

## CHAPTER 155: Subdivision Regulations

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## **GENERAL PROVISIONS**

### **155.001 TITLE.**

These regulations shall be known and may be cited and referred to as the Subdivision/Platting Regulations of the City of Barnum, Minnesota , and may hereafter be referred to as these regulations.

### **155.002 ADMINISTRATION.**

These regulations shall be administered by the City Planning Commission as an advisory body to the City Council, who shall render all final decisions on subdivision/platting matters.

### **155.003 PURPOSE.**

Every new subdivision becomes a permanent unit in the basic physical layout of the community. In order to provide rational means for city expansion, and in order that new subdivisions will contribute toward an attractive, orderly and stable community, to provide for adequate city services and utilities, safe streets and the like, all subdivisions hereafter platted within the city shall fully comply with the regulations hereinafter set forth in this chapter.

### **155.004 JURISDICTION.**

(A) These regulations shall be applicable to all subdivisions of land within the city. The City Council and Planning Commission shall review all plats and subdivision proposals in accordance with policies set forth in the City Land Use (Policy) Plan.

(B) Except in the case of resubdivision, these regulations shall not apply to any other lots forming a part of a subdivision recorded in the County Recorder's office prior to the effective date of this chapter, nor is it intended by this chapter to repeal, annul or in any way impair or interfere with existing provisions of other laws or ordinance except those specifically repealed by, or in conflict with, this chapter, or with private restrictions placed upon a property by deed, covenant or other private agreement, or with restrictive covenants placed upon the land. Where this chapter places a greater restriction upon the land than is imposed or required by the existing provisions of the law, ordinance, contract or deed, the provisions of this chapter shall control.

### **155.005 PLANNED UNIT DEVELOPMENTS ENCOURAGED; RULES MAY BE MODIFIED.**

In subdivision proposals of a larger scale, the planned unit development (PUD) approach is greatly encouraged. These regulations may be modified by the degree necessary to accomplish the objectives and standards required for the planned unit development of residential, commercial or industrial subdivision, or a mixture thereof, in accordance with the intent of the city land use plan as interpreted by the Planning Commission and appropriate state agencies where applicable. Nothing within this section, however shall exempt the developer from the requirements of the subdivision/plat approval as specified in [155.020](#) through [155.036](#) below.

## **155.006 AMENDMENTS AND CONDITIONS**

(A) For the purpose of providing the public health, safety and general welfare, the City Council may from time to time amend the provisions imposed by these regulations. Public hearings on all proposed amendments shall be held by the Planning Commission in a manner prescribed by law.

(B) Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the state to this municipality. The developer has the duty of compliance with reasonable conditions laid down by the Planning Commission for design, dedication, improvement and restrictive use of the land so as to conform to a rational pattern for physical and economic development of the municipality, and to the safety and general welfare of future plot owners in the subdivision and of the community at large.

## **155.007 RESUBDIVISION OF LAND AND VACATION OF PLATS.**

(A) For any change in a map of an approved or recorded subdivision plat, if the change affects any street layout shown on the maps, or area reserved thereon for public use, or any lot line, or if it affects any map or plan legally reached prior to the adoption of any regulations controlling subdivision, the parcel shall be approved by the Planning Commission by the same procedures, rules and regulations as for a subdivision.

(B) Whenever a parcel of land is subdivided and the subdivision plat shows one or more lots containing more than one acre of land and there are indications that the lots will eventually be re-subdivided into small building sites, the Planning Commission may require that the parcel of land allow for the future opening of streets and the ultimate extension of adjacent streets. Easements providing for the future opening and extension of the streets may be made a requirement of the plat.

(C) Any plat or any part of any plat may be vacated by the owner of the premises, at any time before the sale of any lot therein, by a written instrument, to which a copy of the plat shall be attached, declaring the same to be vacated. Such an instrument shall be approved by the City Council in a like manner as plats of subdivisions. The City Council may reject any like instrument which abridges or destroys any public uses, improvements, streets or alleys.

(D) Such an instrument shall be executed, acknowledged or approved and recorded or filed, in like manner as plats of subdivisions; and being duly recorded or filed shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys and public grounds, and all dedications laid out or so prescribed in the plat.

## **155.008 OTHER GENERAL PROVISIONS.**

(A) Land to be subdivided shall be of such a character that it can be used safely for building purposes without danger from natural hazards such as flood, fire and the like, and land shall not be subdivided until public facilities and improvements have been tentatively planned for and reviewed by the City Engineer and Planning Commission.

(B) It is intended that the scope and authorities accruing from this chapter shall supplement and facilitate the enforcement of provisions and standards contained in the City Building Code, Zoning Ordinance, Land Use Plan, official map and capital budget and capital improvements program for the

city.

### **155.009 AMENDMENTS.**

Amendments may be made to this chapter by the City Council after recommendation of the Commission following the conduct of a public hearing with notice in the official newspaper of the City at least ten days in advance of the hearing.

### **PROCEDURE FOR SUBDIVISION APPROVAL**

#### **155.020 PRE-APPLICATION MEETING REQUIRED.**

The subdivider shall meet with the City Planning Commission prior to submitting a preliminary plat. The purpose of such a meeting would be to discuss early and informally the purpose and effect of these regulations and the criteria and standards established therein; and to familiarize the developer with the City Land Use Plan, the Zoning Ordinance, Engineering Considerations and other applicable governmental rules and regulations.

#### **155.021 PRE-APPLICATION SKETCH CONTENT.**

The subdivider shall be required to submit a sketch plan, legibly drawn at a suitable scale and containing the following information:

(A) The proposed subdivision in relation to existing community facilities, thoroughfares, other transportation modes, shopping facilities, manufacturing establishments, residential development and existing natural and human-made features such as soil types, vegetation, contours and utilities in the neighboring area;

(B) The envisioned layout and approximate acreage of streets, lots and any nonresidential sites such as commercial, manufacturing, school or recreational uses within the proposed subdivision;

(C) The location of utilities in the proposed subdivision, if available, or the locations of the nearest sources of water and public facilities for the disposal of sewage;

(D) The scale and title of the subdivision, a north arrow and the date; and

(E) Name, address and phone numbers of owner(s) & developer(s).

#### **155.022 PRELIMINARY PLAT REQUIRED.**

After the pre-application, the subdivider shall submit a preliminary plat of the proposed subdivision which shall conform to the requirements set forth in [155.023](#) through [155.031](#) inclusive. The preliminary plat shall be prepared by a registered engineer and/or surveyor in the state.















































