

## ORDINANCE NO. 2018-03

## (ZONING MAP AMENDMENT)

AN ORDINANCE AMENDING THE LYON COUNTY ZONING MAP BY CHANGING THE ZONING DISTRICT BOUNDARIES AS FOLLOWS:

BOUNDARY 1: FROM A2 TO C1 ON: Parcel D in the NW1/4 of Section 32-100-47, LYON COUNTY, IOWA.

**WHEREAS**, the Lyon County Zoning Ordinance on file in the office of the County Auditor designating certain standards as provided by Chapter 335, Code of Iowa, and

**WHEREAS**, DGOGLarchwoodia3232018 LLC, are petitioning Lyon County for a change in the zoning district to accommodate a Dollar General Store.

**WHEREAS**, the Lyon County Planning and Zoning Commission has previously considered the zoning change and has recommended the proposed zoning amendment to the Lyon County Zoning Ordinance, Iowa;

**NOW THEREFORE IT BE ORDAINED**, by the Lyon County Board of Supervisors:

Section 1. AMEND ZONING MAP TO REFLECT CHANGE OF ZONING DISTRICT. The Zoning Ordinance and Official Zoning Map of Lyon County, Iowa is hereby amended by changing the zoning classification and zoning district on the county's Official Zoning Map for property legally described as:

Parcel D in NW1/4 of Section 32-100-47, Lyon County, Iowa from A2 to C1.

Section 2: REPEALER. All ordinances or parts of the previously adopted Lyon County Zoning Ordinance or Official Zoning Map in conflict with the provisions of this zoning amendment are hereby repealed.

Section 3: SEVERABILITY CLAUSE. If any section, provision or any part of this zoning amendment is determined to be invalid or unconstitutional, such adjudication shall not affect the validity of the previously adopted Lyon County Zoning Ordinance or Official Zoning Map as a whole, or any part or provision of the zoning amendment not determined to be invalid or unconstitutional.

Section 4: EFFECTIVE DATE. This zoning amendment shall be in full force and effect from after passage and publication in a newspaper of general circulation within Lyon County, Iowa.

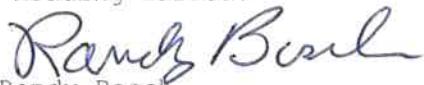
Passed and approved this 10 day of December, 2018.

1<sup>st</sup> Reading: November 26, 2018

2<sup>nd</sup> & 3<sup>rd</sup> Reading: December 10, 2018 and 3<sup>rd</sup> Reading waived.

ATTEST:

  
Jen Smit  
County Auditor

  
Randy Bosch  
Chair, Board of Supervisors

## An Ordinance Adopting the "Code of Ordinances of Lyon County, Iowa, 2018"

SECTION 1. Pursuant to published notice and following public hearing on the 14<sup>th</sup> day of January, 2019, so required by Section 331.302(9), Code of Iowa, there is hereby adopted by Lyon County, Iowa, the "CODE OF ORDINANCES OF LYON COUNTY, IOWA, 2018."

SECTION 2. All of the provisions of the "CODE OF ORDINANCES OF LYON COUNTY, IOWA, 2018," shall be in force and effect on and after the effective date of this ordinance.

SECTION 3. All ordinances or parts thereof in force on the effective date of this ordinance, except as hereinafter provided.

SECTION 4. The repeal provided for in the preceding section of this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this ordinance; nor shall such repeal affect any ordinance or resolution promising or guaranteeing the payment of money by the County or authorizing the issuance of any bonds of said County or any evidence of said County's indebtedness or any contract or obligation assumed by said County; nor shall said repeal affect the administrative ordinances or resolutions of the Board of Supervisors not in conflict or inconsistent with the provisions of the "THE CODE OF ORDINANCES OF LYON COUNTY, IOWA". Nor shall it affect any other right or franchise conferred by any ordinance or resolution of the Board of Supervisors or any other person or corporation; nor shall it affect any ordinance naming, establishing, relocating or vacating any street or public way, whether temporary or permanent; nor shall it affect any ordinance establishing building lines, establishing and changing grades, or dedicating property for public use; nor shall it affect any prosecution, suit or other proceeding pending or any judgment rendered on or prior to the effective date of this ordinance.

SECTION 5. An official copy of the "CODE OF ORDINANCES OF LYON COUNTY, IOWA, 2018" adopted by this ordinance, including a certificate of the Lyon County Auditor as to its adoption and the effective date, is on file in the office of the Lyon County Auditor, and shall be kept available for public inspection.

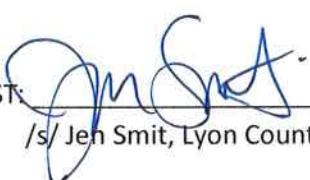
SECTION 6. This ordinance shall be in full force and effect from and after the publication of this ordinance, as required by law.

Passed by the Board of Supervisors of Lyon County, Iowa, on the 14 day of January, 2019.



/s/ Mark Behrens, Chairman  
Lyon County Board of Supervisors

ATTEST:



/s/ Jen Smit, Lyon County Auditor

First Reading: December 24, 2018

Second Reading: January 14, 2019

Third Reading: Motion to Waive; Jan 14, 2019