

ORDINANCE NO. 41

AN ORDINANCE AMENDING THE CURRENT SUBDIVISION ORDINANCE FOR THE UNINCORPORATED AREA OF MONONA COUNTY, IOWA.

Be it Ordained by the Board of Supervisors of Monona County, Iowa:

Section 1. The current Subdivisions Ordinance of the Code of Monona County, Iowa, is hereby amended by deleting the current Subdivision Ordinance in its entirety and inserting in lieu a new Chapter 200 – Division of Land and Subdivision Regulations which is attached hereto as Exhibit “A”.

The major revisions incorporated into the new Chapter 200 – Division of Land and Subdivision Regulations include the following:

- Clarifies that this chapter applies to all divisions of land into two or more parcels.
- Establishes the Zoning Administrator as the point source for all land divisions.
- Clarifies the term “Subdivision” meant the division of a lot, 40-acre aliquot part (tract) or parcel of land into three or more lots or parcels, whether such land division occurs consecutively or sequentially. Each land division is counted, irrespective of ownership, however parcels designated “for agricultural use only” shall not be counted.
- Exempts agricultural land divisions from the Subdivision requirements if (1) the land division is for ag use only, (2) lots are at least 2 acres in size, and (3) no new streets are created. A Plat of Survey is required designating parcels for “Agricultural Use Only” and no building permits will be issued for any dwelling or non-agricultural use on parcels in such land divisions.
- Defines “agricultural use only” to mean that no building permits for any dwellings or other principal use shall be issued on lots, tracts or parcels so designated. Accessory structures customary to farm operations, such as machine sheds or corn cribs, may be permitted provided they are not habitable.
- Requires all parcels to meet the requirements of Chapter 100 – Zoning Regulations in order for the Zoning Administrator to consider such lots as buildable, therefore any parcel of land not having frontage on either a public or private street shall not be considered buildable.
- Plats of Survey shall be approved by the Zoning Administrator and shall be in accordance with the specific design standards. If the owner wants to appeal the decision of the Zoning Administrator, the applicant may submit the Plat of Survey to the Zoning Commission for their recommendation and then to the Board of Supervisors for their approval or denial.
- All streets within subdivisions shall be considered private, unless otherwise recommended by the County Engineer. Preliminary Plats shall be submitted to the Board for approval only if the plat includes any public improvements.
- Separate design standards are provided for public streets versus private streets. For example, cul-de-sac length is limited to 660 feet on public streets but is not regulated on private streets.
- The Zoning Commission may waive requirements related to private streets only (curb and gutter, paving, street lights, sidewalks) at the time the Preliminary Plat is approved.
- Common water supply systems and wastewater disposal systems shall be required for any lot less than 2.0 acres net in size and for multiple-family dwellings, row houses, mobile home parks, commercial uses or industrial uses unless specifically waived by the Monona County Environmental Health Department.
- Access drives shall be limited to no more than 4 drives per quarter-mile, however field drives are not be counted.
- Fees for the division of land shall be set by Resolution of the Board rather than being included in the Ordinance.
- Other minor changes as discussed with the Zoning Commission and the Board of Supervisors.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED this 21st day of February, 2012.

/s/John McCall

John McCall, Chairman of the Board of Supervisors

ATTEST:

/s/Brooke Kuhlmann

Brooke Kuhlmann, County Auditor

AUTHENTICATION

Pursuant to Section 331.302(8) of the Code of Iowa, the undersigned Auditor of Monona County, Iowa hereby certifies that Ordinance No. 41 was published once in the Onawa Democrat and Mapleton Press newspapers on the 1st and 2nd day of February, 2012.

/s/Brooke Kuhlmann

BROOKE KUHLMANN,
MONONA COUNTY AUDITOR

STATE OF IOWA)

)SS:

COUNTY OF MONONA)

On this 21st day of February, 2012, the aforementioned John McCall, Chairman, Monona County Board of Supervisors, and Brooke Kuhlmann, Monona County Auditor, subscribed and sworn to be the same and signed in their official capacity as stated above in my presence on this 21st day of February, 2012.

SEAL:

/s/Misty Kepner

NOTARY PUBLIC,
MONONA COUNTY, IOWA