

ORDINANCE RECORD

No. 72 B—REDFIELD & COMPANY INC., OMAHA

ORDINANCE NO. 967

AN ORDINANCE TO AMEND SECTION 3.09 OF ORDINANCE NO. 906 (SUBDIVISION REGULATIONS); TO REPEAL SECTION 3.09 OF ORDINANCE NO. 906 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Amendment of Section 3.09 of Ordinance No. 906 is hereby amended to read as follows:

Section 3.09 Administrative Plats

- 3.09.01 The intent of this section is to provide for lot splits, lot combinations, and boundary adjustment which result in lots divided or combined into not more than two (2) lots without having to re-plat said lot, provided that the resulting lots shall not again be divided without re-platting. Consolidation of ten (10) or fewer lots into not more than two (2) lots may be permitted without having to re-plat, provided requirements of Section 3.09.03 are not warranted. City staff shall review the administrative plat application and make a final determination.
- 3.09.02 Requests for an administrative plat approval shall be made by the subdivider or a designated representative of the land to the city staff. The administrative plat shall include the following:-
1. A survey of the lot(s),
 2. Location of all existing structure(s),
 3. Location and dimensions of the proposed administrative plat,
 4. A block for Acknowledgment by Notary as per Section 10.01,
 5. A block for Surveyors Certification as per Section 10.02,
 6. A block for Certificate of County Register of Deeds as per Section 10.05,
 7. A block of review from the Sarpy County Surveyor as per Section 10.06,
 8. A block for approval or certification signed by the County Treasurer stating that there are no regular or special taxes due or delinquent against the platted land as per 10.07,
 9. A block for the approval of the City as per Section 10.08,
 10. A block for the approval of the lending institution as per Section 10.10,
 11. Size and number of copies shall conform to 3.05.24.
- 3.09.03. Disapproval of administrative plat shall be based on the following guidelines:
1. A new street or alley is needed or proposed,
 2. Vacations of streets, alleys, setback lines, access control or easements (unless certain easements are determined by city staff to be unnecessary and for which proper release from the corresponding utility companies have been made and filed) and required or proposed,
 3. Such action will result in significant increases in service requirements, e.g., utilities, schools, traffic control, streets, etc. or will interfere with maintaining existing service levels, e.g., additional curb cuts, repaving, etc,
 4. There is less street right-of-way than required by this ordinance or the Comprehensive Development Plan unless such dedication can be made by separate instrument,
 5. All easement requirements have not been satisfied,
 6. Such action taken during an administrative plat will result in a tract without direct access to a street,
 7. A substandard-sized lot or parcel will be created,
 8. The lot has been previously split.
- 3.09.04 No administrative plats shall be approved unless all required public improvements have been installed, no new dedication of public right-of-way or easements is involved, and such subdivision complies with the ordinance requirements concerning minimum areas and dimensions of such lots.
- 3.09.05 Prior to the approval of the administrative plat, the subdivider shall provide a statement from the County Treasurer's Office showing there are no tax liens

ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

against said land within the proposed subdivision or any part thereof. The subdivider shall also provide a statement from the City Treasurer's Office showing that all special assessment installment payments are current as applied to said proposed subdivision or any part thereof. All taxes shall be paid in full on all real property dedicated to a public use.

3.09.06 The filing fee for the administrative plat shall be in accordance to the City's Master Fee Schedule.

3.09.07 After approval from the city staff, all mylars must be certified by all applicable parties and two (2) copies filed with the City prior to the issuance of a permit.

SECTION 2. Repeal of Section 3.09 as Previously Enacted. Section 3.09 of Ordinance No. 906 as previously enacted are hereby repealed.

SECTION 3. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 4. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

SECTION 5. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 15th DAY OF NOVEMBER 2005.

CITY OF LA VISTA


Douglas Kindig, Mayor

ATTEST:


Rita Ramirez, CMC
City Clerk

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