the County the authority to establish, by agreement, the standards and conditions applied by a city or county for review and approval of a county subdivision; and

Whereas, Chapter 28E of the Code of Iowa (2021) enables two or more local governments to enter into agreements to cooperate for their mutual advantage; and

Whereas, pursuant to these powers, the City and County did enter into a 28E Agreement in October 2006 pertaining to the City / County Fringe Area and that agreement is superseded through the execution of this 28E Agreement; and

Whereas, the Johnson County 2018 Comprehensive Plan for unincorporated Johnson County adopted May 17, 2018, calls for the preparation and adoption of development plans and agreements between the County and the City; and

Whereas, the Iowa City Comprehensive Plan adopted in 2013 and associated District Plans, as amended, provide the vision and land use policy direction for growth within and around the City; and

Whereas, it is in the interest of the County and the City to establish policies for the orderly growth and development within the City / County Fringe Area; and

Whereas, the County and the City mutually agree that such policies are necessary to more effectively and economically provide services for future growth and development and to protect and preserve the fringe area's natural resources and its environmentally sensitive features.

Now, therefore, the parties agree as follows:

1

Section I. Fringe Area Development Policies

A. Purpose:

This Fringe Area Policy Agreement is intended to provide for orderly and efficient development patterns appropriate to the fringe area, to protect and preserve the fringe area's natural resources and environmentally sensitive features, to direct development to areas with physical characteristics that can accommodate development, and to effectively and economically provide services for future growth and development.

In light of these objectives, the City and the County examined the development capabilities of the Iowa City fringe area (i.e. that unincorporated area outside the corporate limits of the City but within two (2) miles of the existing City limits, designated the "City / County Fringe Area") and determined that development within the boundaries of the City / County Fringe Area, as shown on the Fringe Area Development Map attached to this Agreement as Appendix A and incorporated by this reference, is to occur in accordance with the development policies contained in this Agreement. Development should conform to the criteria outlined in this agreement, supplemented by the adopted Johnson County Comprehensive Plan and Future Land Use Map, and/or the Iowa City Comprehensive Plan, and all City and County development regulations, as applicable.

B. General Policies:

The following general policies apply to development in all areas of the City / County Fringe Area, as defined in Appendix A, attached hereto and incorporated herein by this reference.

1. **Development Applications**: Where City review, comment, or approval is required herein, an applicant shall simultaneously file a development application with the County and the City. Applicants are encouraged to coordinate with City Staff prior to filing their applications. The City may begin review of Future Land Use Map amendments outside of the City's growth area prior to County receipt of an application.
2. **Prior Approval**: Unless the City declines to review an application, the County Planning and Zoning Commission shall not hold a public hearing on any matter subject to City review, comment, recommendation or approval pursuant to this 28E Agreement until receipt of such review, comment or approval as described in this Agreement.
3. **Official Recommendation:** Official review, comment, recommendation or approval by the City shall be in writing. If the action of the Council was via resolution, a copy of the resolution shall also be included. This communication may be either electronic or hard copy.
4. **Reasons for Denial**: For any application that is denied by the City, the City shall provide written communication to the Board of Supervisors detailing reasons for denial.
5. **City Processing:** If an application has not received final disposition in accordance with the review and approval timelines set by City ordinances, the County Planning and Zoning Commission may proceed to conduct its public hearing on such application prior to receiving final comment, recommendation, or approval from the City.

C. Policies within the City's Growth Area:

The following policies apply to development in the City's Growth Area shown in Appendix A. "Growth and development within the City's Growth Area is guided by the land use policy direction of the either the City's Comprehensive Plan or the County's Comprehensive Plan as outlined in this Subsection and Subsection D which outlines the five identified subareas within the City's Growth Area.

1. **Location:** The City's Growth Area is adjacent to the current City corporate boundary and extends into the County in varying degrees as shown on the attached Fringe Area Development Map (Appendix A).

2. **Future Land Use Map Amendments:** The City shall review applications for amendments to the County's Future Land Use Map for land within the City's Growth Area according to the following. City staff will make a recommendation on the proposed map amendment to the Iowa City Planning and Zoning Commission, who shall make a recommendation to the City Council. The City Council will make a final recommendation on the proposed map amendment to the County Planning and Zoning Commission. The City will use this Agreement and the City's Comprehensive Plan as policy documents to guide its recommendations.

   County will provide notice of the application within three business days from the County's annual filing deadline for project specific Future Land Use Map amendments. The City shall provide comment prior to the regularly scheduled August County Planning and Zoning Commission meeting. In the event the City does not provide the County comments prior to the regularly scheduled August County Planning and Zoning Commission meeting, the City shall be deemed to have waived its right to review; however such review period may be extended upon coordination with County planning staff provided City comment can be provided by the public hearing before the Board of Supervisors.

3. **Rezonings:** The City shall review and make a recommendation to the Johnson County Planning and Zoning Commission on applications for rezoning for land within the City's Growth Area, in accordance with the following process. City staff will make a recommendation to the Iowa City Planning and Zoning Commission, who shall make a recommendation to the City Council. The City Council will make a final recommendation on the proposed rezoning to the County Planning and Zoning Commission. The City will use this Agreement and the City's Comprehensive Plan as the guiding policy documents informing rezoning recommendations. The County will use this agreement and the County's Comprehensive Plan and Future Land Use Map as the guiding policy documents informing rezoning decisions. The County will also consider the City recommendation.

4. **Subdivision Plats:**

   a. **Preliminary Plats:** A preliminary plat shall be required for any subdivision of land, as defined in section 354.2 of Iowa State Code, that divides a tract of land into three or more lots. The City will review all preliminary plats for subdivisions and divisions, as defined in section 354.2 of Iowa State Code, within the Growth Area, except for Farmstead splits, as detailed in section 8:1.6.A.7 and 8:1.6.L of the Johnson County Unified Development Ordinance, as amended. Preliminary plats shall be designed

to conform to the City's Urban Design Standards, set forth in Iowa City Code Chapter 15 which may be amended from time to time in the City's sole discretion, as well as compliance with the City's Comprehensive Plan, as amended. The City shall review and approve applications for preliminary plats of land within the City's Growth Area, in accordance with the following. City staff will review and make a recommendation to the City Planning and Zoning Commission. The Commission will make a recommendation to the City Council. The City Council will consider a resolution to approve or deny the plat. Preliminary plats that gain approval from the City Council will be forwarded onto the County Planning and Zoning Commission. City Council approval of an application is required prior to any public hearing by the County Planning and Zoning Commission. City approval of preliminary plats is required, and if an application for preliminary plat fails to gain approval of the City Council, the County will consider the application to be incomplete and will not consider the application. Where the City has approved an application for preliminary plat, the County Board of Supervisors shall also approve or deny the plat. An application for a combined preliminary and final plat shall also be reviewed according to this provision.

Developments which are approved prior to annexation shall be required to be served by a package sanitary sewer treatment plant and common wells with sanitary sewer and water collection and distribution systems which are constructed to City standards and can be connected to municipal systems upon annexation.

To ensure compliance with the City's Urban Design Standards, where a developer desires to install required improvements, which may become public upon annexation, the applicant shall provide detailed construction drawings and infrastructure plans to the City with the application for preliminary plat. The City will not approve the preliminary plat until said drawings and plans have been approved by the City Engineer.

b. **Final Plats**: Applications for final plats shall solely be reviewed and approved or denied by the County. The County shall forward all final plat applications to City staff for notification purposes, but the City need not formally approve or deny any final plat applications. In the event that a final plat requires dedication of easements or installation of infrastructure to be owned and maintained by the City upon annexation, the County shall coordinate with City staff and the City Attorney's Office for such documents review and approval by Council. City staff will notify County staff when the approval of the necessary documents is finalized.

5. **Site Plans:** The City shall administratively review site plans for land greater than 2 acres. All site plans for land greater than 2 acres shall comply with 18-3-2F of the Iowa City Code of Ordinances, as amended. In addition, City staff will review said site plans against 18-3-2A, 18-3-2B, 18-3-2C, and 18-3-2D of the Iowa City Code of Ordinances, as amended, and provide comments for the County's consideration. City staff will provide comments to the County within twenty-one (21) working days of receipt of a completed application, in accordance with Title 18 of the Iowa City Code of Ordinances.

The County Board of Supervisors shall not act on any site plan subject to City review pursuant to this 28E Agreement until receipt of such review, comment, or approval as described in this Agreement.

D. Policies for Specific Subareas within the City Growth Area:

Growth and development within the City's Growth Area is guided by the land use policy direction of the City's Comprehensive Plan with the exception of certain areas. Specifically, there are areas within the City's Growth Area identified as Subareas in Appendices B-F, attached hereto and incorporated herein by this reference, where more specific policy direction applies. In addition to Sections B and C above, the following additional policies apply:

1. **Subarea #1:** Located north and south of Highway 1. This area may become ripe for development in the future, once the area to the north is developed. Subarea #1 shall develop in accordance with the Future Land Use Map of the County's Comprehensive Plan as opposed to the City's Comprehensive Plan.
2. **Subarea #2:** Located south of Highway 218 and Riverside Drive, Subarea #2 may attract commercial uses due to its highway adjacency and positioning as a southern gateway to the Iowa City area. This area shall develop in alignment with the Future Land Use Map of the County's Comprehensive Plan, as opposed to the City's Comprehensive Plan, which identifies a Commercial growth area.
3. **Subarea #3:** Subarea #3 is located north of Highway 6 near Taft Avenue. Once land within the City's Industrial Park is fully occupied, the land use policy vision for this area is additional commercial and industrial development following annexation into the City. Land in Subarea #3 shall remain as open space or agricultural land use until annexed by the City.
4. **Subarea #4:** Subarea #4 is located to the west of the Herbert Hoover Highway and I-80 interchange. This interchange acts as an eastern gateway to the Iowa City area and contains prime interstate access. A portion of Subarea #4 is appropriate for certain commercial development and a portion should remain agricultural in nature. The map in Appendix E identifies land that shall develop in alignment with the County's Future Land Use Map and Comprehensive Plan, which identifies this area as appropriate for Commercial and Highway Commercial land uses. For the remainder of land within this area, rezonings to other zones besides Agriculture are not allowed.
5. **Subarea #5:** Subarea #5 is located to the north of I-80, and east of Highway 1. Subarea #5 is intended to provide a buffer between non-residential uses to the south and County Residential uses to the north. Land in Subarea #5 shall remain as open space or agricultural land use until annexed by the City.

E. Policies Outside the City's Growth Area

The following policies apply to all areas within the 2-mile fringe area that are outside the City's Growth Area shown in Appendix A.

1. **Location:** Those areas that are outside of the City's Growth Area but still located within the Fringe Area are identified in the Fringe Area Development Map (Appendix A). This land is not intended to be annexed into the City in the foreseeable future due to distance from the City's corporate limits and existing City infrastructure.
2. **Future Land Use Map Amendments:** The City shall administratively review and make a recommendation on applications for amendments to the County's Future Land Use

Map in accordance with the following process. County staff shall notify City staff of any proposed amendments. City staff will submit a formal advisory opinion on any proposed changes to the County Planning and Zoning Commission. City staff will use the criteria from this Agreement and the City's Comprehensive Plan to guide its recommendations. Notwithstanding I.B.2. above, the County's Planning and Zoning Commission may proceed to conduct a hearing and forward its recommendations to the County Board of Supervisors on applications for amendments to the County's Future Land Use Map if an advisory opinion from City staff has not been received by the time such applications are regularly scheduled for consideration by the County's Planning and Zoning Commission.

3. **Rezonings:** Applications for rezoning of land outside of the City's Growth Area shall solely be reviewed and approved or denied by the County. The County shall notify the City of any such rezoning application. County staff will use the County Comprehensive Plan and County Future Land Use Map as guidance for its recommendation to the Board of Supervisors.

4. **Subdivision Plats:**

   a. **Preliminary plats of fewer than three (3) lots:** Subdivisions and divisions of land into fewer than three lots (including outlots) shall solely be reviewed and approved or denied by the County.

   b. **Preliminary Plats of three (3) lots or more:** Preliminary plats subdividing a tract of land into three or more lots (including outlots), shall conform to the City's Rural Design Standards (Appendix G). City staff will administratively review preliminary plats to the City's Rural Design Standards (Appendix G) and forward comments and recommendations to the County for consideration. For these applications, comments and recommendations from City staff must be received by the County prior to public hearing by the County Planning and Zoning Commission. An application for a combined preliminary and final plat shall also be reviewed according to this provision.

   c. **Final Plats**: Applications for final plats shall solely be reviewed and approved or denied by the County. The County shall forward all final plat applications to City staff for notification purposes, but the City need not formally approve or deny any final plat applications. In the event that a final plat requires dedication of easements or installation of public infrastructure to be owned and maintained by the City, the County shall coordinate with City Planning staff and the City Attorney's Office for such documents review and approval by Council. City staff will notify County staff when the approval of the necessary documents is finalized.

5. **Site Plans:** All site plans and development projects for land outside of the City's Growth Area shall solely be reviewed and approved or denied by the County.

Section II. Agreement Review

A. Agreement Review Period

This Agreement shall be reviewed every five years. At any time between five-year reviews, either the Chair of the County Board of Supervisors or the Mayor of the City may initiate review of the policies of this Agreement by contacting the other party to this Agreement. Alternatively, either party may re-affirm the current agreement in writing, at which point both parties may agree to waive review of this agreement. Both parties to this Agreement shall consider modifications of this Agreement in good faith.

B. Agreement Termination

Either party may terminate this Agreement by providing written notification to the other party, accompanied by an approved resolution of the governing body directing such termination, sent by registered mail. Such termination shall be effective no earlier than ninety days after the mailing date of the notification.

C. Boundary Changes

Annexation of property by the City does not automatically adjust the boundaries established by this Agreement. Such boundaries, and the applicability of this Agreement to unincorporated territory of Johnson County, may only be changed or extended by modifying this Agreement by mutual agreement of the Parties.

Section III. Effective Period

This Agreement shall become effective upon acceptance and execution by all Parties, and shall be in effect for 10 years after the date of execution of this Agreement. This Agreement shall be automatically renewed for one five-year period unless the County or the City objects to such renewal prior to the renewal date. This Agreement may be modified or extended by the written mutual consent of both Parties.

Section V. Recordation

This Agreement shall be filed with the Secretary of the State of Iowa, and with the Johnson County Recorder in compliance with Chapter 28E, Code of Iowa (2021).

[Signatures on the following page]

Dated this 14th day of October, 2021.

JOHNSON COUNTY

By: _____
Chairperson, Board of Supervisors

Attest: Travis Weipert by Nancy Fonkovich, Deputy Auditor
County Auditor

Dated this 16th day of November, 2021.

CITY OF IOWA CITY

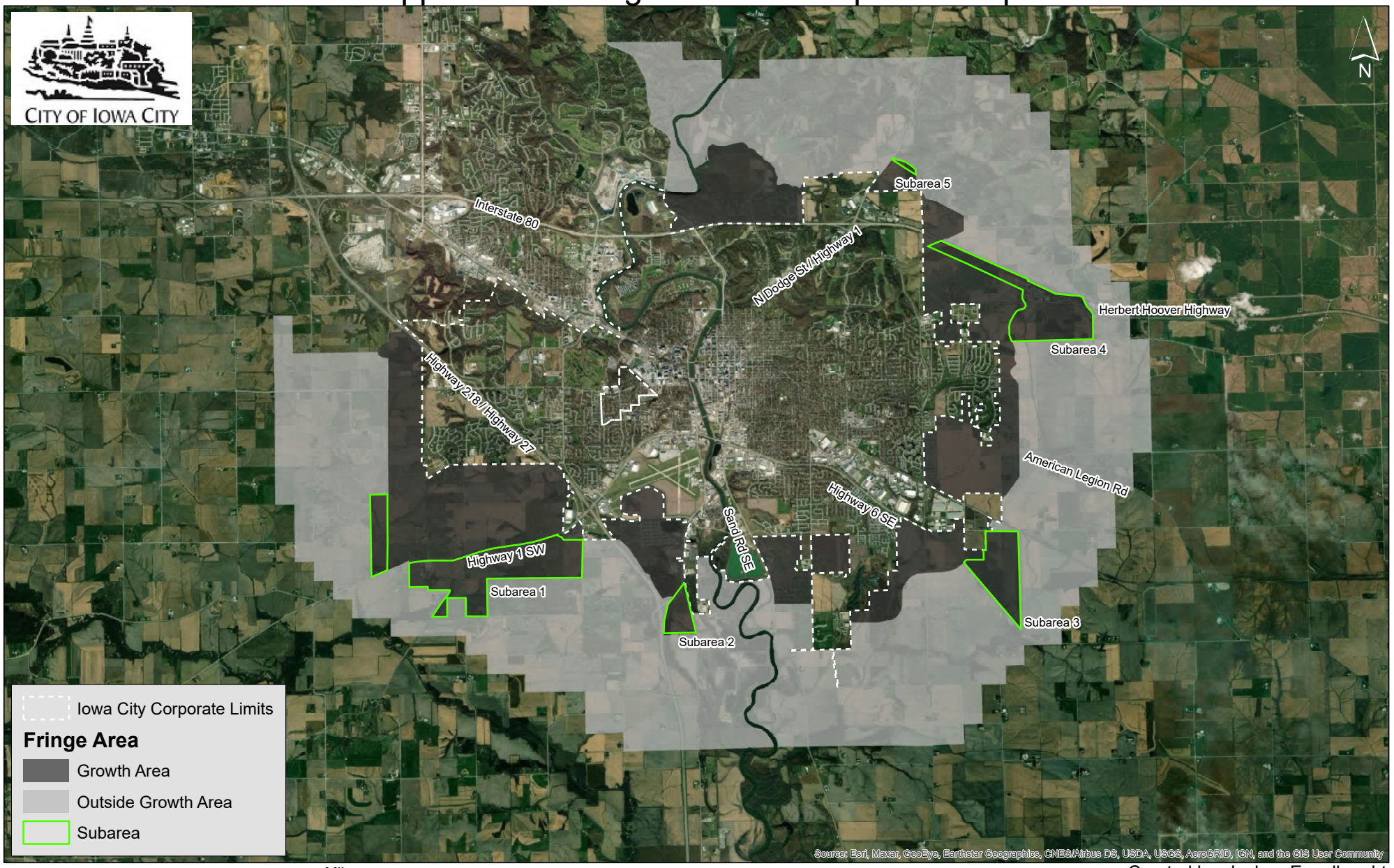
By: _____
Mayor Pro Tem

Attest: _____
City Clerk

Appendices:

A. Fringe Area Development Map
B. Subarea #1
C. Subarea #2
D. Subarea #3
E. Subarea #4
F. Subarea #5
G. City's Rural Design Standards

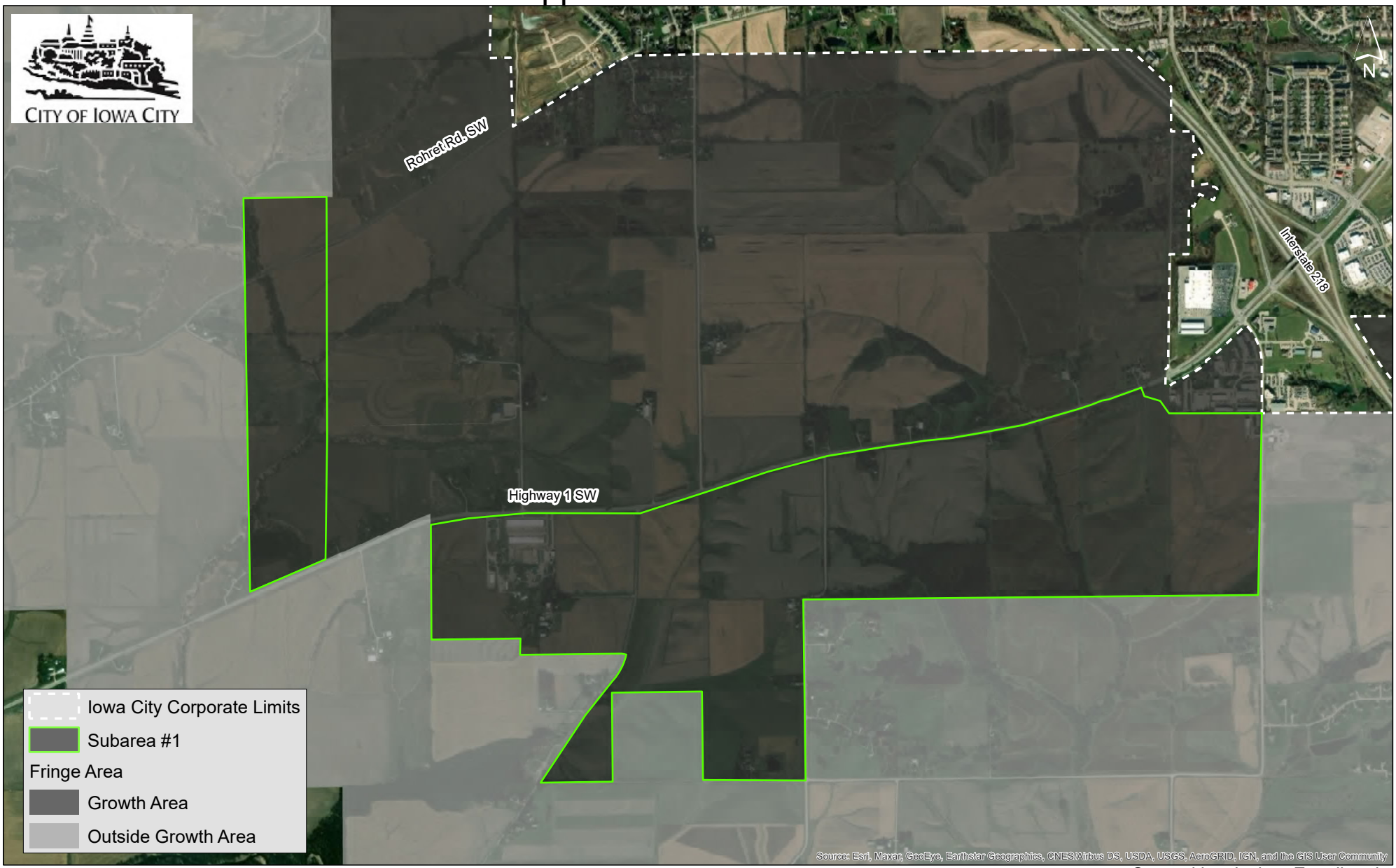
Appendix A: Fringe Area Development Map



0 0.5 1 2 3 4 Miles

Created by: Joshua Engelbrecht
September 2021

Appendix B: Subarea #1



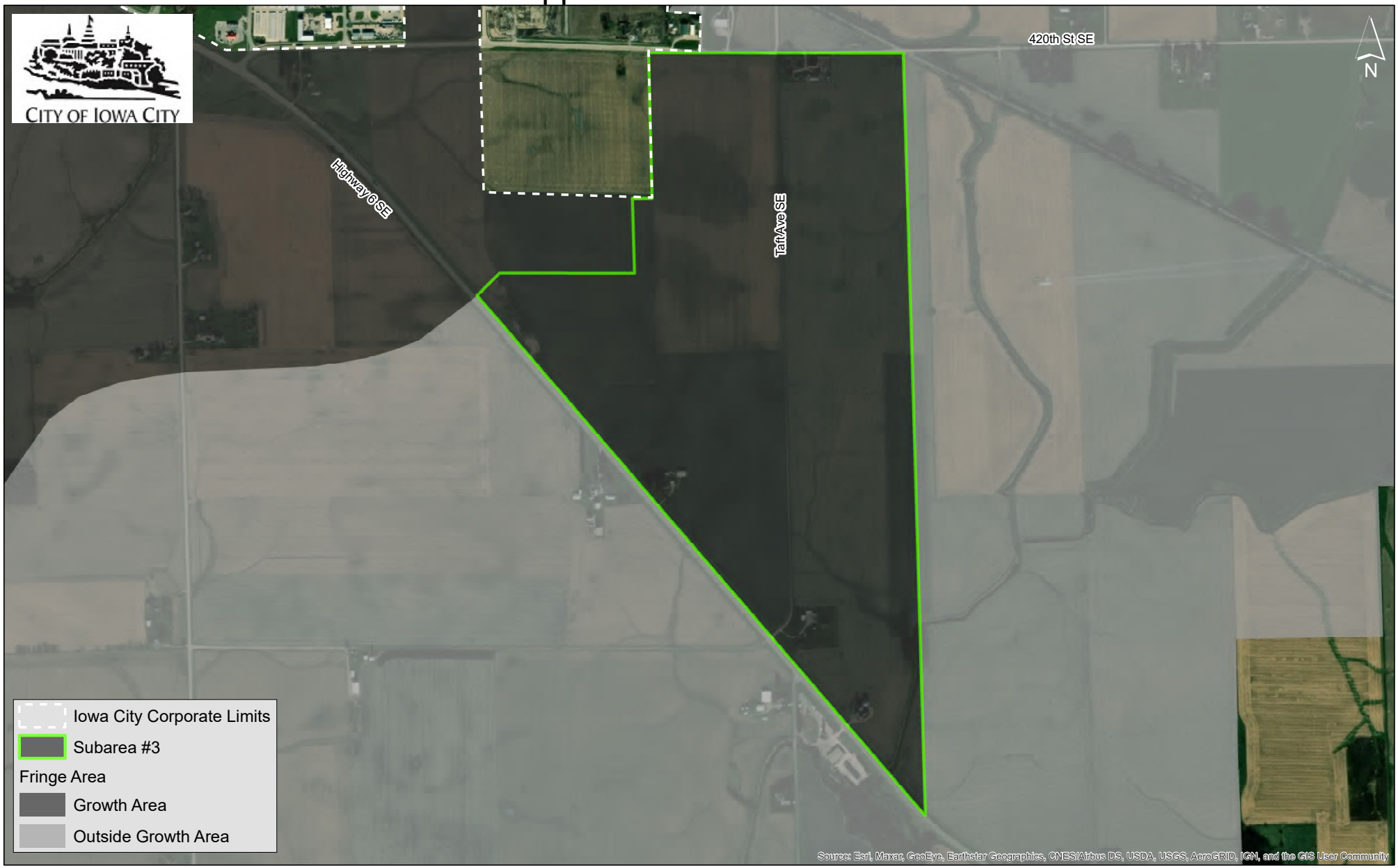
Created by: Joshua Engelbrecht
September 2021

Appendix C: Subarea #2



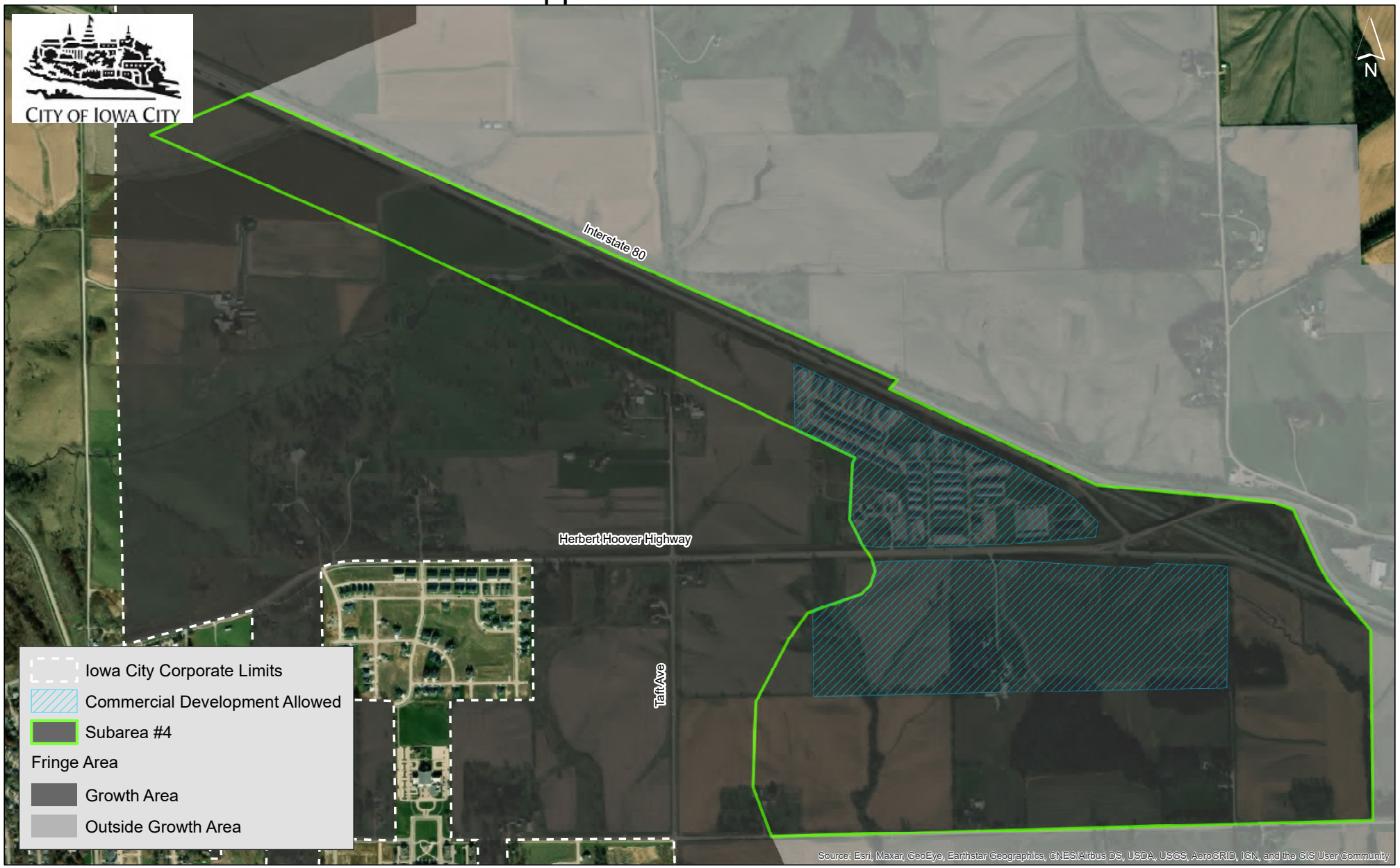
Created by: Joshua Engelbrecht
September 2021

Appendix D: Subarea #3



Created by: Joshua Engelbrecht
September 2021

Appendix E: Subarea #4



Created by: Joshua Engelbrecht
September 2021

Appendix F: Subarea #5



Created by: Joshua Engelbrecht
September 2021

Appendix G

City Rural Design Standards

A. Streets

1. Streets shall be designed for a minimum surface width of 22 feet. Curb and gutter will not be required.
2. The right-of-way for local residential streets shall be 60 feet to enable retrofit of sewer, water, and sidewalk in the future as necessary. The right-of-way for arterial, industrial, and collector streets for the developed area shall be determined by City and County planning and engineering staff.
3. The maximum street grade for local streets shall be 12%.
4. The pavement cross section for all pavements will be a 2% parabolic crown. This cross slope is equivalent to ¼-inch per foot.
5. At a minimum, the pavement slab shall be constructed of a 6" rolled stone base and a 22-foot wide chipseal or other paved surface.
6. Minimum corner radii shall be 20 feet.
7. The minimum ditch grade shall be 1%. In addition, it will be necessary to place a 12-inch diameter (minimum) culvert, either reinforced concrete pipe or corrugated metal pipe, through all drive approaches constructed over a drainage ditch. The exact size of pipe required will be a function of the area to be drained.
8. Drive approaches shall be hard surfaced within the right-of-way.

B. Water Distribution System

1. Well(s) shall conform to the requirements of the Johnson County Health Department and the distribution system, if installed, (water main) shall be either ductile iron pipe (DIP) or poly vinyl chloride (PVC) pipe, - and conform with Statewide Urban Design and Specifications (SUDAS) Standard Specifications.
2. It shall be the responsibility of the developer's engineer to establish a fire rating for the area being developed, and to identify any infrastructure being constructed (or other means anticipated) for the purpose of fire protection. Prior to the plat approval, there shall be a letter from the appropriate Fire Protection District approving the proposed fire protection measures based on current practices.
3. Connection to the City of Iowa City Water Distribution System is subject to City Council consideration based on availability. Generally, annexation is a criterion which must be met.

C. Sanitary Sewer

All methods of sanitation shall conform to all current Johnson County Board of Health Rules and Regulations Governing On-site Wastewater Treatment and Disposal Systems.

D. Stormwater Management

1. Stormwater facilities shall conform to all current Johnson County stormwater management regulations and policies.
2. Storm sewer construction shall be in accordance with the Statewide Urban Design and Specifications (SUDAS) Standard Specifications.
3. Culverts shall be a minimum of 12 inches in diameter and reinforced concrete pipe shall be used. Culverts shall conform with the Statewide Urban Design and Specifications (SUDAS) Standard Specifications. Minimum cover over the top of culvert shall be six inches.

E. Underground Utilities

Whenever a subdivision shall be laid out such that a new street is required, telephone, cable television, internet, and electric utilities shall be underground. It is not intended that small subdivisions which would use an existing county road would follow this requirement since overhead utilities are probably directly adjacent to the property.