

**CITY OF LAFAYETTE,
MINNESOTA ORDINANCE 159**

AN ORDINANCE AMENDING THE ZONING CODE

WHEREAS, the City of Lafayette adopted its most recent zoning ordinance on 12/27/1990, which has subsequently been codified in City Code Chapter 151, as amended; and

WHEREAS, the Council of the City of Lafayette has now determined that in addition to the zoning code, a subdivision code is necessary for the purpose of promoting the public health, safety, morals, and general welfare of the City.

NOW, THEREFORE, the City Council of the City of Lafayette, Nicollet County, State of Minnesota, hereby ordains as follows:

Code Chapter "152 SUBDIVISION REGULATIONS", shall be added to the City Code of Ordinances as follows:

§152.001 INTERPRETATION AND PURPOSE.

A. This section shall be known as the Subdivision Regulations for the City of Lafayette. In their interpretation and application, the provisions of this part shall be held to be the minimum requirements adopted for the protection of the public health, safety, and welfare. To protect the public, among other purposes, such as intended to provide for permanently wholesome community environment, adequate municipal services, and safe streets.

§ 152.002 SCOPE.

A. This part shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the effective date of this ordinance. Provided however that any subdivision of any existing parcel or lot subsequent to such date shall comply with the provisions of this part.

§ 152.003 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICANT. The owner of land proposed to be subdivided or its representative who shall have express written authority to act on behalf of the owner and has executed an application form and professional fee responsibility agreement with the city. Consent shall be required from the legal owner of the premises.

ATTORNEY. The attorney employed by the city, unless otherwise stated.

BLOCK. Any combination of land ownership bounded by streets, roads, or highways or a combination thereof or by a combination of streets, roads, or highways and public parks, cemeteries, railroad rights of way, streams, lakes, or similar manmade or natural physical barriers.

BOND. Any form of a surety bond in an amount and form satisfactory to the governing body. All bonds shall be approved by the governing body whenever a bond is required by these regulations.

BUILDABLE AREA. The part of the lot not included within the open areas required by the Zoning Ordinance, or other official controls.

CAPITAL IMPROVEMENT. A public facility with a life expectancy of 3 or more years, to be owned and operated by or on behalf of the local government.

CAPITAL IMPROVEMENTS PROGRAM. A plan setting forth, by category of public facilities, those capital improvements, and that portion of their costs which are attributable to serving new development within designated service areas for the public facilities over a period of specified years (from 10 to 20 years). **CAPITAL IMPROVEMENTS PROGRAM** may refer either to the plan for a particular service area or to the aggregation of capital improvements and the associated costs programmed for all service areas for a particular category of public facilities.

CITY. The City of Lafayette.

CITY ENGINEER. A professional engineer working for the city, unless otherwise stated.

COMPREHENSIVE PLAN. A comprehensive plan prepared by the city, including a compilation of policy statement goals, standards, and maps indicating the general locations recommended for the various functional classes of land use, places, and structures, and for the general physical development of the city, including any unit or part of the plan separately adopted and any amendment to the plan or parts thereof.

CONSTRUCTION PLAN. The maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the City Council as a condition of the approval of the plat.

CUL DE SAC (COURT). A short street having 1 end open to traffic and being permanently terminated by a circular turn around for vehicles.

DESIGN STANDARD. The specifications for the preparation of preliminary plans indicating minimums and maximums in the dimensions, magnitude, and capacity in the features as the layout of streets, lots, blocks, drainage, and required improvements.

DEVELOPER. The owner of land proposed to be subdivided or its representative who is

responsible for any undertaking that requires review and/or approval under these regulations.

DEVELOPMENT AGREEMENT.

(1) Agreement between the City Council and developer through which the City Council may agree to vest development use or intensity or refrain from interfering with subsequent phases of development through new legislation, in exchange for agreement to construct any and all improvements to existing city standards, or a higher standard in some cases, abide by all conditions of the City Council, perform all required tasks within the established time frame, warranty all improvements, and provide security in an amount acceptable to the city to ensure performance of the agreement and all warranties.

(2) The agreement shall be recorded at the same time or prior to the final plat.

EASEMENT. A grant by a property owner for the use of a strip of land by the public or any person for any specific purpose or purposes.

ESCROW. A deposit of cash with the local government or escrow agent to secure the promise to perform some act.

GENERAL DEVELOPMENT PLAN. The general development plan shall mean a map showing property boundaries with a proposed street layout and desirable lot layouts.

GOVERNING BODY. A group of persons elected by voters of the municipality to govern the public affairs thereof, the Lafayette City Council.

LOT. A portion of a subdivision or other parcel of land intended as a unit for transfer of ownership or for development.

LOT OF RECORD. Any lot which is 1 unit of a plat heretofore duly approved and filed, or 1 unit of an Auditor's Subdivision or a Registered Land Survey that has been recorded in the office of the County Recorder for Nicolette County, Minnesota, prior to the effective date of this chapter.

METES AND BOUNDS DESCRIPTION. A description of real property which is not described by reference to a lot or block shown on a map, but is described by starting at a known point and describing the bearings and distances of the lines forming the boundaries of the property or delineating a fractional portion of a section, lot, or area by described lines or portions thereof.

MINOR SUBDIVISION. (1) to divide a portion of a lot where the division is to permit the adding of a parcel of land to an abutting lot so that no additional lots are created and both new lots conform to zoning ordinance lot size standards; (2) to combine 2 existing platted lots; (3) to divide no more than 2 lots from a larger tract of land thereby creating no more than 3 lots. To qualify, the parcel of land should not have been a part of a minor subdivision within the last 5 years and all lots to be created have frontage on a public road; or (4) to divide a base lot, which is a part of a recorded plat upon which has been constructed a 2-family dwelling, townhouse, or

quadraminium, where the division is to permit individual private ownership of a single dwelling unit within the structure and the newly created property lines will not cause any of the unit lots or structure to be in violation of this chapter or the zoning ordinance.

MONUMENT. Concrete and/or metal markers utilized to establish survey points and lot boundaries.

MUNICIPALITY. The governmental unit or area described in and governed by the provisions of this chapter, the City of Lafayette.

OFFICIAL MAP. A map of the municipality and/or any portion thereof lying within the incorporated limits, which shows the exact alignment, gradients, dimensions, and other pertinent data for highways and major streets and including specific controls for setbacks from the right of way of buildings or other physical structures or facilities.

OPEN SPACE. An area of land preserved from building development and reserved for the use of general public or a homeowner's association for the purpose of active and passive recreation and certain necessary community facilities.

PARKS. Area of public land developed and maintained primarily as pleasurable landscaped areas providing for both active and passive recreational pursuits, including tot lots, playgrounds, neighborhood parks, playfields, and special purpose areas.

PEDESTRIAN WAY. A right of way dedicated to public use, 10 feet or more in width, which cuts across or into a block to facilitate pedestrian access to adjacent streets and properties.

PLANNING COMMISSION. The Planning Commission is a governmental agency appointed by the City Council.

PLAT, FINAL. A drawing of map of a subdivision, meeting all the requirements of the city and in the form as required by the county for purposes of recording.

PLAT, PRELIMINARY. The preliminary drawings described in this regulation, indicating the proposed manner or layout of the subdivision to be submitted to the Planning Commission and City Council for approval.

PRELIMINARY APPROVAL. The official action taken by a municipality on an application to create a subdivision which established the rights and obligations set forth in M.S. Ch. 462, as it may be amended from time to time, and the applicable subdivision regulation. In accordance with M.S. Ch. 462, as it may be amended from time to time, and unless otherwise specified in the applicable subdivision, regulations, preliminary approval may be granted only following the review and approval of a preliminary plat of other map or drawing establishing without limitation the number, layout, and location of lots, tracts, blocks, and parcels to be created, location of streets, and lands to be dedicated for public use.

PUBLIC HEARING. An adjudicatory proceeding held by the City Council, preceded by

published notice and actual notice to certain persons and at which certain persons, including the applicant, may call witnesses and introduce evidence for the purpose of demonstrating that plat approval should or should not be granted. The hearing may be combined with other adjudicatory or legislative hearings to address related issues such as a comprehensive plan amendment, a zoning map or text amendment, or a variance.

PUBLIC IMPROVEMENT. Any drainage ditch, roadway, parkway, street, sanitary sewer, storm sewer, water system, sidewalk, pedestrian way, tree, lawn, off street parking area, lot improvement, or other facility for which the city may ultimately assume ownership, responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established.

RESUBDIVISION. A change in a recorded subdivision if the change affects any street layout, affects any area reserved for public use, or diminishes the size of any lot.

SERVICE AREA.

(1) The area for a particular category of public facilities within the jurisdiction of the local government and within which fees for capital improvements may be collected for new development occurring within such an area and within which fees so collected will be expended for those types of improvements for that category of public facility identified in the public facility improvements program.

(2) SERVICE AREAS may be subdivided into subareas for purposes of assuring that fees collected and expended therein reasonably benefit new development within the areas.

SKETCH PLAN. A sketch preparatory to the preliminary plat (or final plat in the case of minor subdivisions) to enable the subdivider to save time and expense in reaching general agreement with the Planning Commission as to the form of the plat and the objectives of these regulations.

STREETS AND ALLEYS.

(1) ALLEYS. Minor trafficways affording a secondary means of access to abutting properties that are not intended for general traffic circulation.

(2) COLLECTOR STREETS. Streets which carry traffic from local streets to major streets and highways, including the principal entrance streets of a residential subdivision and streets used for circulation within the developments.

(3) HIGHWAYS. Routes carrying large volumes of relatively fast moving traffic and are designated as either county, county state aid, federal, or state highways.

(4) LOCAL STREETS. Streets that are used principally for access to abutting properties, especially residential properties.

(5) MAJOR STREETS. Arterials carrying large volumes of local traffic between widely

separated areas of the community; typically a heavy traffic carrying capacity and may be designated as a truck route by the city.

(6) **RIGHT OF WAY (ROW).** A strip of land occupied or intended to be occupied by a street roadway, crosswalk, railroad, electric transmission line, gas pipeline, water main, sanitary or storm sewer main, shade trees, or some other public or utility use.

(7) **ROADWAY.** The portion of a street, cartway, or alley surfaced for vehicular travel.

(8) **SERVICE ACCESS STREETS (SERVICE ROADS).** Trafficways that are adjacent and parallel to highways or major streets and provide access to abutting properties.

SUBDIVIDER. A person, persons, or corporation responsible for initiating a subdivision proposal for themselves or others.

SUBDIVISION. The separation of an area, parcel, or tract of land under single ownership into 2 or more parcels, tracts, lots, or long-term leasehold interests where the creation of the leasehold interest necessitates the creation of streets, roads, or alleys, for residential, commercial, industrial, or the use of any combination thereof, except the following separations:

(1) Where all the resulting parcels, tracts, lots, or interests will be 20 acres or larger in size and 500 feet in width for residential uses and 5 acres or larger in size for commercial and industrial uses;

(2) Creating cemetery lots; and

(3) Resulting from court orders, of the adjustment of a lot line by the relocation of a common boundary.

VARIANCE. Any departure from the requirements of these regulations that is granted by the appropriate governmental agency.

ZONING ORDINANCE. The Zoning Ordinance or resolution controlling the use of land as adopted by the city.

§ 152.004 APPLICATION OF REGULATIONS

A. Except as provided in this part, no person shall subdivide any tract of land which is located entirely or partially within the City except in conformity with provisions of this Ordinance.

§ 152.005 ENFORCEMENT

A. **Recording of Plat.** No plat of any subdivision shall be entitled to recording in the

Nicollet County Recorder's Office or have any validity until it shall have been approved in the manner herein. In the event any such unapproved plat is recorded it shall be considered invalid.

B. Sale of Land. No owner or agent of the owner of any land located within a subdivision shall transfer, sell, agree to sell, or negotiate to sell any plan or plat unless it has been approved and recorded in the manner prescribed herein. The description of such lot or parcel by meter and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt from the provisions of this part.

C. Permits. No building / zoning permit shall be issued for any structure on a lot in a subdivision for which a plat has not been approved and recorded in the manner prescribed herein.

D. Public Improvements. The City hereby defines its policy to be that the City will withhold all public improvements of whatsoever nature, including the maintenance of streets and the furnishings of water service and sanitary water service (sewer service) from all subdivisions which have not been approved, and from all areas dedicated to the public which have not been accepted by the city council, in the manner prescribed herein.

E. Revisions of the plat after approval. No changes, erasures, modifications or revisions shall be made in any plat of a subdivision after approval has been given by the City Council, and indorsed in writing on the plat, unless the said plat is first resubmitted to the City Council and approved.

F. Fees.

1. Filing fee. The subdivider shall pay an application fee as established by the City Council. The City Council shall adopt by resolution a schedule of subdivision fees. The resolution shall be published one time in the official newspaper of the city. The city may make revisions of the fee schedule based upon relevant information to determine any needs for changes in this schedule.

2. Checking and Investigating. The subdivider shall pay to the City Engineer the actual costs of checking, investigating, and other matters required by law and these regulations.

3. Other City costs. The subdivider should be responsible for all administrative costs of the city in the processing any Applications.

G. Procedure for Preliminary Plat.

1. The preliminary plat shall show, on a map, all the facts needed to enable the City Council to determine whether the proposed layout of the land in a subdivision is in compliance with this part and satisfactory from the stand point of public interest.

2. Preparation: The preliminary plat shall be prepared by a registered engineer or surveyor.

3. Filing. The subdivider, two weeks prior to the City Council meeting at which consideration is desired, shall file an application for preliminary approval with the City Council and as many copies of the preliminary plat as may be required by the City Council.

4. Approval:

(a). Official Recommendation. The City Council may transmit copies of the plat for their study and recommendations to the City Engineer.

(b). Notice and Hearing. The City Council shall provide for an adequate hearing and shall notify by mail at least ten days prior to the hearing all property owners within three-hundred fifty feet (350) of the extreme limits of the subdivision as their names appear on the on the county tax records. Said notice shall state the time and place of the Public hearing , a brief description of the subdivision and that a copy of the preliminary plat of said subdivision is on file with the City Clerk for public inspection. The City Council shall also cause notice of the hearing of the hearing to be published in the official newspaper, or a newspaper of general circulation, at least 10 days prior to the hearing.

(c). Time Requirements. The City Council shall act on the preliminary plat within 60 days after filing unless such time is extended by agreement with the subdivider or his agent, during which period it shall recommend and comment. If no action is taken by the City Council within the said 60 days after filing or such longer period as may have been agreed upon, the preliminary plat as filed shall be forwarded to the City council for its consideration.

5. Notice of Action Taken. The City Council shall determine whether the preliminary plat shall be approved, approved with modifications or disapproved and shall give notice to the subdivider in the following manner:

(a). If approved, the Mayor shall affix his / her signature to the plat and attach thereto a notation that it has been received preliminary approval and return it to the subdivider for compliance with final approval requirements.

(b). If approved with modifications or disapproved, the City Clerk shall attach to the plat a statement of the reasons for such action and return it to the subdivider.

(c). Final City action on a preliminary plat shall occur within sixty days (60).

6. Effects of approval. Approval of the preliminary plat by the City Council shall not constitute final acceptance of the subdivision.

7. Right of Subdivider After Approval. Preliminary approval shall confer upon the subdivider the right for a one (1) year period from the date of approval that the general terms and conditions under which the preliminary approval

was granted will not be changed.

H. Procedure Final Plat.

1. The final plat will have incorporated all changes or modifications required by the City Council, otherwise it shall conform to the preliminary plat, and it may constitute only that portion of the approved preliminary plat, which the subdivider proposes to record and develop at the time, provided that such portion conforms with all the requirements of this part.

2. Preparation: The Final Plat should be prepared by an Engineer or Surveyor.

3. Filing: After receiving notice of the action of the City Council approving the preliminary plat, the subdivider shall proceed to file with the City Council.

(a). Copies of the final plat in the amount required by the City Council.

(b). A written application for final approval.

(c). Cross-section and profiles of streets, and all other construction drawings related to the improvements to be constructed in the subdivision.

(d). A statement by the City Engineer certifying that he / she is in receipt of a map showing all utilities in exact location and elevation, identifying those portions already installed and those to be installed and that the subdivider has complied with this part.

I. Review and Approval:

1. Official Recommendations. The City Council may transmit copies of the plat for their study and recommendations to the City Engineer and such other official, body, company or agency as may be directed by the City Council.

2. Notice and Hearing. Notice and Hearing. The City Council shall provide for an adequate hearing and shall notify by mail at least ten days prior to the hearing all property owners within 350 feet of the extreme limits of the subdivision as their names appear on the on the county tax records. Said notice shall state the time and place of the Public hearing, a brief description of the subdivision and that a copy of the preliminary plat of said subdivision is on file with the City Clerk for public inspection. The City Council shall also cause notice of the hearing to be published in the official newspaper, or a newspaper of general circulation, at least 10 days prior to the hearing.

3. Final Tracing. The City Council shall notify the subdivider of any recommended changes or suggestions so that the subdivider may correct the final tracing and submit the same for final approval.

4. Time Requirements. The final plat, in the form of a final tracing, shall then be

resubmitted at least ten working days (10) prior to the meeting at which the plan is to be considered by the City Council. The City Council shall act on the final plat within 60 days.

5. Notice of Action Taken. The City Council shall determine whether the final plat shall be approved or disapproved and shall give notice to the subdivider in the following manner:

(a). If Approved the Mayor shall affix his / her signature to the plat and attach thereto a notation that it has received final approval and return it to the subdivider for compliance with recording requirements.

(b). If Disapproved, the City Clerk shall attach to the plat a statement of the reasons for such action and return it to the subdivider.

(c). Final City Action on a Final Plat shall occur within 60 days of the receipt of a completed application for Final Plat approval.

6. Recording. The subdivider shall record the Final Plat in the office of the County Recorder within thirty days (30) after the date of approval, otherwise the final plat shall be considered void.

§ 152.006 SUBDIVISION DESIGN STANDARDS

A. Conformity. The arrangement, character, extent, width, grade and location of all streets shall be considered in their relation to (i) the goals of the City Council, (ii) existing and planned streets, (iii) topographical conditions, (iv) public convenience and safety, (v) the proposed uses of the land to be served by such streets. The arrangement and other design standards of streets shall conform to the provisions found herein.

B. Relation to Adjoining Streets Systems. The arrangement of streets in new subdivisions shall make provisions for the continuation of the existing streets in adjoining areas.

C. Projection of Streets. Where adjoining areas are not subdivided the arrangement of streets in new subdivisions shall make provision for the proper future projection of streets.

D. Streets to be carried to property lines. When a new subdivision adjoins non-subdivided land susceptible of being subdivided, then the new streets shall be carried to the boundaries of the tract proposed to be subdivided.

E. Curb, Gutter, Sidewalk. The City may require curb and gutter on both sides of the arterial and collector roads. The City may require sidewalks on at least one side of arterial and collector roads. Sidewalks are not required on cul-de-sacs.

F. Dead-End Streets or Cul-De-Sacs. While dead-end streets or cul-de-sacs are undesirable, if no other alternatives can be made then, these will be designed to be permanently established.

These streets shall not be longer than five-hundred (500) feet and shall be provided at the closed end with a turn-around having a right-of-way street property line diameter of at least fifty (50) feet. If a dead-end street is of temporary nature, a similar turn around shall be provided and provisions made for future extension of the street into adjoining properties.

G. The following are minimum street right of way widths.

Street Type	Width
Arterial	100 Feet
Collector	80 Feet
Marginal Access	60 Feet
Alleys	20 Feet

In front of the areas designed and zoned commercial, or where a petition for a change in Zoning is contemplated for commercial use, the street width shall be increased by such amount on each side as may be deemed necessary by the City Council to assume the free flow of through traffic without interference by parked or parking vehicles and to provide safe parking space for such commercial vehicles or business district.

H. Intersections. The intersections of more than two (2) streets at one point shall be avoided except where it is impracticable to secure a proper street system otherwise. Streets shall intersect one another at an angle as near to a right angle as possible, and no intersections of street angles less than forty-five (45) degrees shall be approved. Street intersections shall be rounded with a curve of radius acceptable to the City Council.

I. Subdivisions into Tracks Larger than Ordinary Building Lots. Where a tract is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow the dedication of future streets and logical further re-subdivision.

J. Highway on or Abutting Subdivision. Where a subdivision borders on or contains a major right-of-way, the City Council may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, including for park purposes in residential districts, or for commercial or industrial purposes in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach, grades and future grade separations.

K. Half-Streets Prohibited. Half-streets are prohibited except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations and where the City Council finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Wherever a half-street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.

L. Street Names and Numbers. Names of new streets shall not duplicate existing or platted street names unless a new street is a continuation of, or in alignment with the existing or platted street. All names shall be subject to approval by the City Council. House numbers shall be assigned by the City Council in accordance with the system now in effect in the City.

M. Access to Streets Across Ditches. The subdivider shall provide access to all proposed streets, across all ditches in a standard method approved by the City Engineer.

N. Private Streets. Private streets shall not be approved nor shall public improvements be approved for or made on any private street,

O. Hardship to Owners of Adjoining Property Avoided. The street arrangements shall not be such as to cause hardship to owners of adjoining property in platting their own land and providing convenient access to it.

§ 152.007 ALLEYS

A. Residential areas, the City may require alleys in residential areas.

B. Commercial and Industrial Districts. Alleys shall be provided in commercial and industrial districts, except that the City Council may waive this requirement where other definite and assured provisions is made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed.

C. Dead-End. Dead-end alleys are not permitted, except that the City Council may waive this requirement where such dead-end alley is unavoidable and where adequate turn-around facilities have been provided.

§ 152.008 EASEMENTS

A. Provided for utilities. Easements with a right-of-way width of ten (10) feet shall be provided along all front and rear property lines, of five (5) feet width on each of all side lot lines where necessary for utilities.

B. Provided for Drainage. Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with such water course, and such further width or construction, or both, as will be adequate for the purpose.

§ 152.009 BLOCKS

A. Factors governing dimensions. Blocks length and width or acreage within bounding roads shall be such as to accommodate the size of lot required in the Zoning Ordinance and to provide for convenient access, circulation control and safety of street traffic.

§ 152.010 LOTS

- A. Dimensions. Lot dimensions, lot area, and setbacks shall not be less than specified in the Zoning Ordinance.
- B. Location. All lots shall abut by their full frontage on a publicly dedicated right-of-way.
- C. Lines. Side lot lines shall be substantially at right angles to straight street right-of-way lines or radial to curved street lines.
- D. Corner Lots. Corner lots for residential use shall have extra width to permit appropriate building setback from and orientation to both streets.
- E. Uninhabitable Lots. Lots subject to flooding and lots deemed by the City Council to be uninhabitable shall not be platted or developed for residential occupancy, nor for such other uses as may increase danger to health, life or property or aggravate the flood hazard, but such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.
- F. Lot Remnants. All remnants of lots below minimum size left over after subdividing of larger tract must be added to adjacent lots, rather than allowed to remain as unusable parcels.

§ 152.011 PUBLIC SITES AND OPEN SPACES

- A. The subdivision shall dedicate or reserve adequate space for park, playground, school or other public uses within the subdivision when the City Council finds the requirement to be reasonably necessary to the public health and welfare. In lieu thereof, the City may require the payment of a fee to defray the cost of providing alternative public sites or open spaces.

§ 152.012 REQUIRED IMPROVEMENTS

Prior to the granting of final approval, the subdivider shall have installed the following:

- A. Monuments. Permanente monuments shall be placed at all block corners, angle points, points of curves in streets, and at intermediate points as shall be required by the City Engineer. The monuments shall be of such material, size, and length as may be approved by the City Engineer.

§ 152.013 PUBLIC WATER SUPPLY

- A. Accessible Public Water Supply. Where a public water supply approved by the City Council and City Engineer is reasonably accessible, each lot within the subdivision area shall be provided with a connection thereto. All connections shall be subject to the approval of the City

Engineer. Initial installation of the corporation stop, service line, and curb stop will be done at the property owner's expense. Thereafter, repair and replacement of the service line from the main to the established or designated curb line shall be at the city expense. Owner's expense will be from the established or designated curb line to the including the curb stop.

B. Fire Hydrants. Fire Hydrants will be installed in all subdivisions where a public water supply is available. Fire Hydrant standards, placing, will be subject to the City Engineer approval.

§ 152.014 SANITARY SEWER

Sanitary Sewer shall be installed in accordance with Code Chapter 53 and with the approval of the City Engineer.

§ 152.015 PLAT FORMAT

A. Form. The preliminary plat and final shall be clearly and legibly drawn. The size of the map shall not be less than twelve (12) inches by eighteen (18) inches. The map of a subdivision containing five (5) acres or less shall be drawn of a scale of one (1) inch equals fifty (50) feet. All other sub-divisions shall be drawn at a scale of one (1) inch equals one-hundred (100) feet, unless otherwise required by the City Council.

B. Map Contents.

1. Description
 - a. Name of Subdivision
 - b. Names of adjacent sub-divisions and owners of adjoining parcels of non-subdivided land.
 - c. Names and addresses of the subdivider, owner, and Engineer.
 - d. Location by section, town, range, township, county, and state
 - e. Names and streets within the adjoining plat.
 - f. Existing Conditions
 - g. Plat Boundaries
 - h. Bearings and distances to the nearest established street lines, section corners or other recognized permanent monuments that shall be accurately described on the plat.
 - i. Municipal, township, county or section lines accurately tied to the lines of the subdivision by distance and bearings.
 - j. Accurate location of all monuments
 - k. Survey data
 - l. Length of all arcs, radii, internal angels, points of curvature, and tangent bearings.
 - m. When lots are located on a curve or when side lot lines are at angles other than ninety (90) degrees, the width at the building line shall be shown.
 - n. Drafting of Plat must show date of preparation, scale of map, north points

- o. All easements for right-of-way provided for public services or utilities, and any limitations of such easements.
- p. All lot numbers and lines, with accurate dimensions in feet and hundredths, and with bearings or angles to street and alley or crosswalk-way lines.
- q. Building setback lines, with dimensions.

§ 152.015 CERTIFICATIONS AND DEDICATIONS

- A. Certification shall be furnished from the County Auditor that all taxes and assessments have been paid on the land within the proposed subdivision.
- B. If a Zoning change is request in connection with the platting process, certification from the City Council shall be furnished indicating that the proposed change has been approved and is in effect.
- C. Certification from a registered Civil Engineer or Surveyor to the effect that the plat represents a survey made by him and that all monuments shown thereon actually exist, and that their location is correctly shown.
- D. An instrument of dedication by the owner or owners of all property within the proposed subdivision, dedicating all streets and other public areas and easements to the public use in perpetuity.

§ 152.016 MINOR SUBDIVISION; APPLICATION

- A. The City Council may by resolution approve an application for a minor subdivision without the preparation or filing of a preliminary or final plat.
- B. Application. An applicant for a minor subdivision shall include the following items:
 - 1. A copy of the existing plat for the lot(s) proposed to be further subdivided or combined.
 - 2. The legal descriptions of the existing parcels, and resulting parcels if the application is approved.
 - 3. A Certificate of Survey prepared by a registered land surveyor, which shall include the proposed legal description for each lot. The survey drawing shall identify all proposed new lot lines and the resulting dimensions of all such lot lines and the locations of all utilities and streets to serve the proposed new lot(s).
 - 4. An explanation of the applicant's reasons for subdivision of the lot(s).
 - 5. Proof of ownership of the parcels involved along with the signatures of all owners on the application.
- C. Each application for a minor subdivision shall be referred to the City Clerk and City

Attorney for consideration and recommendation to the City Council.

D. The City Council may require the preparation of a formal plat pursuant to this part should it be determined that such action is necessary or appropriate for proper planning or development of the City.

E. Final City action on an application for a simple lot division shall occur within 60 days of receipt of a completed application for approval.

Adopted: _____, _____, 2026

Curt Tauber, Mayor

Attest:

Allan E. Fox, Interim City Clerk

First Reading: 4/13/2026

Public Hearing: 5/11/2026

Second Reading/Adoption: 5/11/2026

Publication: