

BROOKINGS COUNTY ORDINANCE NO. 22-03

AN ORDINANCE AMENDING 2007-02 REVISED SUBDIVISION ORDINANCE FOR BROOKINGS COUNTY, SOUTH DAKOTA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, PURSUANT TO SDCL 11-2, AND AMENDMENTS THEREOF.

WHEREAS, the Board of County Commissioners has appointed a County Planning Commission, hereinafter referred to as the Planning Commission, to recommend appropriate regulations to be enforced therein, and

WHEREAS, the Planning Commission has recommended amendments to the 2007-02 Revised Subdivision Ordinance pertaining to Brookings County, and

WHEREAS, the Planning Commission has given reasonable consideration, among other things, to the character of the subdivision regulations and their suitability,

WHEREAS, the Planning Commission has made preliminary report and submitted it to the Board of County Commissioners, and

WHEREAS, the Board of County Commissioners has given due public notice of a hearing relating to such, and has held such public hearings, and

WHEREAS, all requirements of SDCL 11-2, with regard to the preparation of these revised Regulations and subsequent action of the Board of County Commissioners, has been met; and

WHEREAS, the Brookings County, South Dakota, Board of County Commissioners deems it necessary for the purpose of promoting the health, safety, and the general welfare of the County, to adopt a Revised Subdivision Ordinance.

THEREFORE BE IT ORDAINED that the 2007 Revised Subdivision Ordinance is hereby amended as attached here to by the Board of County Commissioners, Brookings County South Dakota.

Adopted this 21st day of June 2022

First Reading: May 24, 2022


Second Reading: June 21, 2022

Adopted: June 21, 2022

Publication: June 30, 2022

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Brookings County:

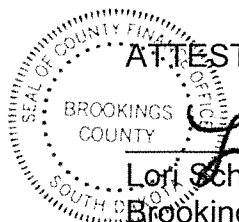


Angie Boersma

Chairman, Brookings County

Board of County Commissioners

ATTEST:



Loji Schultz

Brookings County Finance Officer

**2007 REVISED SUBDIVISION ORDINANCE
OF
BROOKINGS COUNTY, SOUTH DAKOTA**

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ARTICLE 1.00 GENERAL PROVISIONS

Section 1.01 Title

These regulations may be referred to as the 2007 Revised Subdivision Ordinance of Brookings County, South Dakota.

Section 1.02 Purpose

These Regulations are adopted to provide for the harmonious development of the County of Brookings, South Dakota and its environs; for the coordination of streets within subdivisions, with other existing or planned streets or with other features of the comprehensive plan; for adequate open spaces for traffic, recreation, light and air; and for a distribution of population and traffic which will tend to create conditions favorable to health, safety, and convenience through the provision for an adequate scale of street, sanitary, water, utility and other improvements as land is subdivided.

Section 1.03 Applicability

These subdivision regulations shall apply to all subdivisions of land, as defined herein, located within the unincorporated areas of Brookings County, South Dakota as established on the map entitled "The Official Zoning Map of Brookings County, South Dakota."

Section 1.04 Amendments

Any provision of these regulations from time to time may be amended, supplemented, changed, modified, or repealed by the County Board according to law; provided, however, that such amendments, supplements, changes, modifications or repealed provisions shall not become effective until after study and report by the Planning Commission.

Section 1.05 Variances

1. Exceptional Conditions
 - a) General. The Planning Commission, serving as a Board of Adjustment, may grant variances to the provisions of these regulations, but only after determining that.
 - (1) There are unique circumstances or conditions affecting the property.
 - (2) The variance is necessary for the reasonable and acceptable development of the property in question.
 - (3) The granting of the variance will not be detrimental to the public welfare or injurious to adjacent property.
 - (4) The variance will not permit or encourage uses contrary to the Zoning Regulations.
 - b) Conditions. In approving variances, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these regulations.

- c) Procedures. A petition for any such variance shall be submitted in writing by the subdivider at the time when the preliminary plat is filed for the consideration of the Planning Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

2. Procedural Variance

Where a proposed subdivision would contain two (2) or less parcels or plots of land and no new streets, the procedure of preparing a preliminary plat may be waived by the Planning Commission.

Section 1.06 Enforcement, Violation, and Penalties

1. General

- a) It shall be the duty of the Zoning Officer to enforce these regulations and to bring to the attention of the Brookings County, South Dakota Prosecuting Attorney any violations or lack of compliance herewith.
- b) No owner or agent of the owner of any parcel of land located in a proposed subdivision shall transfer or sell any such parcel before a plat of such subdivision has been reviewed by the Planning Commission, approved by the County Board, in accordance with provisions of these regulations, and filed with the County Register of Deeds.
- c) No building permit shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these regulations, and no excavation of land or construction of any public or private improvements shall take place or be commenced except in conformity with the regulations.
- d) The subdivision of any lot or any parcel of land, by the use of metes and bounds description for the purpose of sale, transfer, or lease with intent of evading these regulations, shall not be permitted. All such described subdivisions shall be subject to all of the requirements contained in these regulations.

2. Violation and Penalties.

- a) It is declared unlawful for any person to violate any of the terms and provisions of these regulations or other official control adopted by the Board of County Commissioners pursuant thereto. Any person who violates, disobeys, omits, neglects, or refuses to comply with or resists the enforcement of any provision of this Zoning Ordinance may be subject to a civil or criminal penalty. The maximum penalty for violation of this Zoning Ordinance shall be five hundred dollars (\$500.00) or thirty (30) days in the County Jail or both. In addition the violator shall pay all costs and expenses involved in the case. Each and every day that such violation continues after notification shall constitute a separate offense. All fines for

violation shall be paid to the Finance Office and shall be credited to the General Fund of the County.

Section 1.07 Interpretation, Conflict, and Separability

1. Interpretation. In their interpretation and application, these regulations shall be held to be minimum requirements for the promotion of the public health, safety, and general welfare.
2. Conflict. Where any provision of these regulations imposes restriction different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.
3. Separability. Should any article, section, sub-section, or provision of these regulation be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the subdivision ordinance as a whole or any part thereof, other than the part so declared to be invalid or unconstitutional.

Section 1.08 Effective Date

These regulations shall take effect and be in force from, and after, its passage and publication according to law.

**ARTICLE 2.00
SUBDIVISION APPLICATION
PROCEDURE AND APPROVAL
PROCESS**

Section 2.01 General Procedure

The procedure for review and approval of a subdivision plat shall consist of three separate steps, in sequence: an informal discussion meeting with the Planning Commission, preparation, and submission of a preliminary plat of the proposed subdivision, and preparation and submission of a final plat of the subdivision.

Section 2.02 Advisory Meeting with Planning Commission

Before filing a preliminary plat, the subdivider shall consult with the Planning Commission for advice regarding general requirements, minimum standards of design and required improvement as set forth in this ordinance. A sketch of the proposal shall be submitted. The subdivider shall also submit a location map showing the relationship of the proposed subdivision to existing or platted streets and existing community facilities. This informal review should prevent unnecessary costly revisions in the layout and development of the subdivision. The informal advisory meeting does not require formal application, fee, or filing of plat with Planning Commission.

Section 2.03 Preliminary Plat Approval

General. After meeting informally with the Planning Commission, the subdivider shall cause to be prepared a preliminary plat prior to the making of any street improvements or the installation of any utilities.

1. Procedure:
 - a) One (1) copy of the preliminary plats and the required supplemental material shall be filed with the Zoning Officer who shall transmit them to the Planning Commission. Such filing shall take place at by 5 PM on the 2nd Tuesday of any month in order to be placed on the following month's agenda.
 - b) The Planning commission shall study the said preliminary plat to see if it is consistent with the standards set forth in this ordinance.
 - c) Following a hearing and due consideration of the preliminary plat, the Planning Commission shall approve, disapprove, or modify the proposed preliminary plat and shall impose those requirements or grant those variances in conformance with this ordinance deemed necessary and appropriate. The action of the Planning commission; together with all modifications, requirements, variances, and reasons thereof, shall be noted on all copies of the preliminary plat application. One (1) copy shall be returned to the subdivider and one copy retained by the Planning Commission.
 - d) Approval of the preliminary plat by the Planning Commission shall not constitute acceptance of the final plat, based thereon, and is submitted within two (2) years from the date of such approval. An extension of time may be applied for by the subdivider and granted by the Planning Commission.
2. Preliminary Plat Information. The preliminary plat shall meet the standards of design as set forth in Article 3.00 and shall contain the following information unless specifically waived by the Planning Commission:

- a) Names of subdivision, names and addresses of the owners, the engineer or surveyor, and the owners of adjacent property.
 - b) Date, north point, and scale. Scale shall not be less than one (1) inch equals one hundred (100) feet.
 - c) Location of property lines, roads, existing utilities with size of lines, and other underground installations.
 - d) Acreage of land to be subdivided.
 - e) Proposed utility system.
 - f) Contours at an interval of not greater than ten (10) feet; also, the locations of water courses, bridges, wooded areas, and such other topographic features as may be pertinent to the subdivision.
 - g) Lot lines, lot numbers and minimum building setback lines.
 - h) Location of proposed culverts and other drainage provisions.
 - i) Proposed improvements and grading.
 - j) Proposed easements, dedication, and reservations of land to be considered for sale or dedication to public use.
 - k) Names of new streets.
 - l) Copies of proposed deed restriction, if any, shall be attached to the preliminary plat.
3. Plat Review Fee. A fee shall be levied for the examination and approval, or disapproval of every plat reviewed by the Planning Commission. At the time preliminary plats are filed with the Zoning Officer, the subdivider shall pay to the Zoning Officer a fee set by the County Board.

Section 2.04 Final Plat Approval

- 1. General. The final plat shall conform substantially to the preliminary plat as approved, and it may constitute only a portion of the preliminary plat which the subdivider proposes to record and develop.
- 2. Procedure:
 - a) One (1) copy and One (1) Mylar copy of the final plat and required supplemental material shall be filed with the Zoning Officer, who shall transmit them to the Chairman of the Planning Commission. Such filing shall take place at by 5 PM on the 2nd Tuesday of any month in order to be placed on the following month's agenda.
 - a) The Planning Commission shall study the said final plat to see if it is consistent with the minimum standards set forth in these regulations. Following a hearing before due consideration by the Planning Commission, the Commission shall transmit all copies of the final plat to the County Board, together with its recommendations at least sixty-five (65) days after receipt thereof. Said recommendations shall include approval, disapproval, or suggestions for

modifications and reason thereof.

Said recommendations shall be of an advisory nature only. If the Planning Commission does not act within sixty-five (65) days, the final plat shall be deemed to have received a favorable recommendation in all respects and shall then receive due considerations by the County Board.

- b) When the final plat has been signed by the Finance Officer and Director of Equalization and approved by the County Board, it shall be filed with the County Register of Deeds as an official plat of record within ninety (90) days. A copy certified by the County Board will be transmitted to the Director of Equalization for his/ her records. All extra copies shall be returned to the subdivider.
3. Final Plat Information. The following information is required for final plats for subdivisions:
- a) The original or reproducible final plat shall be drawn with waterproof black ink upon drafting linen, matte film or Mylar and shall be of uniform size, fifteen (15) inches by twenty-six (26) inches, eleven (11) by seventeen (17) inches or eight and one-half (8½) by fourteen (14) inches.
 - b) The final plat shall show the following information:
 - (1) Date, title, name and location of subdivision, graphic scale, and true north line.
 - (2) All dimensions, angles, bearings, and similar data on the plat shall be tied to primary control points. Locations and descriptions of said control points shall be given. Except where deemed clearly unreasonable or infeasible by the Planning Commission, these control points shall be the located section corners of the Coordinate System of the State of South Dakota.
 - (3) Name and right-of-way width of each street, easement, or other right-of-way.
 - (4) Lot numbers, lot lines, and frontage dimensions.
 - (5) Location and description of monuments.
 - (6) Names of adjoining properties.
 - (7) Purpose for which sites are dedicated or reserved.
 - c) The final plat shall be accompanied by:
 - (1) Certification on plat by registered land surveyor as to the accuracy of survey and plat.
 - (2) Certification on plat of title showing that the applicant is the owner, that the making of the plat receives his/ her consent and is in accordance with his/ her desires, and a statement by such owner dedicating streets, rights-of-way, and other sites for public use.
 - (3) Certification on plat by Highway Authority, State, County or Local.

- (4) Protective covenants shall either be placed directly either be placed directly on the final plat or attached thereto in form for recording.
- (5) Certification on plat by the County Board that the plat has been approved for recording in the office of the County Register of Deeds.
- (6) A copy of the certificate of the County Director of Equalization that he/she has received a copy of such plat.
- (7) Endorsed on plat or attached to the certificate of the Finance Office that all taxes which are liens upon any land included.
- (8) Certification on plat by the County Planning Commission that the plat has been approved for submission to the County Board.

ARTICLE 3.00
GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

Section 3.01 General

1. The County Board shall impose the following general requirements and compel all subdividers to comply with the principles of design in the layout of subdivisions hereinafter described.
2. All proposed subdivisions shall conform to the comprehensive plan.

Section 3.02 Suitability of the Land for Subdivision Development

1. If the Planning Commission finds that land proposed to be subdivided is unsuitable for subdivision development due to flooding, bad drainage, steep slopes, rock formations, and other such conditions as may increase the danger of health, life, or property or aggravate erosion or flood hazards; and, if from adequate investigations, conducted by all public agencies concerned, it has been determined that in the best interest of the public, the land should not be platted and developed for the purpose proposed, the Planning Commission shall not approve the land for subdivider for meeting the problems that will be created by the subdivision and development of the land.
2. After review by the Planning Commission, the County Board may refuse to approve what it considers to be scattered or premature subdivision of land which would necessitate an excessive expenditure of public funds for the supply of such services such as undue maintenance costs for adequate roads.

Section 3.03 Street Extensions

1. The arrangements character, extent, location, and grade of all streets shall be in accordance with good planning principles and shall be considered in their relation to existing and planned streets, topographical conditions, to public convenience and safety, and in appropriate relation to the proposed uses of land to be served by such streets.
2. Where, at the determination of the Planning Commission, it is desirable to provide street access to adjoining properties, proposed streets shall be extended by dedication to the boundaries of such properties. Where the Planning Commission deems it necessary, such dead-end streets shall be provided with a temporary turn around having a radius of at least fifty (50) feet.
3. The street system for the proposed subdivision shall provide for extending existing streets at the same or greater width, but in no case shall a street extension be of less width than the minimum width required in these regulations for a street in its category.

Section 3.04 Dedication of Right-of-Way and Roadway Width

1. General. The following conditions shall govern the designation and minimum street right-of- way and roadway width:

- a) The minimum widths of minor, arterials, collectors, minor, and marginal access to be dedicated to the County or Town, shall be indicated on the Major Street Plan, and where not shown thereon shall not be less than as follows:

<u>Street Type</u>	<u>Minimum Dedicated Right-of-Way Width</u>
Arterial	100 feet
Collector	100 feet
Minor	60 feet
Marginal Access	50 feet
Alleys	20 feet

- b) In undeveloped or vacant areas, the Planning Commission shall have the discretion to identify or classify a street as a collector street.
- c) Subdivisions which abut—or include within the proposed area to be subdivided—any highway or arterial street, shall provide:

- (1) A marginal access street, or;
- (2) Reverse frontage with screen planting contained in a non-access reservation along the rear property line, or;
- (3) Deep lots with rear service drives or;
- (4) Other treatment as may be necessary to adequately protect residential properties and to afford separation of through and local traffic.

- d) Minimum roadway widths:

<u>Street Type</u>	<u>Pavement Width</u>
Arterial	26 feet
Collector	26 feet
Minor	26 feet
Marginal Access	26 feet

- e) Where a subdivision borders on or contains an existing or proposed arterial or collector, access to such roads shall be limited to no more than one (1) non-farm access per eighty (80) rods (1/4 mile) on a single side of a public road. This shall be determined on a mile-by-mile basis according to section lines.

Section 3.05 Intersection

1. Streets shall intersect at right angles, as nearly as possible, and no intersection shall be at an angle less than seventy (70) degrees.
2. Street curb intersections shall be rounded by radii of at least twenty (20) feet. When the smallest angle of the street intersection is less than ninety (90) degrees, the Planning Commission may require curb radii of greater length.

3. No lot or other parcel of land which abuts on and has access to either a collector or a minor street shall have a service drive, curb cut or other means of access to an arterial street within seventy-five (75) feet of the right-of-way of any street which intersects such arterial street on the side on which such lot or parcel is located.
4. Street jogs with center line offsets of less than one hundred and twenty-five (125) feet shall not be made.

Section 3.06 Alignment and Visibility Conditions

1. A tangent at least one hundred (100) feet long shall be introduced between reverse curves on arterial and collector streets.
2. Minimum radii of horizontal curvature on the centerline shall not be less than one hundred (100) feet.

Section 3.07 Street Grades and Elevations

1. Street grades shall conform to the following:

<u>Street Type</u>	<u>Maximum Percent Grade</u>
Arterial	4
Collector	6
Minor	8

2. Minimum grades of any roadway shall not be less than 0.5 percent unless otherwise approved by the Planning Commission.

Section 3.08 Dead-End Streets Cul-de-sacs

Minor terminal or dead-end streets or courts which are designed so as to have one end permanently closed shall not be longer than five hundred (500) feet and shall be provided at the closed end with a turnaround having a diameter at the outside of the pavement of at least seventy-five (75) feet and a diameter at the outside of the right-of-way of at least one hundred (100) feet.

Section 3.09 Private Streets, Reserve Strips, and Alleys

1. There shall be no private streets platted within a subdivision.
2. There shall be no reserve strips in a subdivision except where approved by the Planning Commission.
3. Alleys shall not be provided in residential blocks except in cases where the subdivider produces evidence of the need for alleys which is satisfactory to the Planning Commission. Alleys may be required in commercial and industrial districts, except that the Planning Commission may waive this requirement where other definite and assured provision is made for service access. Such alleys shall be dedicated to the public.

Section 3.10 Blocks

1. Length. Block lengths shall not exceed thirteen hundred (1300) feet or be less than three hundred (300) feet, except as the Planning Commission considers necessary to secure efficient use of land or desired features of street layout in residential subdivision.
2. Width. Blocks shall be wide enough to allow two (2) tiers of lots of minimum depth. However, where this would require lots to front on an arterial street or highway or where topographical conditions or the size of the property prevents two (2) tiers of lots, the Planning Commission may approve a single tier of lots of minimum depth.

Section 3.11 Lots

1. The lot size, width, depth, shape orientation, and minimum setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
2. Lot dimensions shall conform to the requirements of the zoning ordinance and the requirements of the South Dakota Department of Agriculture and Natural Resources. In such cases where requirements may conflict, the larger requirement shall govern.
3. On any corner lot in any zoning district, no planting, structure, or obstruction to vision shall be placed or maintained within the triangular area formed by the intersection road right-of-way lines and a straight line connecting points on said road right-of-way line each of which is one hundred (100) feet distance from the point of intersection (Clear View Triangle). Exception: In the Lake Park District, the Clear View Triangle shall be formed by the intersection road right-of-way lines and a straight line connecting points on said road right-of-way line each of which is fifty (50) feet distance from the point of intersection.
4. Each lot shall be provided with access to a street.
5. Side lot lines shall be substantially at right angles to streets except on curves where they shall be radial.
6. Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.

Section 3.12 Easements

1. Except where alleys are permitted for the purpose, the Planning Commission shall require easements at fifteen (15) feet in width centered along all rear lot lines. Where necessary or advisable in the opinion of the Planning Commission, similar easements shall be provided along side lot lines or across lots.
2. If the Planning Commission deems it necessary for proper drainage within or through a subdivision, it shall require that a storm water easement or drainage right-of-way be provided.

**ARTICLE 4.00
REQUIRED IMPROVEMENTS
PREREQUISITE TO FINAL APPROVAL**

Section 4.01 General

1. The subdivider is required to install or construct the improvements hereinafter described prior to receiving approval of his final plat or prior to having released the bonds or other securities which guarantee such required improvements.
2. All public and private water mains, sanitary sewers, laterals, and storm sewers shall be installed as necessary to prevent the future cutting of pavement of any street, sidewalk, or other required pavement.

Section 4.02 Property Markers

The Corners of all lots and the beginning and end of all curves on property lines shall be accurately marked on the ground with three-fourths (3/4) inch diameter iron rods or pipes at least twenty-four (24) inches long.

Section 4.03 Streets and Alleys

The subdivider shall provide street pavements which shall be designed to carry the expected traffic, and which shall be approved by the Planning Commission.

Section 4.04 Curbs and Gutters

Standard "L" type curbs and gutters shall be placed on both sides of all streets in all non-residential subdivisions and residential subdivisions having more than three (3) lots per gross acre, unless waived by the Planning Commission.

Section 4.05 Sidewalks

Portland cement concrete sidewalks, no less than four (4) feet wide and four (4) inches thick shall be constructed on both sides of all streets within a subdivision having more than three (3) lots per gross acre, unless waived by the Planning Commission.

Section 4.06 Street Signs

The subdivider shall install durable street name signs at all intersections which meet specifications of the Planning Commission. One street sign is required for each intersection.

Section 4.07 Water Supply System

Where, in the opinion of the Planning Commission, a public water supply is reasonably accessible or available to the proposed subdivision, the subdivider shall construct a complete water distribution system which shall adequately serve all lots and which shall include appropriately spaced fire hydrants, and this system shall be properly connected with the public water supply. If the Planning Commission approves the use of individual wells, lot sizes shall meet the approval of the South Dakota Department of Agriculture and Natural Resources.

Section 4.08 Sanitary Sewers

Where, in the opinion of the Planning Commission, a public sanitary sewer system is reasonably accessible or available to the proposed subdivision, the subdivider shall construct a subdivision sewer system to adequately serve all lots and connect the subdivision system to the public system after the Planning Commission and the South Dakota Department of Agriculture and Natural Resources has approved the collection and treatment system. Where lots cannot be served by the extension of an existing public sanitary sewer, the subdivider shall obtain approval of lot sizes for individual septic tanks and disposal fields from the Zoning Officer in accordance with established rules and regulations of the South Dakota Department of Agriculture and Natural Resources.

Section 4.09 Storm Drainage

An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., for the proper drainage of all surface water shall be provided. Cross drains shall be provided to accommodate all natural water flow, and they shall be of sufficient length to permit full width roadways and required slopes.

Section 4.10 Oversize Facilities

The County Board may participate in the cost of "oversize" improvements within a subdivision if it is adjudged that such oversize improvements are necessary to serve large areas of land not in the subdivision and if the cost of such oversize improvements is an unreasonable burden on the subdivider.

Section 4.11 Inspection

The Planning Commission may require facilities constructed in subdivisions to be installed under the supervision of an engineer at the developer's expense.

ARTICLE 5.00 DEFINITIONS

- 1) Alley- A minor public way having a narrow right-of-way and affording a secondary means of access to abutting properties.
- 2) Finance Officer- The duly elected Finance Officer of Brookings County, South Dakota.
- 3) Comprehensive Plan- Any legally adopted part or element of the Comprehensive Plan of the County of Brookings, South Dakota. This may include but is not limited to: Zoning Regulation and Subdivision Regulation.
- 4) Corner lot – On a corner lot in any zoning district, no planting, structure, or obstruction to vision shall be placed or maintained within the triangular area formed by the intersection road right-of-way lines and a straight line connecting points on said road right-of-way line each of which is one hundred (100) feet distance from the point of intersection (Clear View Triangle). Exception: In the Lake Park District, the Clear View Triangle shall be formed by the intersection road right-of-way lines and a straight line connecting points on said road right-of-way line each of which is fifty (50) feet distance from the point of intersection.
- 5) County Board- The governing body of Brookings County, South Dakota.
- 6) Easement- A right to land generally established in a real estate deed or on a recorded plat to permit the use of land by the public, a corporation, or particular persons for specified uses.
- 7) Final Plat- A plat of a tract of land which meets the requirements of these regulations and is in form for recording in the office of the Register of Deeds.
- 8) Lot- A parcel of land intended for transfer of ownership or for building development.
- 9) Major Street Plan- The Major Street Plan adopted as an element of the Comprehensive / Development Plan.
- 10) Planning Commission- The Planning Commission for Brookings County, South Dakota.
- 11) Preliminary Plat- The map or maps of a proposed subdivision and specified supporting materials, drawn, and submitted in accordance with the requirements of this ordinance, to permit the evaluation of the proposal prior to detailed engineering and design.
- 12) Register of Deeds- The Duly elected Register of Deeds of Brookings County, South Dakota.
- 13) Reserve Strip- Any area not dedicated for residential purposes.
- 14) Sketch Plan- The sketch map or maps of a proposed subdivision, drawn and submitted in accordance with the requirements of this ordinance, to evaluate feasibility and design characteristics at an early stage in the planning
- 15) Street or Road- A tract of land, dedicated to public use, which affords the primary means of access to the abutting property, but excluding private driveways serving only one (1) parcel of land.
- 16) Subdivider- The person(s), firm(s), or corporation(s) owning land in the process of

creating a subdivision of said land.

- 17) Subdivision- Division of a parcel of land into two (2) or more lots or parcels for the purpose of transfer of ownership or building development (whether immediate or future); provided that a division of land into lots or parcels of thirty-five (35) acres or more and not involving a new street shall not be deemed a subdivision. The term includes the establishment or dedication of a road, highway, street, or alley through a tract of land; a resubdivision of land or lots; and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.
- 18) Utilities- Municipal and franchised utilities.
- 19) Zoning Officer- The duly designated Zoning officer of Brookings County, South Dakota.
- 20) Zoning Ordinance- The Zoning Ordinance of Brookings County, South Dakota.

**ARTICLE 6.00
FINAL PLAT CERTIFICATION**

Section 6.01 Suggested Forms for Final Plat Certification

CERTIFICATE OF OWNERS

I (We) hereby certify that I am (we are) the owner(s) of the property shown in the above plat, certify that I/we did authorize and do join in and approve the above survey and plat, and that said tract of land is free of any encumbrance, and that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations. There is hereby granted to the holder of any utility franchise, an easement at the locations shown in the above plat for the purpose of installing and maintaining any utility line. Any land shown in the above plat and designated as a street or court is hereby dedicated to public use as such forever, but such dedication shall not be construed to be a donation of the fee of such land.

_____, 20 _____
Date

Owner

Owner

STATE OF SOUTH DAKOTA { SS
COUNTY OF BROOKINGS {

On this day, before me, the undersigned, a Notary Public, within and for the State and County aforesaid, personally appeared _____ known to me to be person(s) who executed the forgoing Certificate of Owner and acknowledged to me that they executed the same.

Notary Public My Commission Expires _____

SURVEYOR'S CERTIFICATE

I, _____, A Registered Land Surveyor of the State of South Dakota, do hereby certify that on or before the ___ day of _____, 20 _____ and at the request of the owner of real property hereinafter described, surveyed and platted a parcel of land located in _____, of the 5th P.M., Brookings County, South Dakota, as shown on the plat, and marked upon the ground boundaries thereof in the manner shown on the plat, and that the attached plat is a true and correct representation of said survey and that the parcel of land so platted contains the location and dimensions of which are represented on said plat.

_____, 20 _____
Date

Registered Land Surveyor

CERTIFICATE OF HIGHWAY AUTHORITY

I, _____ (Name) _____, (Title) _____,
acting for _____ (name of street authority) _____ hereby approve access as
shown on the attached plat to the abutting public highways subject to applicable laws, ordinances
and permit requirements

(Signature)

CERTIFICATE OF COUNTY PLANNING COMMISSION

Approved by the Brookings County Planning Commission on the _____ day of _____ 20 _____

Chairman, Brookings County Planning Commission

RESOLUTION NO. _____

It was moved by _____, seconded by _____, motion carried the _____ of
the 5th P.M., Brookings County, South Dakota, as described above and hereon be approved and
accepted and the Chairman is hereby instructed to endorse on such plat.

_____, 20 _____
Date

Chairman, Brookings County Board
of County Commissioners

ATTEST:

Finance Officer

DIRECTOR OF EQUALIZATION

I, Director of Equalization, Brookings County, South Dakota, do hereby certify that a copy of
the above plat has been filed at my office.

_____, 20 _____
Date

Director of Equalization, Brookings
County, South Dakota

FINANCE OFFICE'S CERTIFICATE

I, _____, Finance Officer of Brookings County, South Dakota, do hereby certify that all taxes which are liens upon the land shown in the above plat, as shown by the records in my office, have been paid in full.

_____, 20 _____
Date

Finance Officer, Brookings County, South Dakota

REGISTER OF DEEDS

STATE OF SOUTH DAKOTA { SS
COUNTY OF BROOKINGS {

Filed for record the ___ day of _____, A.D., 20___ at ___m., and recorded in book of
Plats___ on page_____ therein.

Register of Deeds By _____