

CHAPTER 8
SUBDIVISION REGULATIONS

TABLE OF CONTENTS

CHAPTER 8	SUBDIVISION REGULATIONS.....	8-1 TO 8-28
ARTICLE I	PURPOSE AND VALIDITY.....	8-1
Section 8-101	Purpose	8-1
Section 8-102	Validity	8-1
ARTICLE II	DEFINITIONS.....	8-1
Section 8-201	Words and Phrases Defined.....	8-1
ARTICLE III	APPLICABILITY	8-5
Section 8-300	Application	8-5
ARTICLE IV	ENFORCEMENT.....	8-5 TO 8-6
Section 8-400	Approval Required	8-5
Section 8-401	Permits Not Issued.....	8-6
Section 8-402	Improvements Prohibited	8-6
Section 8-403	Exceptions.	8-6
Section 8-404	Sales Prohibited.	8-6
Section 8-405	Violations, Penalties	8-6
ARTICLE V	PRELIMINARY PLAT	8-6 TO 8-11
Section 8-500	Procedures for Preliminary Plat.....	8-6
Section 8-501	Data Required for Preliminary Plat.	8-8
Section 8-502	Preliminary Plat Approval.....	8-10
Section 8-503	Environmental Evaluation of Areas to Be Dedicated to the Public.....	8-11
ARTICLE VI	FINAL PLAT	8-13 TO 8-14
Section 8-600	Procedure for Final Plat Approval and Recording	8-13
Section 8-601	Data Required On Final Plat.....	8-14
ARTICLE VII	MINIMUM DESIGN STANDARDS	8-15 TO 8-20
Section 8-700	Street Plan.....	8-15
Section 8-701	Streets	8-16
Section 8-702	Alleys.....	8-17
Section 8-703	Intersections.....	8-17

City Code, Chapter 8: Subdivision Regulations

Section 8-704	Curb and Gutter	8-17
Section 8-705	Sidewalks.....	8-18
Section 8-706	Pedestrian Ways	8-18
Section 8-707	Water Supply	8-18
Section 8-708	Sanitary Sewer.....	8-18
Section 8-709	Drainage	8-18
Section 8-710	Easements	8-18
Section 8-711	Street Names.....	8-19
Section 8-712	Blocks.	8-19
Section 8-713	Lots.	8-19
Section 8-714	Dedications of Public Lands.....	8-20
ARTICLE VIII	REQUIRED IMPROVEMENTS	8-20 TO 8-25
Section 8-800	Description of Required Improvements	8-20
Sections 8-801 through 8-803	(INTENTIONALLY LEFT BLANK)	8-2
Section 8-804	Construction Plans.....	8-22
Section 8-805	Inspection.	8-23
Section 8-806	Payment for Installation of Improvements	8-23
Section 8-807	Development Contract Required	8-23
Section 8-808	Improvements Completed Prior to Approval of Final Plat.....	8-25
Section 8-809	Reimbursement to City For Fees Incurred	8-25
ARTICLE IX	MINOR SUBDIVISIONS	8-25
Section 8-900	(RESERVED)	8-25
Section 8-901	Limitation on Certification and Recording of “Ancient” Minor Subdivisions	8-25
ARTICLE X	LOT RECONFIGURATIONS	8-26 TO 8-27
Section 8-1001	Intent.....	8-26
Section 8-1002	Criteria for Lot Reconfiguration.....	8-26
Section 8-1003	Procedure.....	8-26
Section 8-1004	Required Materials	8-27
ARTICLE XI	MODIFICATIONS, EXCEPTIONS AND VARIANCES	8-28
Section 8-1100	Standards for Variances.....	8-28
Section 8-1101	Conditions and Restrictions.....	8-28
Section 8-1102	Approval.....	8-28
Appendix A	Standard Specifications for New Roadway Construction	Follows Chapter 8
Appendix B	Subdivision Title Opinion and Survey Requirements	Follows Appendix A
Appendix C	Acceptable Form of Letter of Credit	Follows Appendix B
Appendix D1	Developer’s Contract Form For Plats.....	Follows Appendix C

City Code, Chapter 8: Subdivision Regulations

Appendix D2	Owner's/Developer's Affidavit For Subdivision of Land. Follows Appendix D1
Appendix D3	Minor Subdivision Hazardous Waste Indemnity Agreement. Follows Appendix D2
Appendix E	Approved Form of Public Contractor's Performance Bond and Approved Form of Public Contractor's Payment Bond Follows Appendix D3
Resolution No. 82-8	Affecting the Recording of Subdivisions Follows Appendix E <i>[Clerk's note: Res. No. 82-8 is an unofficial part of the City Code.]</i>

City Code, Chapter 8: Subdivision Regulations

CHAPTER 8
SUBDIVISION REGULATIONS

ARTICLE I
PURPOSE AND VALIDITY

SECTION 8-101. PURPOSE. The City Council of the City of Columbus finds it necessary to provide regulations for platting and subdivision of property within the City so that new subdivisions will be in compliance with the Comprehensive Plan and Zoning Ordinance and contribute to a well planned community environment by providing adequate public services, parks, trails, streets and highways. All subdivisions platted within the jurisdiction of the City of Columbus shall fully comply with the regulations set forth in this Chapter of the City Code. The provisions of this Chapter shall be considered the minimum requirements adopted for the protection of the public health, safety, and general welfare.

[§ 8-101, amended by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007, amended by Ord. No. 08-02, effective March 6, 2008.]

SECTION 8-102. VALIDITY. If any part of this Ordinance is held to be invalid for any reason, the decision shall not alter the validity of the remaining portions of this Ordinance.

[§ 8-102, added by Ord. No. 01-08, effective January 17, 2002.]

ARTICLE II
DEFINITIONS**SECTION 8-201. WORDS AND PHRASES DEFINED.**

A. For the purpose of this Ordinance, the following terms, phrases, words and their derivation, shall have the meaning given in this section. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number.

1. **Alley** - is a minor way which is used primarily for vehicular service access to the back or the side of properties abutting on a street.

2. **Applicant** - is any person commencing proceedings under this Chapter to effect a subdivision of land for him/herself or for another.

[§ 8-201 A.2, formerly § 8-201 A.31, amended by Ord. No. 01-08, effective January 17, 2002.]

3. **Arterial** - is a street where heavy volume of fast moving vehicles is provided for. The streets have considerable continuity and are used primarily as traffic arteries for intercommunication among large areas.

[§ 8-201 A.32, formerly § 8-201 A.37, amended by Ord. No. 01-08, effective January 17, 2002.]

4. **Boulevard** - is the portion of the street right-of-way between the curb line or edge of street and the property line.

City Code, Chapter 8: Subdivision Regulations

5. **Boundary Lines** - are lines indicating the bounds or limits of any tract or parcel of land.
6. **Buildable Area** This term shall have the same definition as that contained in Chapter 7A, §7A-201.A, Paragraph 9B.
[§8-201 A.6, formerly § 8-201 A.4a, added by Ord. No. 89-15, effective December 29, 1989.]
7. **Buildable Area, Future** - A Future Buildable Area is defined in Chapter 7A, §7A-201.A., Paragraph 9C., and has the same meaning in this Chapter 8.
[§ 8-201 A.7, formerly § 8-201 A.4b, added by Ord. No. 91-2, effective June 12, 1992.]
8. **Butt-Lot** - is a lot at the end of a block and located between two corner lots.
9. **Collector Street** - is a street which carries traffic from minor streets to an arterial. It includes the principal entrance streets of a residential development and streets for circulation within such a development.
[§ 8-201 A.9, formerly § 8-201 A.6, amended by Ord. No. 01-08, effective January 17, 2002.]
10. **Corner Lot** - is the lot or lots within a plat and situated at the corners so that they are bounded on two sides by streets. This term applies to any lot within the plat at street intersections and bounded on two sides by streets.
11. **Cul-de-Sac** - is a permanent, terminal, minor street with only one outlet and having a turn around.
[§ 8-201 A.11, formerly § 8-201 A.8, amended by Ord. No. 01-08, effective January 17, 2002.]
12. **Double Frontage Lots** - are those which have a front line abutting on one street and a back or rear line abutting on another street.
13. **Easement** - is a grant by an owner of land for the specific use of land by the public generally, or to a person or persons.
14. **Engineer** - is that person appointed by the City Council to advise the City Council on engineering matters. The engineer shall be directly and solely responsible to the City Council, even though his/her fee may be paid by the applicant according to the terms of this Ordinance.
[§ 8-201 A.14, formerly § 8-201 A.11, amended by Ord. No. 01-08 effective January 17, 2002.]
15. **Final Plat** - is the final map, drawing or chart on which the applicant's plan of subdivision is presented to the City Council for approval and which, if approved, will be submitted to the County Recorder or Registrar of Titles.
16. **Frontage** - is the width of a lot or building site measured on the line separating it from a public street or way.
17. **Hammerhead Street** – is a permanent street with only one outlet, which is aligned to connect with potential future streets, and extends either to the lot or subdivision line or to easements which extend to the lot or subdivision line if necessary to provide for connection to potential future streets.
[§ 8-201 A.17, formerly § 8-201 A.14, amended to add definition by Ord. No. 00-03 effective July 6, 2000, and amended by Ord. No. 01-08, effective January 17, 2002.]
18. **Hazardous Substances** – means hazardous waste, toxic substances, polychlorinated biphenyls, petroleum products, asbestos or related materials and also includes, but is not limited to, substances defined as “hazardous substances” or “toxic substances” in the Comprehensive Environmental Response Compensation and Liability Act of 1989, 42 U.S.C. Sec. 9601, et seq. (Federal Superfund Act) as amended by the Superfund Amendments and Re-Authorization Act of 1986 (SARA),

City Code, Chapter 8: Subdivision Regulations

Hazardous Materials Transportation Act, 49 U.S.C. sec. a6901, et seq., Resource Conservation and Recovery Act, 42 U.S.C. Sec. 6991, et seq., or as “hazardous substance,” “hazardous waste” or “pollutant or contaminant” in the Environmental Response and Liability Act, Minn. Stat. Sec. 115B.01, et seq., as amended, or the Petroleum Tank Release Cleanup Act, Minn. Chapter 115C, as amended.

[§ 8-201 A.18, added by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 09-03, effective March 5, 2009.]

19. **Lot** - is an area, parcel, tract, or portion of land which is separate from other parcels of land, and has been legally described:

- (a) As an individual parcel by metes and bounds description in a recorded instrument of conveyance; or,
- (b) By recorded plat; or
- (c) By government survey; or
- (d) By Auditor’s Subdivision, or by Auditor’s property tax identification number (unless such Auditor’s property tax identification number is assigned to two or more noncontiguous and nonconterminous parcels of land).

20. The words “lot”, “area”, “parcel”, and “tract” are synonymous and may be used interchangeably. For the purposes of this chapter, a “single lot” or a “single parcel” or a “parcel of record” shall be the whole parcel that is identified by at least one of the above definitions of “lot.”

[§ 8-201 A.20, formerly § 8-201 A.13 and 14, amended by Ord. No. 83-3, effective July 1, 1983.]

21. **Marginal Access Street** - is a minor street which is parallel and adjacent to an arterial and which provides access to abutting properties and protection from through traffic.

[§ 8-201 A.21, formerly § 8-201 A.16, amended by Ord. No. 01-08, effective January 17, 2002.]

22. **Minor Street** - is a street of limited continuity used primarily for access to the abutting properties and the local needs of a neighborhood.

23. **Minimum Subdivision Design Standards** - are the guides, principles and specifications for the preparation of a subdivision plan indicating among other things, the minimum and maximum dimensions of the various elements set forth in the preliminary plat.

24. **Out-Lots** - are those which are so situated within the boundaries of a block that the side line coincides with the back lines of a lot or lots facing another street.

25. **Owner** - is any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity having sufficient proprietary interest in the land sought to be subdivided under this Ordinance.

[§ 8-201 A.25, formerly § 8-201 A.20, amended by Ord. No. 01-08, effective January 17, 2002.]

26. **Pedestrian Way** - is the right-of-way across or within a block for use by pedestrian traffic.

27. **Person** - is any individual, firm, association, syndicate, or partnership, corporation, trust or any other legal entity.

28. **Planning Commission** - is the Planning Commission of the City of Columbus.

City Code, Chapter 8: Subdivision Regulations

29. **Preliminary Plat** - is the preliminary map, drawing or chart indicating the proposed layout of the subdivision to be submitted to the Planning Commission and the City Council for their consideration.

30. **Private Street** - is a street serving as vehicular access to no more than two parcels of land that is owned by one or more private parties, and the care and maintenance of which is established on a document recorded in the office of the Anoka County Recorder.

[§ 8-201 A.30, formerly § 8-201 A. 25, amended by Ord. No. 01-08, effective January 17, 2002.]

31. **Reserve Strips** - are narrow strips of land usually withheld from the street right-of-way to form a barrier between certain property and the public street or arterial.

[§ 8-201 A.31, formerly § 8-201 A.26, amended by Ord. No. 01-08, effective January 17, 2002.]

32. **Right-of-Way** - is land dedicated for public or private vehicular or pedestrian travel or for public or private utilities.

33. **Setback** - the minimum horizontal distance between a building and public right of way, lot line, road easement, ordinary high water level, bluff line or other referenced feature that any building may be placed, as measured from the lot line or feature to the closest point of the structure, except as provided within this Chapter.

[§ 8-201 A.33, formerly § 8-201 A.28, amended by Ord. No. 01-08, effective January 17, 2002.]

34. **Setback Line** - a line established by Chapter 7A of the zoning ordinance, generally parallel with and measured from the lot line or edge of the public right of way, defining the limits of a required yard, in which no building or structure can exist, with the exception of signs and fences, and in cases where they may be specifically provided for in this Chapter or Chapter 7 – the Zoning Ordinance.

[§ 8-201 A.34, added by Ord. No. 01-08, effective January 17, 2002.]

35. **Street** - is a way for vehicular traffic, whether designated as a street, highway, or arterial, parkway, throughway, road, avenue, land, place or however otherwise designated.

[§ 8-201 A.35, formerly § 8-201 A.29, amended by Ord. No. 01-08, effective January 17, 2002.]

36. **Street-Width** - is the shortest distance between the lines delineating the right-of-way of a street.

37. **Subdivision** - the separation of a lot, parcel, or tract of land under single ownership into two 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 other use or combination thereof, or, if a new street is involved, any division of a parcel of land, except the following:

- (a) Where all the resulting parcels, tracts, or lots, or interests will be 20 acres or larger in size and 500 feet in width;
- (b) Creating cemetery lots;
- (c) Resulting from court orders, or the adjustment of a lot line by the relocation of a common boundary, provided the relocation is no greater than an average of 20 feet in width along the length of the adjusted portion of the common boundary and that the resulting parcels meet the design standards of the Zoning Ordinance (Chapter 7A) and these subdivision regulations.

City Code, Chapter 8: Subdivision Regulations

The term “subdivision” includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing, or, to the land subdivided, or, to the platted subdivision of record.

[§ 8-201 A.37, formerly § 8-201 A.32, amended by Ord. No. 83-3, effective July 1, 1983, and Ord. No. 01-08, effective January 17, 2002.]

38. **City** - is the City of Columbus in Anoka County, Minnesota.

39. **City Council** - is the City Council of the City of Columbus.

40. **Yard, Required** - a portion of the front yard, side yard, or rear yard which is required by setbacks.

[§ 8-201 A.40, added by Ord. No. 01-08, effective January 17, 2002.]

41. **Zoning** - is the regulation of the use of land within the City including buildings and structures for certain purposes together with other limitations such as height, bulk, lot size and other stipulated requirements.

[§ 8-201 amended by Ord. No. 07-02, effective March 1, 2007.]

ARTICLE III **APPLICABILITY**

SECTION 8-300. APPLICATION. The rules and regulations governing plats and subdivisions of land contained in this chapter shall apply to all land within the City of Columbus. Except in the case of a resubdivision, these regulations shall not apply to any lot or lots forming a part of subdivision plats recorded in the Anoka County Recorders office prior to the effective date of these regulations nor is it intended by these regulations to repeal, abrogate, annul or in any way impair or interfere with existing provisions of the ZONING PLAN AND BUILDING CODE* of the City of Columbus, except those in conflict with these Regulations, or with private restrictions placed upon property by deed, covenant, or other private agreement which are equal to or more restrictive, or with restrictive covenants running with the land to which the City is a party.

[§ 8-300, amended by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

[Clerk's note: the reference to the "Zoning Plan and Building Code" is to a booklet form compilation of ordinances which predated Ord. No. 900, effective July 25, 1979. Those provisions are now primarily contained in Chapters 7A, 7B, 8, and 13 of the Town Code. /s/ Barbara A. Masteller, Town Clerk, 12/29/89.]

ARTICLE IV **ENFORCEMENT**

SECTION 8-400. APPROVAL REQUIRED. It shall be unlawful and punishable to record any instrument which creates a subdivision in the Anoka County Recorder or in Registrar of Titles office, unless:

- A. The subdivision created has received approval as provided in this Chapter; or,
- B. The subdivision is exempt from the provisions of this Chapter according to State Statute.

[§8-400, amended by Ord. No. 83-3, effective July 1, 1983, and Ord. No. 01-08, effective January 17, 2002.]

City Code, Chapter 8: Subdivision Regulations

SECTION 8-401. PERMITS NOT ISSUED. The Building Inspector shall not issue Building Permits for any structure on a lot in any unapproved subdivision.

SECTION 8-402. IMPROVEMENTS PROHIBITED. The City Council shall not permit any public improvements or services to be installed or performed in any subdivision unless the subdivision has been approved in compliance with this Chapter.

[§ 8-402, amended by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 8-403. EXCEPTIONS. The platting provisions of this Chapter shall not apply to the following conveyances of land:

- A. Was a separate parcel of record as of the effective date of these subdivision regulations.
- B. Was the subject of a recorded written agreement to convey entered into prior to the adoption of these subdivision regulations.
- C. Pursuant to Minnesota Chapter 515B, the Minnesota Common Interest Ownership Act, a common interest community plat is exempt from platting provisions unless it involves the subdivision of land.

[§ 8-403, amended by Ord. No. 83-3, effective July 1, 1983, and Ord. No. 01-08, effective January 17, 200, and amended by Ord. No. 08-02, effective March 6, 2008.]

SECTION 8-404. SALES PROHIBITED. It shall be unlawful and punishable to sell or offer for sale any parcel of land within the City of Columbus until the requirements of these regulations have been met. [Cross reference: see Chapter 7A, §7A-430 through §7A-431.]

[§ 8-404, amended by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 8-405. VIOLATIONS, PENALTIES. Any person, firm or corporation violating or neglecting any provision of these regulations shall be guilty of a misdemeanor and upon conviction shall be punished by a fine or imprisonment in accordance with the provisions of Chapter 1, Section 1-109 of this City Code. Each day that such violation continues shall constitute a separate offense.

[§8-405, amended by Ord. No. 86-3, effective February 21, 1986, Ord. No. 92-2, effective April 17, 1992, and Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

ARTICLE V PRELIMINARY PLAT

SECTION 8-500. PROCEDURES FOR PRELIMINARY PLAT.

- A. Prior to preparation of a preliminary plat, the applicant shall have a preliminary discussion in regard to the requirements of these regulations with the Zoning Administrator for the City. The applicant shall present a rough draft drawing of the proposed subdivision to the Zoning Administrator for review. At the discretion of the Zoning Administrator, the City Engineer and City Attorney may be consulted for preliminary engineering and legal opinions, respectively. At the discretion of the Zoning Administrator, the prospective applicant may be asked to come before the City Council for preliminary opinions as to policy matters or design options.

[§8-500, Paragraph A., amended by Ord. No. 91-2, effective June 12, 1992 and Ord. No. 01-08, effective January 17, 2002.]

City Code, Chapter 8: Subdivision Regulations

- B. Before subdividing any tract of land an owner or applicant shall submit to the Zoning Administrator at least 30 days before the regular Planning Commission meeting:
1. A completed application for Plat Approval on a form provided by the City. A “completed application” as used in this Article means that the items required pursuant to paragraphs 2., 3., 4., 5., and 6. below have all been submitted to the Zoning Administrator.
 2. Six copies of the preliminary plat and all information required by the Checklist of Data form approved by the City Council and available at the City Hall
 3. An application fee set by City Council Resolution which may be amended from time to time.
 4. The application shall be accompanied by a wetland delineation and either a certificate of exemption or an approved wetlands replacement plan issued as required by Chapter 7C - Wetlands Zoning Regulations of this Code. The application will not be accepted if it is not accompanied by the appropriate wetlands documentation.
 5. The preliminary plat shall be accompanied by a tree maintenance plan so that a determination can be made that the proposed development will be in compliance with the tree maintenance provisions of Chapter 20 of this City Code.
 6. An inspection report from the City Forester, in compliance with City Code §20-604, indicating one of the following:
 - a. There is no oak wilt on the subject property; or,
 - b. There is oak wilt on the subject property and the forester has approved of the disease control measures proposed by the applicant.
- C. The Zoning Administrator shall forward a copy of the application to the City Planner and the Engineer.
- D. Upon Receipt of an application:
1. The Zoning Administrator shall determine if the application is complete within 15 business days of submittal of an application.
 2. Provided the application is complete, the Zoning Administrator shall review the City’s records and inspect the property to determine that the property is generally in compliance with the Comprehensive Plan, the Zoning Ordinance and other parts of the City Code. If the property is not in compliance, the Zoning Administrator shall recommend to the Planning Commission that the application for subdivision be denied.
 3. Provided the application is complete, copies will be forwarded to the City Engineer and City Planner to submit reports to the Planning Commission and City Council on the proposed subdivision.
- E. The City Clerk shall publish notice of a public hearing to consider the complete application in the official paper at least 10 days prior to the hearing before the Planning Commission. Additionally, the City Clerk shall mail notice of the hearing as required by Minnesota Statutes.
- F. The Planning Commission shall hold a public hearing on the proposed preliminary plat within 90 days of the Zoning Administrator’s receipt of a completed application unless

City Code, Chapter 8: Subdivision Regulations

an extension of time has been requested by the applicant either in writing submitted to the zoning administrator or on the record at a Planning Commission meeting,

G. After the public hearing, the Planning Commission shall:

1. Adopt Findings of Fact and decide to recommend approval or denial of the application to the City Council; and,
2. Submit a written record of its proceedings, findings and recommendations to the City Council.

H. The City Council shall act on the preliminary plat within 120 days of the date on which the completed application was filed with the Zoning Administrator unless notice of an extension of the review period has been agreed to by the applicant. If the report of the Planning Commission has not been received in time to meet this requirement, the City Council may act on the preliminary plat without such report.

[§8-500, amended by Ord. No. 89-3, effective April 21, 1989, Ord. No. 92-2, effective April 17, 1992, Ord. No. 92-9, effective December 25, 199, Ord. No. 93-8, effective October 7, 1994, Ord. No. 94-5, effective January 12, 1996, Ord. No. 93-1, effective February 2, 1996, and Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007, amended by Ord. No 08-02, effective March 6, 2008, amended by Ord. No. 13-01, effective January 31, 2013.]

SECTION 8-501. DATA REQUIRED FOR PRELIMINARY PLAT. The preliminary plat shall be clearly and legibly drawn. The size of the map shall not be less than 12 inches by 18 inches. All subdivision maps shall be drawn at a scale of one inch equals 100 feet, unless otherwise required by the City Council. The preliminary plat of the proposed subdivision shall contain or have attached the following general information as described more fully on the Checklist of Data form approved by the City Council and available at the City Hall:

A. **Identification and Description.**

1. Proposed name of subdivision, which name shall not duplicate or be alike in pronunciation of the name of any other plat recorded in the County.
2. The legal description(s) of all property to be included within the proposed plat, using the description(s) of the property shown on the records of the Anoka County Recorder or in the files of the Anoka County Registrar of Titles.
3. Names and addresses of the owner, applicant, surveyor and designer of the plat.
4. Graphic scale.
5. North-point.
6. Date of preparation.

B. **Existing Conditions.**

1. Boundary line(s) of the existing legal descriptions and boundary lines of property within the proposed subdivision, including the delineation of any boundary line encroachments.
2. Existing zoning classifications.
3. Total approximate acreage calculated to 1/100th of an acre.
4. Location, widths and names of all existing or previously platted streets or other public ways, showing type, width and condition of improvements, if any, railroad and utility right-of-way, parks, and other public open spaces, permanent buildings and structures, easements, and section and corporate lines within the tract and to a distance of 100 feet beyond the tract.

City Code, Chapter 8: Subdivision Regulations

5. Location and size of existing sewers, water mains, culverts, or other underground facilities within the tract and to a distance of 100 feet beyond the tract. Such data as grades, invert elevations, and locations of catch basins, manholes, and hydrants shall also be shown.

6. Boundary lines of adjoining unsubdivided or subdivided land within 100 feet; identifying by name and ownership.

7. Topographic data, including contours at vertical intervals of not more than two (2) feet, except where the horizontal contour interval is 100 feet or more, a one-foot vertical interval shall be shown. Water courses, marshes and wetlands, wooded areas, rock outcroppings, power transmission poles and lines, and other significant features shall be shown. The registered land surveyor who prepares the preliminary plat shall establish a permanent elevation benchmark. The benchmark shall be a durable monument. All elevation data on the preliminary plat shall be referenced to the benchmark. All elevations shall be stated in feet mean sea level (N.G.V.D., 1929).

[§ 8-501 B.7, formerly § 8-501 2(g) amended by Ord. No. 88-1, effective March 4, 1988.]

8. The preliminary plat survey drawing shall show the distance and bearing to the nearest monumented section corner or quarter corner. If the property to be platted lies adjacent to any state or county highway right-of-way plat, the highway right-of-way plat monuments shall also be shown on the preliminary plat.

[§ 8-501 B.8, formerly § 8-501 2(h), amended by Ord. No. 88-1, effective March 4, 1988.]

9. The preliminary plat shall be in the form of a survey and, in addition to all of the other requirements of this Chapter, shall contain or have attached to it the Certificate of Surveyor in the form shown at Appendix B to this Chapter 8.

10. The preliminary plat survey shall show the exact size, area, location, and elevation of the Buildable Area(s) or Future Buildable Area(s) and proposed Driveway(s), with sufficient supporting data and cross-section drawings to show the relationships of the Buildable Area(s) or Future Buildable Area(s) to the High Water Table (as defined in Chapter 7A) and to the 100-Year Flood Plain (as defined in Chapter 7A).

[§8-501 B.10, added by Ord. No. 89-15, effective December 29, 1989 and Ord. No. 91-2, effective June 12, 1992.]

C. Subdivision Design Features.

A. Layout of proposed streets, showing right-of-way widths and proposed names of streets.

2. Location and widths of proposed alleys, pedestrian ways utility easements and permitted private street easements.

3. Typical cross-sections of proposed improvements upon public streets and alleys, and permitted private street easements, together with an indication as to the method of disposing of storm water runoff.

4. Approximate center line gradients of proposed streets and alleys.

5. Location, size and approximate gradient of proposed sewer lines and water mains.

6. Layout, number and preliminary dimensions of lots and blocks.

7. Minimum front and side street building setback lines, indicating dimensions.

City Code, Chapter 8: Subdivision Regulations

8. The City Council may require, where appropriate, that the applicant submit a preliminary plat of the entire property where a applicant owns property adjacent to that which is being proposed for subdividing, to show the relationship to the future development.

9. Areas, other than streets, alleys, pedestrian ways and utility easements, intended to be dedicated or reserved for public use, including the size of such area or areas in acres.

10. When lots are located on a curve, or when side-lot lines are at angles other than 90°, the width at the building set-back lines shall be shown.

11. A stormwater management plan for the subdivision that meets the requirements of the City Stormwater Management Plan.

D. Other information.

1. Statement of the proposed use of lots, stating type of residential buildings with number of proposed dwelling units; and/or type of business or industry so as to determine the impact of the development on traffic, fire hazards or congestion of population.

2. Proposed protective covenants.

3. Source of water supply in accordance with Chapter 14.

4. Provisions for sewage disposal, drainage and flood control.

5. If any zoning changes are contemplated, the proposed zoning plan for the areas, including dimensions.

6. Soil tests (see buildable area chart) sufficient to verify that the site contains a Soil Treatment Area (as defined in section 14-601, paragraph B.7) that meets the sewer requirements of Chapter 14, and such additional tests as may be recommended by the City Engineer. The soil tests shall also be sufficient to verify that the site meets the well requirements of Chapter 14.

7. Description of any unsafe ponds, slopes (over 4:1), or other unsafe conditions existing at the property.

8. Evidence of review and approval of the proposed subdivision or no action from the following agencies: (a) Minnesota Department of Natural Resources; (b) Army Corp of Engineers; (c) Anoka County Environmental Health Agency; (d) Anoka County Highway Department; (e) Anoka County Surveyor; (f) Local Watershed District (WMO approval); (g) MPCA General Storm Water Permit for construction activity involving the disturbance of areas of five acres or greater.

[\$8-501, amended by Ord. No. 89-3, effective April 21, 1989, Ord. No. 89-15, effective December 29, 1989, Ord. No. 91-2, effective June 12, 1992, Ord. No. 96-6, effective Jan. 30, 1997, and Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007, amended by Ord. No. 08-02, effective March 6, 2008.]

SECTION 8-502. PRELIMINARY PLAT APPROVAL.

A. The Planning Commission may recommend and the City Council may require such changes or revisions as deemed necessary for the health, safety, general welfare and convenience of the City. The City Council may deny a subdivision application if it has been determined that the property does not comply with the requirements of this ordinance, is not

City Code, Chapter 8: Subdivision Regulations

consistent with the Comprehensive Plan, or is not consistent with the Zoning Ordinance or other parts of the City Code.

B. Approval of a preliminary plat by the City Council means that the general layout of the plat is acceptable. Subsequent approval will be required of the engineering proposals, pertaining to water supply, storm drainage, and sewage disposal, sidewalks, gas and electric service, minimum finished floor elevations, minimum finished grade elevations, grading, stormwater management, gradients and roadway widths and surfacing of streets.

C. The approval of a preliminary plat shall be null and void unless a final plat or plats, that is prepared in accordance with the conditions of the preliminary plat approval that was granted by the City Council, is submitted to the Zoning Administrator one year from the date of the last required approval of the preliminary plat.

D. No plan will be approved for a subdivision which covers an area subject to periodic flooding or which has a relatively high water table (evidenced by water or mottled soil) or which contains extremely poor drainage facilities and which would make adequate drainage of the streets and lots impossible, unless the applicant agrees to make improvements which will, in the opinion of the City Engineer, make the area completely safe for occupancy, and provide adequate street and lot drainage.

E. No lot, parcel or tract of resubdivision land shall be subdivided by the proposed plat boundary to create a residue parcel of metes-and-bounds description lying outside the proposed plat boundary.

F. If the preliminary plat is not approved by the City Council, the reasons for such action shall be recorded in the proceedings of the City Council and transmitted in writing to the applicant, together with notification to the applicant that he/she has thirty days from the date of the City Council's decision to apply for an extension of time in which to correct the preliminary plat.

[§8-502, amended by Ord. No. 89-3, effective April 21, 1989, Ord. No. 92-2, effective April 17, 1992, Ord. No. 93-8, effective October 7, 1994, and Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 8-503. ENVIRONMENTAL EVALUATION OF AREAS TO BE DEDICATED TO THE PUBLIC. Land areas to be dedicated to the City may be required to have an environmental evaluation completed prior to transfer of title as determined by the Zoning Administrator or City Council. This section applies to land areas to be dedicated to the City in either fee title or easement title, whether by dedication of the whole parcel or a fractional part (e.g., easement corridors) and all fill material placed on land areas to be dedicated to the City, such as streets, alleys, drainage and utility easements, and parkland or conservation areas shall be environmentally tested and evaluated according to the requirements of this section.

A. Evaluation Requirements.

1. All environmental evaluations, studies, inspections, and tests shall be conducted at the expense of the applicant.

2. The applicant shall reimburse the City, when billed, for the services of the City Environmental Engineer, if the City Environmental Engineer has been utilized.

3. At the applicant's expense, the applicant's surveyor shall place and maintain either permanent or temporary staking sufficient to identify the location of all proposed dedications for the purposes of environmental evaluation.

City Code, Chapter 8: Subdivision Regulations

4. The environmental testing and evaluation required by this shall be conducted in such detail as is required by the City Council, in its sole and absolute discretion, to provide necessary protections from environmental liability arising under all federal, state, and local laws, regulations, rules, or ordinances.

5. The Environmental Engineer who conducts the environmental evaluation shall submit an original signed report or opinion letter, addressed to the applicant and the City Council, containing data, findings and conclusions in a form which complies with the requirements of the City Council.

6. Samples of fill material to be placed in the dedications shall be laboratory tested according to the standards established by the Minnesota Pollution Control Agency.

7. All environmental evaluations, studies, inspections, and tests shall be conducted with the purpose of disclosing the presence of, the release of, or the threatened release of "Hazardous Substances" as defined in Section 8-201(A).

B. During Preliminary Plat Proceedings.

1. If the applicant is confident that the proposed preliminary plat complies with the design requirements of the City Code, then the applicant is advised to arrange environmental evaluation of the dedications with the Environmental Engineer at the earliest possible date. If the applicant is not confident that the proposed preliminary plat complies with the design requirements of the City Code, then the applicant is advised to wait until the plat design is approved before proceeding with environmental testing of the dedications. In any case, the applicant is advised to refrain from placing fill in the dedications prior to environmental testing to not increase the difficulty and the costs of the testing.

2. Notwithstanding any of the time periods stated elsewhere in the City Code or in Minnesota Statutes, the preliminary plat shall not receive approval by the Planning Commission until complete reports of environmental testing of the dedications have been submitted to the City in a form satisfactory to the City Engineer and the City Attorney. If satisfactory environmental reports have not been received and approved by the City within 180 days after the Zoning Administrator's receipt of a completed application [§8-500(2) above], then the Planning Commission shall advise the City Council to deny approval of the preliminary plat.

3. If satisfactory environmental reports are received and all platting requirements are met, the Planning Commission shall then recommend approval of the preliminary plat. If the environmental reports indicate that a hazardous or toxic material, as defined by state or federal law, has been released into the soil or groundwater, then the Planning Commission shall advise the City Council:

- a) to deny approval of the plat, or
- b) by written agreement with the applicant, to indefinitely suspend further City proceedings in consideration of the plat until on-site remediation and satisfactory reinspection can occur.

C. During Final Plat Proceedings. The environmental evaluations required during preliminary plat procedures (B., above) are presumed to be sufficient to disclose any pre-

City Code, Chapter 8: Subdivision Regulations

existing environmental problems. However, after the preliminary plat has been approved, new environmental problems may be disclosed through additional testing of the dedications or through testing of the fill material. In the event that such later testing indicates that a hazardous or toxic material, as defined by state or federal law, has been released or is likely to be released into the soil or groundwater, then the City Council shall either deny approval of the final plat or by written agreement with the applicant, indefinitely suspend further City proceedings in consideration of the plat until on-site remediation and satisfactory reinspection can occur.

[§ 8-503, amended by Ord. No. 89-16, effective July 19, 1991, Ord. No. 92-2, effective April 17, 1992, Ord. No. 93-8, effective October 7, 1994, and Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

ARTICLE VI
FINAL PLAT**SECTION 8-600. PROCEDURE FOR FINAL PLAT APPROVAL AND RECORDING.**

A. Unless an extension of time is requested by the applicant and granted by the City Council, the applicant shall submit the following information to the City clerk within one year following approval of the preliminary plat:

1. Ten copies and a reproducible copy of the proposed final plat. This final plat shall incorporate all changes required by the City Council. Otherwise, it shall conform to the preliminary plat. The final plat may constitute only that portion of the preliminary plat which the applicant proposes to record and develop at the time.

2. A certified abstract of title, title commitment, registered property abstract, or title opinion, current within thirty (30) days of the final plat approval, and such other evidence as the City Attorney may require, showing title or control in the applicant.

B. The Zoning Administrator shall refer one copy of the final plat to the City Engineer and Planner for final review. The applicant shall send one copy each to the telephone and power and other utility companies. The abstract of title or registered property report and one copy of the proposed final plat shall be referred to the City Attorney for his/her examination and report. The City Attorney's report shall be made in writing to the City Council within thirty (30) business days after receipt of the title evidence and the proposed final plat. No further meeting or hearing before the Planning Commission is necessary unless, after final review by the Zoning Administrator, City Engineer, City Planner or City Attorney, it appears that the proposed final plat does not conform to the preliminary plat or the conditions for approval established by the City Council.

C. If such nonconformity is found, the Zoning Administrator shall notify the applicant to appear at the next regularly scheduled City Council meeting. The City Council shall either:

A. direct the applicant to correct the proposed final plat, or

B. direct the applicant to appear at the next regularly scheduled Planning Commission meeting for consideration of the applicant's changes to the plat. If the changes in the design appear to be founded on facts which were not part of the Planning Commission's Findings of Fact, then the applicant shall pay the fees for a

City Code, Chapter 8: Subdivision Regulations

second public hearing. The procedures for the second public hearing and the reporting procedures following the hearing shall be the same as the first hearing, and all time periods in this chapter shall be extended to accommodate this procedure.

D. If the final plat is approved by the City Council, the applicant shall record it with the Anoka County Recorder or Registrar of Titles within 180 days after the date of approval or the approval of the final plat shall be void.

E. The applicant shall furnish the City Clerk with four paper prints and one transparency (“mylar”) print of the final plat showing evidence of the recording, immediately upon recording.

[§8-600, amended by Ord. No. 89-3, effective April 21, 1989, Ord. No. 92-2, effective April 17, 1992, and Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

[For further information regarding Administrative Costs, see Chapter 17, §17-401.]

SECTION 8-601. DATA REQUIRED ON FINAL PLAT.

A. General. The final plat shall be prepared by a land surveyor registered in the State of Minnesota and shall conform to all state and county requirements and the requirements of this Section and §8-501, paragraphs A, B.1, C.1, C.2, C.6, and C.9.

[§8-601 A., amended by Ord. No. 89-3, effective April 21, 1989.]

B. The following information shall be shown on the final plat:

1. Accurate angular and lineal dimensions for all lines, angles, and curvatures used to describe boundaries, streets, alleys, easements, areas to be reserved for public use and other important features. Dimensions of lot lines shall be shown in feet and hundredths.

2. An identification system for all lots and blocks.

3. True angles and distances, to the nearest established official monuments (not less than two) which will be accurately described in the plat.

4. Municipal, city, county or section lines accurately tied to the lines of the subdivision by distances and angles.

5. Radii, internal angles, points and curvatures, tangent bearings, and lengths of all arcs.

6. Accurate location of all monuments.

7. Accurate outlines and legal description of any areas to be dedicated or reserved for public use, or for the exclusive use of property owners within the subdivision with the purposes indicated.

8. Certification by a registered surveyor in the form required by Minnesota law.

9. Execution by all owners of any interest in the land and any holders of a mortgage thereon of the certificate required by Minnesota law, and which certificate shall include a dedication of the utility easements and any other public areas in such form as shall be approved by the City Attorney.

10. Certifications showing that all taxes and special assessments currently due on the property to be subdivided have been paid in full.

11. Form of approval of City Council as follows: Approved by the City Council of the City of Columbus, Anoka County, Minnesota this ____ day of _____, _____.

City Code, Chapter 8: Subdivision Regulations

12. Form for approval by County authorities as required.
13. Form for approval by Planning Commission as required.
14. The location of the elevation benchmark established according to the preliminary plat requirements shall be clearly depicted on the final plat. The elevation benchmark shall be clearly identified as the benchmark. The plat shall include a legend notation as to the description of the location of the benchmark monument. The elevation of the benchmark shall be stated in feet mean sea level (N.G.V.D., 1929).
15. The final plat shall indicate the bearing and distance to the nearest monumented section corner or quarter corner. If the plat lies adjacent to a state or county highway right-of-way, the final plat drawing shall also depict the highway right-of-way plat monuments.
16. The final plat drawing shall be drawn at a scale of one inch equals 100 feet.

[§8-601, amended by addition of subparagraphs (n), (o), and (p) (now subparagraphs 14, 15, and 16), by Ord. No. 88-1, effective March 4, 1988, amended by Ord. No. 89-17, effective December 8, 1989 and by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007, amended by Ord. No. 09-03, effective March 5, 2009.]

ARTICLE VII

MINIMUM DESIGN STANDARDS

SECTION 8-700. STREET PLAN. The arrangement character, extent, width, grade, and location of all streets shall conform to these regulations, and shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic, to topographic conditions, to run-off of storm water, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

- A. **Continuation of Existing Streets.** the arrangement of streets in new subdivisions shall make provision for the appropriate continuation of the existing streets in adjoining areas.
- B. **Future Projection of Streets.** where adjoining areas are not subdivided, the arrangement of streets in a new subdivision shall make provision for the proper projection of streets into adjoining areas by carrying the new streets to the boundaries of the new subdivision at appropriate locations.
- C. **Temporary Turnaround.** if a street terminates at the boundary line of the plat that could at a later date be extended into and through adjacent properties, a temporary turn-around shall be constructed, and a temporary turn-around easement on a deed form shall accompany the final plats at the time of recording. Construction of the turn-around shall be the same as the streets in the subdivision, and shall be of sufficient radius to accommodate passage of snow plows and school buses.

SECTION 8-701. STREETS.

- A. **Access.** All streets or roads proposed to be used for fire apparatus access shall conform to the Minnesota Fire Code and Uniform Fire Code requirements; including providing an unobstructed width of not less than 20 feet. In addition to Uniform Fire Code

City Code, Chapter 8: Subdivision Regulations

standards, all streets shall be constructed and maintained with an unobstructed vertical clearance of not less than 16 feet for emergency vehicles. The vertical clearance requirement may be reduced or increased as provided in the Uniform Fire Code, Section 902.2.2.1 (1997). [§ 8-701 amended by Ord. No. 86-1, effective January 31, 1986, and Ord. No. 00-03, effective July 6, 2000.]

B. Dead-End Streets. All dead end streets shall have a turnaround required at the end of the street. All dead-end streets exceeding 150 feet in length, including cul-de-sacs and hammerheads, shall be built with adequate space for the turnaround of emergency vehicles. Adequate turnaround space shall consist of the space required to turn the largest emergency vehicle serving the City.

C. Marginal Access Streets. Where a subdivision abuts or contains an existing or planned major arterial or a railroad right-of-way, the City Council may require a street approximately parallel to and on each side of such right-of-way for adequate protection of residential property and to afford separation of through and local traffic. Such marginal access streets shall be located at a distance from the major arterial or railroad right-of-way suitable for the appropriate use of the intervening land, as 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 separation.

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

E. Adjoining Property. The street arrangement shall be designed to allow for the logical extension of streets and access on adjoining property when future subdivision occurs.

F. Reserve Strips. Reserve strips controlling access to streets shall be prohibited except under conditions approved by the City Council.

G. Private Streets. Private streets shall not be approved except as permitted in Chapter 7A of the City Code and only after all owners of benefited properties of the private street enter into an agreement with the City, including but not limited to the following minimum provisions:

1. Granting approval of a right-of-way easement over the street to the public or to benefited property owners, as determined by the City Attorney.
2. Granting approval of public utility and/or trail easements over the street as determined by the City Engineer.
3. Recording the agreement on the title of the benefited properties.
4. Agreement to obtain a permit from the City for construction of private improvements according to City standards.
5. Agreement providing for the costs of construction and maintenance of the private street by the benefited property owners.

[§ 8-701, amended by Ord. No. 86-1, effective January 31, 1986, Ord. No. 00-03, effective July 6, 2000, and Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007, amended by Ord. No. 08-02, effective March 6, 2008.]

City Code, Chapter 8: Subdivision Regulations

SECTION 8-702. ALLEYS.

A. **Locational Requirements.** Either a public or private alley shall be provided in a block where commercially zoned property abuts a major arterial or a major street. Alleys in residential area other than those zoned for multiple family use shall not be permitted.

B. **Widths.** All alley right-of-way and roadway widths shall conform to the following minimum standards:

<u>Classification</u>	<u>Right-of-Way</u>	<u>Roadway</u>
Industrial	24 feet	20 feet
Commercial	24 feet	20 feet
Multiple Family Residential (two-way)	20 feet	16 feet
Multiple Family Residential (one-way)	16 feet	12 feet

C. **Grades.** All center line gradients shall be at least 0.5 percent and shall not exceed seven percent for residential and five percent for commercial or industrial.

[§ 8-702, amended by Ord. No. 01-08, effective January 17, 2002.]

SECTION 8-703. INTERSECTIONS.

A. **Angle of Intersection.** The angle formed by the intersecting of streets shall not be less than 60 degrees with 90 degrees intersection preferred.

B. **Size of Intersection.** Intersections of more than four corners shall be prohibited.

C. **Corner Radii.** Roadways of street intersections shall be rounded by a radius of not less than 25 feet. Roadways of alley-street intersections shall be rounded by a radius of not less than 10 feet. Corners at the entrances to the turnaround portions of cul-de-sacs shall be rounded by a radius of not less than 15 feet.

[§ 8-703, amended by Ord. No. 01-08, effective January 17, 2002.]

SECTION 8-704. CURB AND GUTTER. Where the curb and gutter is included as a part of the street surface improvement, curb and gutter shall be designed for installation along both sides of roadways in accordance with the standards of the City as adopted by the City Council.

[§ 8-704, amended by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 8-705. SIDEWALKS.

A. **Location** - Sidewalks, where constructed, shall be located a minimum of one foot from the adjacent property line and shall not be located adjacent to any curb.

B. **Widths** - All sidewalk widths shall conform to the following minimum standards:

City Code, Chapter 8: Subdivision Regulations

<u>Classification</u>	<u>Width</u>
Single family zone	4 feet
Multiple family zone	6 feet
Public building sites	6 feet
Commercial zone	10 feet
Industrial zone	6 feet

C. **Grades** - Sidewalks shall slope a minimum of 1/4 inch per foot away from the property line and the profile grade shall not exceed eight percent.

[§ 8-705, amended by Ord. No. 01-08, effective January 17, 2002.]

SECTION 8-706. PEDESTRIAN WAYS. In blocks over 900 feet long, pedestrian crosswalks through the blocks, of at least ten feet wide, may be required by the City Council in locations deemed necessary to public health, convenience and necessity.

[§ 8-706, amended by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 8-707. WATER SUPPLY. In all cases where public water supplies are available, extensions of the public water supply system shall be required and designed to provide public water service to each lot.

SECTION 8-708. SANITARY SEWER. In all cases where trunk line sanitary sewer facilities are available, the applicant shall install sanitary sewers that connect to the trunk line sewers.

[§ 8-708, amended by Ord. No. 01-08, effective January 17, 2002.]

SECTION 8-709. DRAINAGE. A complete and adequate drainage system for the subdivision shall be designed, and shall include a storm sewer system or a system of open ditches, culverts, pipes, and catch basins, or both systems. Such system or systems shall be approved by the City Engineer and designed in conformity with standards adopted by the City Council.

[§ 8-709, amended by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 8-710. EASEMENTS.

A. **Provided for Utilities.** Easements at least 20 feet wide, centered on rear and other lot lines, shall be provided for utilities where necessary and shall be dedicated to the public by appropriate language in the owner's certificate. They shall have continuity of alignment from block to block, and at deflection points easements for pole-line anchors shall be provided where necessary. Easements shall be provided along property lines from utility easements on rear lot lines to right-of-way to provide for a street light interval not to exceed 500 feet. The location of all easements shall be subject to the approval of the City Engineer.

B. **Provided for Drainage.** Easements shall be provided along each side of the center line of any water course or drainage channel to a width determined by the City Engineer to be sufficient to provide proper maintenance and protection, and to provide for storm water runoff and installation and maintenance of storm sewers. The easements shall be dedicated to the public by appropriate language in the owner's certificate.

[§ 8-710, amended by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

City Code, Chapter 8: Subdivision Regulations

SECTION 8-711. STREET NAMES. Names of new streets shall not duplicate existing or platted street names in Anoka County unless a new street is a continuation of or in alignment with an existing or platted street, in which event it shall bear the name of the existing or platted street so in alignment.

[§ 8-711, amended by Ord. No. 01-08, effective January 17, 2002.]

SECTION 8-712. BLOCKS.

A. **Factors Governing Dimensions.** Block length and width or acreage within bounding streets shall be designed to accommodate the size of lots required in the area according to these regulations or Chapter 7A- Zoning Ordinance and to provide for convenient access, circulation control, and safety of street traffic.

B. **Length.** Block lengths shall not exceed 1,800 feet and shall be not less than 450 feet in length.

D. **Arrangement.** A block shall be designed to provide two tiers of lots, unless it adjoins a railroad or major arterial and unless topographic conditions necessitate a single tier of lots.

[§ 8-712, amended by Ord. No. 01-08, effective January 17, 2002.]

SECTION 8-713. LOTS.

A. **Location.** All lots shall abut a publicly dedicated street or a street that has received legal status as such, by their full frontage.

B. **Size and Dimensions.** All lot sizes and dimensions shall comply with the provisions of the zoning district in which they are located as established in Chapter 7A Zoning Ordinance. Lot sizes may be reduced in proportion to the area within the subdivision dedicated to right-of-way for streets, provided the overall lot density within the subdivision is not increased and the minimum lot size, after deducting the area allocated to the street right-of-way, is not less than four and one-half (4 1/2) acres.

C. **Butt Lots.** Butt lots shall be platted at least five feet wider than the average width of interior lots in the block.

D. **Side Lot Lines.** Side lines of lots shall be substantially at right angles to straight street lines and radial to curved street lines and cul-de-sacs.

E. **Cul-de-sac.** The front dimension of any lot fronting on a cul-de-sac may be less than the required minimum, but in no case less than 60 feet, if, at the building set-back line, there is a width equal to the required minimum frontage and the lot has the required number of square feet.

F. **Water Courses.** Lots abutting upon a water course, drainage way, channel or stream shall have an additional depth or width, as required, to assure house sites that are not subject to flooding, inadequate drainage, or ground water which interferes with water supply or sanitary sewer.

G. **Natural Features.** In the subdividing of any land, due regard shall be shown for all natural features, such as tree growth, water courses, marshes, historic spots or similar conditions, which if preserved will add attractiveness and stability to the proposed development.

City Code, Chapter 8: Subdivision Regulations

H. **Remnants.** All remnants of lots below minimum size, left over after subdividing of a larger tract, must be added to adjacent lots.

[§ 8-714, amended by Ord. No. 83-3, effective July 1, 1983, Ord. No. 89-15, effective December 29, 1989, Ord. No. 91-2, effective June 12, 1992, Ord. No. 01-01, effective May 17, 2001, and by Ord. No. 01-08, effective January 17, 2002.]

SECTION 8-714. DEDICATIONS OF PUBLIC LANDS. Dedication or Cash Payment. The following provisions have been established and are applicable to all subdivisions to conserve and preserve areas of natural beauty such as marshes, wetlands, woods, streams and ponds, and to establish public parks, public trails, playgrounds, and open spaces within appropriate areas of the City:

A. An area equal to not more than 10% of all subdivisions located within SR zoning districts, 5% of all subdivisions located within RR zoning districts and 2.5% of subdivisions located within CR, HR, CS, LI, and C/I zoning districts shall be dedicated for public uses including parks, trails, playgrounds, woodlands, and open spaces in locations to be determined by the City Council. Dedicated lands shall be suitable for public use as determined by the City Council. The City may accept cash in lieu of land dedication. The City shall not be required to accept land that is not suitable for the desired public use or would require extensive public investment to accommodate such public use. Nothing shall prevent the City from accepting more than the minimum percentage of dedicated land prescribed in this Section. Any land to be publicly dedicated shall be designated as an "Outlot" on the subdivision plat and ultimately conveyed to the City by warranty deed. The costs of such conveyance and title review shall be that of the subdivider. The boundaries of all lands so dedicated shall be properly marked by monuments as required by this Chapter and the City Engineer.

B. The City shall have the option to require a cash contribution in lieu of dedication pursuant to the preceding paragraph or to require a portion of the land and a cash contribution in lieu of the balance thereof. Any such cash contribution shall be allocated on a per lot basis, based upon the estimated market value of the same or similar lands as determined annually by the City Council in consultation with the Anoka County Assessor. Such cash payment must be received by the City Clerk prior to final approval of the subdivision.

[§ 8-714, amended by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007, amended by Ord. No. 08-02, effective March 6, 2008.]

ARTICLE VIII
REQUIRED IMPROVEMENTS

SECTION 8-800. DESCRIPTION OF REQUIRED IMPROVEMENTS. Prior to the approval of a final plat by the City Council, the applicant shall have agreed to install the following improvements on the site in conformity with the construction plans approved by the City Engineer and with all applicable standards and ordinances of the City.

- A. **Monuments.** Monuments of a permanent character, approved by the County surveyor, shall be placed in locations on the boundary of the subdivision and within it as required.
- B. **Street and Alley Improvements.**
1. All streets, roadways and alleys within subdivisions shall be constructed with a base and sub-base that complies with the State of Minnesota Design Manual standards for a minimum 5 ton axle load design (less than 400 Average Daily Traffic).
 2. All street, roadway and alley constructions shall comply with the City Roadway Specifications and Construction and Inspection Requirements as amended from time to time by the City Council and available at the City Hall.
 3. All streets, roadways and alleys within subdivisions shall be paved except that the City Council may permit a gravel surface if it finds that:
 - a) The proposed new road will meet an existing gravel road;
 - b) The length of the proposed new road is too short to be desirable for city maintenance purposes;
 - c) The length of the proposed new road is too short to be economically justified; or
 - d) The proposed new road will provide public access to only one historically landlocked parcel and the proposed new road will terminate at the landlocked parcel.

If the City Council elects, in its sole discretion, to defer some portion of any required improvement, then the subdivider or owner of property subdivided shall deposit funds sufficient to complete the improvement as part of a future public improvement project based upon the estimate of the City Engineer. The deposit will be held in an interest bearing account for the benefit of the owners of the property subdivided. At such time as the improvement is ordered, the deposit, together with any interest on the deposit, will be credited against any special assessments levied to fund the public improvement project. *amended by Ord. No. 86-1, effective January 31, 1986, and Ord. No. 01-08, effective January 17, 2002, and Ord No. 04-05, effective June 24, 2004.]*

C. **Street Name Signs.** Street name signs shall conform to current city, county or State of Minnesota highway standards, and shall be placed at all street intersections within or abutting the subdivision.

D. **Stop Signs.** Stop signs shall conform to current State of Minnesota highway standards and shall be placed on all streets intersecting an arterial or collector street.

City Code, Chapter 8: Subdivision Regulations

E. **Public Water Supply.** Where connection with public water systems is available, the public water shall be used. Water mains shall be provided to serve the subdivision. Service connections stubbed in to the property line and all necessary fire hydrants shall also be provided. Construction of the system shall be in accordance with the provisions of Chapter 14 of this Code.

[§ 8-800 E., formerly § 8-900-5, amended June 11, 1982, by Ord. No. 82-2 effective June 11, 1982.]

F. **Sewage Disposal.** Where public sanitary sewer facilities are available, sanitary sewer mains and service connections stubbed in to the property line shall be provided to serve all the lots in the subdivision and shall be connected to the trunk line sewers. Construction of the system shall be in accordance with the provisions of Chapter 14 of this Code. Where public sanitary sewer is not available, ground water tests and percolation tests shall be provided for each lot. Private individual sewage treatment systems shall be constructed in accordance with the provisions of Chapter 14 of this Code for lots where tests have indicated that individual sewage treatment systems can function effectively.

[§ 8-800 F., formerly §8-900-6, amended June 11, 1982, by Ord. No. 82-2, effective June 11, 1982.]

G. **Drainage Facilities.** Storm sewers, drainage facilities, and easements shall be installed as required by the City Engineer to provide for the immediate drainage of surface water.

H. **Shoreline.** Where a subdivision includes any portion of the shoreline of a lake or stream, 10% of such portion of shoreline shall be dedicated for public use together with sufficient right-of-way to allow access from a public street.

I. **Connecting roads, connecting public water supplies, and connecting public sewage and utility systems.** Where a new subdivision is designed so that public health, safety, and welfare require connection of proposed new roads, new water supplies and new sewage and utility systems to the stub or dead end systems existing on adjacent lands, the applicant shall be required to obtain easement rights for the benefit of the public over the adjacent lands. The applicant shall also be required to pay for the installation of the connections from existing roads and other public services. In lieu of the applicant's acquisition of these easements, the applicant shall agree to reimburse the City for the City's exercise of eminent domain in acquiring the easement(s) necessary to facilitate the applicant's new plat.

[§8-800 amended by Ord. No. 88-1, effective March 4, 1988 and Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

SECTIONS 8-801 to 8-803. (Intentionally left blank).

SECTION 8-804. CONSTRUCTION PLANS. Construction plans for the required improvements shall be prepared at the applicant's expense, conform to general engineering standards and the ordinances of the City, and be at a scale of no smaller than 1 inch = 50 feet. The plans shall be prepared by a professional engineer who is licensed in the State of Minnesota and shall contain his/her seal. The plans together with the quantities of construction items shall be submitted to the City Engineer for approval and estimate of the total cost of the required improvements. A reproducible mylar (22 inches by 34 inches) of the construction plans approved by the City Engineer and two paper prints shall be furnished to the City Clerk before construction begins. Upon

City Code, Chapter 8: Subdivision Regulations

completion of the project, as-built drawings of all improvements meeting City standards shall be submitted within 120 days to the City and shall show the date of construction.

[§ 8-804, added by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 8-805. INSPECTION. All required improvements on the site that are to be installed under the provisions of this Ordinance shall be inspected during the course of construction by the City Engineer at the applicant's expense and acceptance shall be subject to the Engineer's certificate of compliance with the contract.

[§ 8-805, added by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 8-806. PAYMENT FOR INSTALLATION OF IMPROVEMENTS. The required improvements shall be furnished and installed at the sole expense of the applicant. However, in cases where the City Council would by general policy only assess a part of the improvement cost to the improved property with the remaining cost paid out of general tax levy, the City Council may make provision for payment of a portion of the cost by the applicant and the remaining portion of the cost by the City; and provide further, that if any improvement installed within the subdivision will be of substantial benefit to lands beyond the boundaries of the subdivision, the City Council may make provision for causing a portion of the cost of the improvement, representing the benefit of such lands, to be assessed against the same and in such case the applicant will be required only to pay for such portion of the whole cost of said improvement as will represent the benefit to the property within the subdivision.

[§ 8-806, amended by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 8-807. DEVELOPMENT CONTRACT REQUIRED. A development contract is required if the applicant will be performing work on behalf of the City. The development contract shall contain statutory guarantees and other guarantees as required by the City Council. The development contract shall be in form approved by the City Attorney. The development contract shall be executed by the applicant, by the owners, by the encumbrances, and by any other party having a record interest in the lands to be subdivided.

A. **General Provisions.** The approval of the final plat shall be conditioned upon applicant entering into a written development contract with the City requiring the applicant to furnish and construct the required improvements at her/his sole cost and in accordance with plans and specifications and other contract conditions approved by the City Council. The applicant shall enter into a development contract prior to constructing any such improvements, which includes the following provisions:

1. **Authority of City Engineer.** The contract shall include provisions for supervision of construction details by the City Engineer and shall grant authority to the City Engineer to coordinate the work to be done under the contract by any subcontractors authorized to proceed thereunder and with any other work being done or contracted by the City in the vicinity of the subdivision.

2. **Performance Deposit.** The agreement shall require the applicant to make a cash deposit or deliver an irrevocable bank letter of credit as security for applicant's performance under the agreement. In the agreement, applicant shall guarantee performance of the development contract and shall guarantee payment to all persons

City Code, Chapter 8: Subdivision Regulations

who supply labor or materials to the work contemplated by the contract. These guarantees shall be separately secured and funded or bonded. The amount of the contract for the purposes of the financial guarantees shall be 125% of the City Engineer's estimate of the total cost of the improvements to be furnished under the contract, including the cost of inspection by the City Engineer, and expenses or damages incurred by the City incurred by the City for completion of the work in case of default of the applicant. The guarantee for the payment of all persons who may supply labor and material to the development shall be 100% of the contract amount, as estimated by the City Engineer.

3. **Completion.** On request of the applicant, the contract may provide provisions for completion of part or all of the improvements prior to acceptance of the plat by the City Council. This provision shall allow for a reduction in the amount of guarantees to a sum equal to the estimated cost of the improvements completed prior to acceptance of the plat. This provision shall require the amount of the guarantees to be equal to the estimated cost of the improvements to be completed after the acceptance of the plat by the City Council and an amount sufficient to guarantee completion of the contract. The time for completion of the work and the several parts shall be determined by the City Council upon recommendation of the City Engineer, after consultation with the applicant. The time for completion shall be reasonable in relation to the work to be done, the seasons of the year, and proper coordination with constructive activities in the subdivision.

4. **Inspections.** The development contract shall include a provision requiring all improvements to be inspected by the City Engineer during construction at the expense of the applicant. The City Engineer shall provide a completion report to the City Council and the City Council shall either note its preliminary acceptance or rejection of the improvements. The performance guarantee may be reduced by the City Council after preliminary acceptance to an amount determined by the City Engineer to be sufficient to repair any required improvements which fail after the first winter and spring thaw following the completion report and which will guarantee completion of any unperformed obligations.

5. **Wetland Banking.** The development contract shall require that all deeds and other instruments conveying interests in all or a portion of the property included within the subdivision (including the conveyance of each individual lot) shall include such conditions and covenants as the City Council deems necessary to put the grantees of such interests on notice of material restrictions or encumbrances against the property (e.g. wetland restrictions, ditch maintenance, drainage easements, etc.).

B. **Hazardous Waste Indemnity.** The development contract for a plat shall include the landowner's and applicant's indemnification of the City for hazardous waste liability occurring on the lands described in the plat. The indemnification shall be substantially in the form of the Hazardous Waste Indemnity Agreement included within the contract forms shown in appendix D1 to this Chapter 8 of the City Code, incorporated by reference. The development contract shall be accompanied by an Owner's Affidavit (and by an Applicant's Affidavit if the Applicant is not the same as the Owner) substantially in the form shown at

City Code, Chapter 8: Subdivision Regulations

appendix D2 to this Chapter 8 of the City Code, incorporated by reference. The form of the Hazardous Waste Indemnity Agreement may be modified by resolution of the City Council.

C. **Other Required Plans or Work.** The development contract and the financial guarantees shall also serve to guarantee compliance with approved plans and construction of required elements such as a Wetlands Mitigation or Replacement Plan or Stormwater Management Plan or a similar environmental plan which may be required by this City Code or by the regulations of any other government agency having jurisdiction over the land affected by the development.

[§ 8-807, formerly §8-902, amended by Ord. No. 89-3, effective April 21, 1989, Ord. No. 89-11, effective November 3, 1989, Ord. No. 89-16, effective July 19, 1991, Ord. No. 94-4, effective March 17, 1995, and Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 8-808. IMPROVEMENTS COMPLETED PRIOR TO APPROVAL OF FINAL PLAT. Approval of the final plat shall be conditioned upon applicant entering into a development contract for construction of improvements. Improvements within a subdivision which have been completed prior to application for approval of the final plat or execution of the contract for installation of the required improvements shall be accepted as equivalent improvements in compliance with the requirements of these regulations only if the City Engineer shall certify that the existing improvements conform to applicable City Standards. The City Engineer shall certify the improvements only if he/she has been able to inspect the construction of the improvements at all relevant stages and only if the improvements have been constructed to City specifications.

[§ 8-808, amended by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 8-809. REIMBURSEMENT TO CITY FOR FEES INCURRED. The applicant shall reimburse the City for all engineering consulting fees, planning consulting fees, wetlands evaluation fees, fees charged for evaluation of stormwater management plans, environmental engineer fees, inspection fees and fees for legal services reasonably incurred by the City in processing a subdivision application under the terms of these regulations. The development contract shall guarantee payment of these charges.

[§ 8-809, formerly § 8-907, amended by Ord. No. 92-9, effective December 25, 1992, Ord. No. 94-4, effective March 17, 1995, and Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

ARTICLE IX MINOR SUBDIVISIONS

SECTION 8-900. RESERVED.

[§ 8-900, formerly § 8-1000, amended by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007, and deleted and marked Reserved by Ord. No. 08-02, effective March 6, 2008.]

SECTION 8-901. LIMITATION ON CERTIFICATION AND RECORDING OF “ANCIENT” MINOR SUBDIVISIONS. By Resolution 82-8, dated September 8, 1982, filed with the Anoka County Auditor and recorded with the Anoka County Recorder on September 24, 1982, as Document No. 598119, the City Council adopted state laws which give the City Council effective control over the recording of documents which cause the subdividing of land. Prior to September 24, 1982, the City of Columbus had ordinances which regulated the subdividing of land, but the City

City Code, Chapter 8: Subdivision Regulations

lacked effective enforcement and monitoring laws. Since September 24, 1982, the City Council has been presented a number of cases in which landowners have alleged that a minor subdivision approval was granted to them prior to September 24, 1982, but that no deed or other document was recorded to consummate the minor subdivision. Each of these cases involving “ancient” minor subdivisions has been difficult and costly for the City to administer because of the quality of records and the changes made to the City’s Subdivision Regulations (now Chapter 8 of the City Code).

From the effective date of the ordinance incorporating this §8-901 into the City Code, landowners who allege an “ancient” approval (i.e., before September 24, 1982) shall have until 5:00 p.m., Friday, September 23, 1988, to obtain the City Clerk’s “Approved Subdivision” stamp (or similar City Clerk certification) upon the instrument(s) of conveyance for a minor subdivision. A party alleging an “ancient” approval of a minor subdivision must prove to the City Council by a preponderance of the evidence that the minor subdivision was granted by a past City Council. City Council minutes indicating approval are the best evidence. Other forms of evidence may be considered by the City Council.

[§ 8-901, amended by Ord. No. 86-5, effective October 31, 1986, and Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

ARTICLE X. LOT RECONFIGURATIONS.

SECTION 8-1001. Intent. The lot reconfiguration process is an administrative procedure to adjust a common lot line affecting existing parcels. The city retains discretion to require that any lot line reconfiguration occur through the subdivision platting requirements of this chapter.

SECTION 8-1002. Criteria for Lot Reconfiguration. The lot reconfiguration procedure is subject to the following requirements and criteria:

- A. Lots must be existing lots of record;
- B. Lots resulting from this procedure must be consistent with all applicable zoning requirements, except a lot that is nonconforming prior to the lot reconfiguration will have its nonconforming characteristics reduced or eliminated through the reconfiguration;
- C. The lot reconfiguration will not create a new lot, but will change the shape, configuration, and legal description of the affected lots;
- D. The proposed lot reconfiguration must be between two (2) or three (3) contiguous lots;
- E. The proposed lot reconfiguration will not result in the movement of a lot line more than fifty (50) feet;
- F. If roadway, drainage and utility easements have not been previously dedicated to the public, the landowners will grant an easement for such purposes.

SECTION 8-1003. Procedure. The following requirements will govern the lot reconfiguration process:

- A. Requests for reconfiguration will be signed by the applicant and filed with the Zoning Administrator. Additionally, if the applicant is not the fee owner of the property, the fee owner’s signature(s) will also be provided on the application, or the applicant will provide

City Code, Chapter 8: Subdivision Regulations

separate written and signed authorization for the application from the fee owner(s). Such application will be accompanied by: (1) a fee as set forth by the City's adopted fee schedule; and (2) detailed written and graphic materials fully explaining the request. The application will be considered as being officially submitted and complete when the applicant has provided the required materials as specified in this Article.

B. The Zoning Administrator will review the application and required information to determine conformance with the Comprehensive Plan, Zoning Code and all other provisions of the City Code. The Zoning Administrator will make a final determination to approve or deny the application. In reviewing the application, the Zoning Administrator may request comments from its consultants and may refer the matter to the Planning Commission, if necessary.

C. Approval or denial of a lot reconfiguration application under this Article may be appealed to the City Council. If an appeal of the Zoning Administrator is filed, a public hearing will be scheduled before the City Council following publication of notice.

D. After the City approves the lot reconfiguration, each of the reconfigured lots must be approved by the Anoka County auditor for a single property tax identification number.

SECTION 8-1004. Required Materials. The following information will be submitted with the application for lot reconfiguration. The applicant will submit a minimum of 3 large scale copies and 2 reduced scale (11" x 17") copies of all graphics, which include the following:

- A. A certificate of survey prepared by a registered land surveyor which includes:
 1. Graphical scale not more than 1 inch equals 100 feet.
 2. North point indication.
 3. Original and proposed lot boundaries.
 4. Existing and resulting parcel legal descriptions.
 5. The location of existing structures on the site(s).
 6. Existing and proposed driveway locations.
 7. Existing and proposed easement locations.
 8. Delineated wetlands and water bodies including ordinary high water elevations and floodplain boundaries as applicable.
 9. Individual sewage treatment systems and well locations.
- B. A title commitment showing ownership of the property and any existing deed restrictions.
- C. Any additional information deemed necessary and required by the zoning Administrator. The Zoning Administrator may waive for good cause certain information requirements not pertinent to the particular lot reconfiguration request.

[ARTICLE X – Lot Reconfigurations deleted and labeled Reserved by Ord. No. 08-02, effective March 6, 2008, amended by Ord. No. 15-09, effective January 14, 2016.]

**ARTICLE XI.
MODIFICATIONS, EXCEPTIONS AND VARIANCES**

City Code, Chapter 8: Subdivision Regulations

SECTION 8-1100. STANDARDS FOR VARIANCES. The Planning Commission may recommend, and the City Council may grant variances from the substantive requirements of these regulations but not the procedural provisions. Variances to these regulations shall be requested by the applicant of a subdivision in writing at the time of the application for preliminary plat approval and the grounds for the requested variances shall be stated by the applicant. A variance may be granted only if the City Council finds that the following factors apply to the request:

- A. There are special circumstances or conditions affecting the property that are not common to other properties in the area.
- B. That the variance is necessary for the preservation and enjoyment of substantial property rights enjoyed by other properties of the same vicinity, and that extraordinary hardship would result from strict compliance with these regulations because of circumstances or conditions affecting the property.
- C. That the special conditions and circumstances causing the need for the variance have not been created by any persons presently or formerly having an interest in the land.
- D. The granting of the variance will not be detrimental to the public health, safety or public welfare nor injurious to other land or improvements in the vicinity where the property is located.

[§ 8-1100, added by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 8-1101. CONDITIONS AND RESTRICTIONS. The Planning Commission may recommend, and the City Council may impose, such conditions and restrictions in the granting of variances which will insure compliance with the provisions of these regulations, will further and protect the spirit and intent of these regulations, and will provide protection to the public.

[§ 8-1101, added by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 8-1102. APPROVAL. Any variance that is granted by the City Council shall be passed in a resolution that sets forth the reasons which justify the variance and entered on the Minutes of the City Council meeting.

[§ 8-1102, added by Ord. No. 01-08, effective January 17, 2002, amended by Ord. No. 07-02, effective March 1, 2007.]



History of ordinances affecting the text of Chapter 8 (since codification on August 26, 1981):

Ord. No. 82-2, effective June 11, 1982.

Ord. No. 83-3, effective July 1, 1983.

Ord. No. 83-5, effective November 23, 1983.

Ord. No. 86-1, effective January 31, 1986.

Ord. No. 86-3, effective February 21, 1986.

Ord. No. 86-5, effective October 31, 1986.

City Code, Chapter 8: Subdivision Regulations

Ord. No. 87-1, effective May 1, 1987.
Ord. No. 87-6, effective November 6, 1987.
Ord. No. 88-1, effective March 4, 1988.
Ord. No. 88-15, effective December 29, 1989.
Ord. No. 89-3, effective April 21, 1989.
Ord. No. 89-11, effective November 3, 1989.
Ord. No. 89-15, effective December 29, 1989.
Ord. No. 89-16, effective July 19, 1991.
Ord. No. 89-17, effective December 8, 1989.
Ord. No. 92-2, effective April 17, 1992.
Ord. No. 91-2, effective June 12, 1992.
Ord. No. 92-9, effective December 25, 1992.
Ord. No. 93-8, effective October 7, 1994.
Ord. No. 94-4, effective March 17, 1995.
Ord. No. 95-2, effective January 12, 1996.
Ord. No. 94-5, effective January 12, 1996.
Ord. No. 93-1, effective February 2, 1996.
Ord. No. 98-11, effective December 31, 1998.
Ord. No. 00-03, effective July 6, 2000.
Ord. No. 01-01, effective May 17, 2001.
Ord. No. 01-08, effective January 17, 2002.
Ord. No. 04-05, effective June 24, 2004.
Ord. No. 07-02, effective March 1, 2007.
Ord. No. 08-02, effective March 6, 2008.
Ord. No. 09-03, effective March 5, 2009.
Ord. No. 13-01, effective January 31, 2013.
Ord. No. 15-09, effective January 14, 2016.

This Chapter has been updated through the date of the latest ordinance listed above.
