

ORDINANCE NUMBER VI-3.1

AN ORDINANCE AMENDING THE TEXT OF THE SUBDIVISION ORDINANCE (ORDINANCE # VI-3, EFFECTIVE DATE OF JULY 1, 2007) OF CHICKASAW COUNTY, IOWA

SECTION 1. RESCISSION. This Ordinance rescinds and replaces the current text in Section III, 2, of the Subdivision Ordinance VI-3, as was effective on July 1, 2007.

Administrator: The administrative officer designated or appointed by the Board of Supervisors to administer and enforce the regulations contained in this Ordinance

SECTION 2. ADOPTION. This Ordinance adopts in lieu thereof the following text.

Administrator: The administrative officer designated or appointed by the Board of Supervisors to administer and enforce the regulations contained in this Ordinance. (Zoning Administrator)

SECTION 3. RESCISSION. This Ordinance rescinds the current text in Section III, 3, of the Subdivision Ordinance VI-3, as was effective on July 1, 2007.

Agricultural: Of, relating to, used in, or concerned with agriculture.

SECTION 4. RESCISSION. This Ordinance rescinds the current text in Section III, 4, of the Subdivision Ordinance VI-3, as was effective on July 1, 2007.

Agriculture: The science or art of cultivating the soil, producing crops, and raising livestock and in varying degrees the preparation of these products for man's use and their disposal.

SECTION 5. RESCISSION. This Ordinance rescinds and replaces the current text in Section IV, A, of the Subdivision Ordinance VI-3, as was effective on July 1, 2007.

Application. This Ordinance shall apply to all plats, re-plats, and divisions of land into parcels, any of which are less than thirty-five (35) acres or the aliquot part one-quarter ($\frac{1}{4}$) of one-quarter ($\frac{1}{4}$) section, and lying in the unincorporated area of Chickasaw County, Iowa, including the subdivision of land within two (2) miles of any city. Divisions involving agricultural uses, as herein defined, are exempt from the application of this Ordinance. The provisions of this Ordinance shall apply to the division of any lot or parcel of land entered of record in the office of the County Recorder as a single lot or parcel after the effective date of this Ordinance. (Removed)

SECTION 6. ADOPTION. This Ordinance adopts in lieu thereof the following text.

Application. This Ordinance shall apply to all plats, re-plats, and divisions of land into parcels, any of which are less than thirty-five (35) acres or the aliquot part one-quarter ($\frac{1}{4}$) of one-quarter ($\frac{1}{4}$) section, and lying in the unincorporated area of Chickasaw County, Iowa, including the subdivision of land within two (2) miles of any city.

SECTION 7. RESCISSION. This Ordinance rescinds and replaces the current text in Section V, A. 2. a, of the Subdivision Ordinance VI-3, as was effective on July 1, 2007.

Private Streets. Private streets, not dedicated to and accepted by the County, are allowed. If existing private streets are utilized, they shall be platted as such and be under the control of the subdivision, homeowners association, and/or subdivider.

SECTION 8. ADOPTION. This Ordinance adopts in lieu thereof the following text.

Private Streets. Private streets, not built according to Chickasaw County standards and not dedicated to and accepted by the County, are allowed. If existing private streets are utilized, they shall be platted as such and be under the control of the subdivision, homeowners association, and/or subdivider.

SECTION 9. RESCISSION. This Ordinance rescinds and replaces the current text in Section V, D. 1. c. (2), of the Subdivision Ordinance VI-3, as was effective on July 1, 2007.

Asphalt Cement Concrete (ACC) paving with a minimum eight (8)- inch thickness of Type B asphalt cement concrete with a two (2) percent crown measured from the centerline of the street to the gutter or shoulder of the road. The sub-base shall be as follows:

- (a) Sub-base course: six (6) inches of rolled stone base.

SECTION 10. ADOPTION. This Ordinance adopts in lieu thereof the following text.

Hot Mix Asphalt (HMA) paving with a minimum eight (8) - inch thickness of Type B hot mix asphalt with a two (2) percent crown measured from the centerline of the street to the gutter or shoulder of the road. The sub-base shall be as follows:

- (a) Sub-base course: six (6) inches of rolled stone base.

SECTION 11. RESCISSION. This Ordinance rescinds and replaces the current text in Section VI, A, of the Subdivision Ordinance VI-3, as was effective on July 1, 2007.

Each proprietor of land wishing to subdivide is required to meet with County Officials, including the office of the: County Engineer, Auditor, Sanitarian, and Recorder before preparing the preliminary plat in order to become familiar with County regulations affecting the territory in which the proposed subdivision lies. A pre-preliminary plat or sketch plan of the general street and lot layout shall be presented to the County at that time, so that the County Officials may review it and alert the developer to any known development constraints that may exist or arise.

SECTION 12. ADOPTION. This Ordinance adopts in lieu thereof the following text.

PRE-PRELIMINARY PLAN AND CONFERENCE

Each proprietor of land wishing to subdivide is required to meet with County Officials, including the office of the: Zoning Administrator, County Engineer, Auditor, Sanitarian, and Recorder before preparing the preliminary plat in order to become familiar with County regulations affecting the territory in which the proposed subdivision lies. A pre-preliminary plat or sketch plan of the general street and lot layout shall be presented to the County at that time, so that the County Officials may review it and alert the developer to any known development constraints that may exist or arise.

SECTION 13. RESCISSION. This Ordinance rescinds and replaces the current text in Section VIII, A, of the Subdivision Ordinance VI-3, as was effective on July 1, 2007.

If classified as a “minor plat” by the Administrator, twenty (20) copies of the proposed minor subdivision plat shall be prepared and submitted to the Administrator. Said plat shall contain such information as required by this Ordinance or as may be specified by the Administrator.

SECTION 14. ADOPTION. This Ordinance adopts in lieu thereof the following text.

If classified as a “minor subdivision plat” by the Administrator, one (1) signed original and eleven (11) copies of the proposed minor subdivision plat shall be prepared and submitted to the Administrator. Said plat shall contain such information as required by this Ordinance or as may be specified by the Administrator.

SECTION 15. RESCISSION. This Ordinance rescinds and replaces the current text in Section VIII, B, of the Subdivision Ordinance VI-3, as was effective on July 1, 2007.

If the Administrator shall determine that the "Minor Subdivision Plat" contains sufficient data and elements to furnish a basis for review, including those elements required in Sections VII(C) and VII(D) of this Ordinance, then the Administrator shall forward copies of the submitted plat to the Board of Supervisors, County Engineer, County Board of Health, County Auditor, County Assessor, County Attorney and to such other agencies or persons as may be appropriate and necessary. The developer or their agent shall provide one (1) copy of the minor plat to any City within two (2) miles of the subdivision for their comments and recommendations. Minor plat review shall not begin until, or unless, all copies of the final plat and accompanying materials have been submitted.

SECTION 16. ADOPTION. This Ordinance adopts in lieu thereof the following text.

If the Administrator shall determine that the "Minor Subdivision Plat" contains sufficient data and elements to furnish a basis for review, including those elements required in Sections VII(C) and VII (D) of this Ordinance, then the Administrator shall forward copies of the submitted plat to the Board of Supervisors, County Engineer, County Board of Health, County Auditor, County Assessor, County Attorney and to such other agencies or persons as may be appropriate and necessary. The developer or their agent shall provide one (1) copy of the **minor subdivision plat** to any City within two (2) miles of the subdivision for their comments and recommendations. **Minor subdivision plat** review shall not begin until, or unless, all copies of the final plat and accompanying materials have been submitted.

SECTION 17. RESCISSION. This Ordinance rescinds and replaces the current text in Section VIII, D, of the Subdivision Ordinance VI-3, as was effective on July 1, 2007.

The Board of Supervisors shall act upon the Minor Plat not more than sixty (60) days after the initial receipt by the Administrator. The Administrator may schedule a public hearing on the subdivision request with the Board of Supervisors, if it is deemed appropriate.

SECTION 18. ADOPTION. This Ordinance adopts in lieu thereof the following text.

The Board of Supervisors shall act upon the **Minor Subdivision Plat** not more than sixty (60) days after the initial receipt by the Administrator. The Administrator may schedule a public hearing on the subdivision request with the Board of Supervisors, if it is deemed appropriate.

SECTION 19. RESCISSION. This Ordinance rescinds and replaces the current text in Section VIII, F, of the Subdivision Ordinance VI-3, as was effective on July 1, 2007.

The passage of a resolution by the Board of Supervisors accepting the plat shall constitute final approval for the area shown on the Minor Plat. The proprietor shall cause such plat to be recorded as required by Chapter 354, Code of Iowa, before the County shall recognize the plat as being in full force and effect. The proprietor shall record the plat within sixty (60) days after Board approval and shall be responsible for all recording costs. **In addition, eight (8) copies of the approved Minor Plat and adopting resolution as well as one (1) copy of the completed plat proceedings with restrictive covenants shall be submitted to the Administrator by the proprietor.**
(Removed)

SECTION 20. ADOPTION. This Ordinance adopts in lieu thereof the following text.

The passage of a resolution by the Board of Supervisors accepting the plat shall constitute final approval for the area shown on the **Minor Subdivision Plat**. The proprietor shall cause such plat to be recorded as required by Chapter 354, Code of Iowa, before the County shall recognize the plat as being in full force and effect. The proprietor shall record the plat within **thirty (30)** days after Board approval and shall be responsible for all recording costs.

SECTION 21. RESCISSION. This Ordinance rescinds and replaces the current text in Section VIII, G, of the Subdivision Ordinance VI-3, as was effective on July 1, 2007.

Limitations: This section shall not be applicable to a parcel of land of any size which has previously had a subdivision severed from it since the effective date of this Ordinance. For definition purposes of this section only, a parcel of land shall mean any sized contiguous piece of property under same ownership as shown on the Chickasaw County Auditor's plat books as of the effective date of this Ordinance.

SECTION 22. ADOPTION. This Ordinance adopts in lieu thereof the following text.

Limitations: This section shall not be applicable to a parcel of land of any size which has previously had a subdivision severed from it since the effective date of this Ordinance. For definition purposes of this section only, a parcel of land shall mean any sized contiguous piece of property in a section of land, as defined by the US Public Land Survey System, (PLSS) under same ownership as shown on the Chickasaw County Auditor's plat books as of the effective date of this Ordinance.

SECTION 23. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Chickasaw County Subdivision Ordinance (Ordinance #VI-3, effective on July 1, 2007) as indicated by said section number and hereafter shall be cited by reference to said section number.

SECTION 24. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.

SECTION 25. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.

SECTION 26. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.

SECTION 27. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

FINAL PASSAGE AND ADOPTION this _____ day of _____, 20__.

Chair Date
Chickasaw County Board of Supervisors

Attest:

Chickasaw County Auditor Date