

ARTICLE 25.
GENERAL SUBDIVISION PROVISIONS

Section 1. TITLE AND SCOPE:

The regulations in Articles 25 through 31, combined with the provisions in Articles 1 through 4 and Articles 9 through 14 as they pertain to the subdivision of land, prescribe minimum design requirements and approval procedures for the development of new subdivisions and resubdivisions of land in unincorporated Johnson County.

Section 2. PURPOSE:

The division and improvement of land for development has a significant and lasting impact on the physical environment of the County and places increasing demands on public facilities and services. The creation of new streets, lots and utility systems requires significant capital investments, and the failure to adequately size and construct sewers and streets, especially in the fringes of urbanizing areas, and the failure to adequately insure available water supplies, manage stormwater runoff and erosion, and plan for public services and facilities may result in physical and environmental problems which are difficult and costly to resolve. Premature or inappropriate land subdivisions often consume agricultural land and threaten viable agricultural uses.

These regulations set forth uniform rules and procedures for the division and improvement of real property to assure that new subdivisions are properly planned and integrated with existing streets, utilities and other public facility systems. The intent of these regulations is to prevent potential environmental hazards and to coordinate the use of private and public resources to achieve planned and orderly land development through the proper location and design of streets, building lines, open spaces, and utilities and the standards by which streets, utilities and other physical improvements shall be erected, constructed or installed.

Section 3. APPLICATION OF SUBDIVISION REGULATIONS:

These regulations shall apply to any of the following:

- A. Subdivision of any lot or tract of land into three (3) or more parts.
- B. Resubdivision of any lot or tract of land that has previously been subdivided or split into two (2) or more parts since March 1, 1982.
- C. Development which causes the establishment of any street, alley, sidewalk, or other property intended for public use.
- D. The removal of one or more platted lots, streets, or easements from a subdivision that is not otherwise being vacated or replatted.
- E. The subdivision, resubdivision, lot split or tract split of tracts of record on March 1, 1982, after the effective date of these regulations.

The owner(s) of any land located within the unincorporated portion of Johnson County subject to these regulations shall not subdivide land without first causing a subdivision plat to be prepared and without first obtaining approval thereof in accordance with the provisions of these regulations. No building permit shall hereafter be issued for construction on any land that has not been subdivided in compliance with these regulations and all other applicable governmental laws including, but not limited to, any other applicable Johnson County regulations in effect at the time of the subdivision of

said land. Subdivision plats for tracts of land in the Airport Interest Areas also shall comply with the requirements and subdivision plat processing procedures in Article 21 of these regulations.

Section 4. EXEMPTIONS FROM THE SUBDIVISION REGULATIONS:

These subdivision regulations shall not apply in the following instances:

- A. A transaction between owners of adjoining unplatted tracts of land which involves only a change in the boundary between the land owned by such persons provided no additional tracts are created and such tracts of land comply with the design requirements for lots in Article 30 of these regulations and the applicable tract size and configuration provisions of these regulations.
- B. The conveyance of land for right-of-way by railroad or public utilities subject to local, state, or federal regulations, provided no new street right-of-way is involved.
- C. The division of a tract of land or lot of record prior to March 1, 1982.
- D. Cemetery Plats.

Any other or further division of the lot or tract of land shall be platted in compliance with the requirements of these regulations.