



ORDINANCE NO. 18

v1.1

AN ORDINANCE ESTABLISHING PLATTING AND SUBDIVISION REGULATIONS TO PROVIDE FOR ORDERLY, ECONOMIC AND SAFE DEVELOPMENT OF LAND AND TO PROMOTE THE PUBLIC HEALTH, SAFETY, MORALS AND GENERAL WELFARE IN THE CITY OF PINE SPRINGS, WASHINGTON COUNTY, MINNESOTA.

The City Council of the City of Pine Springs, Washington County, Minnesota, Ordains:

SECTION 1. ADOPTION OF MODEL SUBDIVISION REGULATION CODE

There is hereby adopted by reference in its entirety, except as hereinafter modified, the Model Subdivision Regulation Code for Communities in Washington County (hereinafter called "Code") as adopted on April 27, 1971, by the Washington County Planning Advisory Commission, of which at least one copy is on file in the office of the City Clerk.

SECTION 2. DECLARATION OF PURPOSE

In addition to the purposes of the Code as set forth in Section 101 thereof, it is the overriding purpose of the City Council in adopting such Code to facilitate the development of the City in a manner consistent with its comprehensive development plan and to provide standards which are applicable for low density rural residential development and which, in the event any portion of the City should ever be required to be serviced by a central sewer system, would also be applicable for development involving higher residential densities and more diverse compatible land uses.

SECTION 3. DEFINITIONS

- A. Community. Whenever the word "community" is used in the Code, it shall mean the City of Pine Springs, Washington County, Minnesota.
- B. Governing Body. Whenever the words "governing body" are used in the Code, they shall mean the City Council of the City of Pine Springs, Washington County, Minnesota.
- C. Central Sewer System. Whenever the words "central sewer system" is used in this Ordinance, they shall mean a public central sanitary sewer system in the City including or connected to the metropolitan disposal system as provided in Minnesota Statutes, Chapter 473C.
- D. Pollution Control Ordinance. Whenever the words "Pollution Control Ordinance" are used in this Ordinance, they shall mean any ordinance or regulation adopted by the City Council to prevent the contamination of water.

SECTION 4. RURAL RESIDENTIAL DEVELOPMENT

Except for areas of the City which are required to be serviced by a central sewer system, no subdivision shall consist of lots, the average lot size of which is less than two and one-half (2-1/2) acres. No area shall be deemed required to be serviced by a central sewer system unless:

- (1) the City Council determines by a two-thirds (2/3) vote of its members that for reasons of health, such area should be served by a central sewer system, or for reasons outside of the control of the City Council, a central sewer system with capacity to serve such area is extended into the City or ordered in accordance with law to be extended into the City;
- (2) the City or owners of the land in such area will be held liable for all or a portion of the cost of such central sewer system; and

- (3) the City Council determines that it is not economically feasible for the City or property owners to incur such liability without allowing for a higher density and more varied land use.

SECTION 5. STAGED DEVELOPMENT

Notwithstanding any of the provisions in this Ordinance to the contrary, the City Council may decline approval of a subdivision or prohibit the issuance of any building permits for lots in a subdivision in any area which there is, or is anticipated will be within five (5) years, required to be serviced by a central sewer system until such time as an adequate central sewer system, public water main system, storm drainage system and highway system are available for the sub-divider to connect to under the provisions of this Ordinance.

SECTION 6. EXISTING ORDINANCES

The provisions of this Model Subdivision Regulation Code are in addition to and not in replacement of the provisions of the Zoning Ordinance and the Pollution Control Ordinance. Any provisions of the Zoning Ordinance relating to platting shall remain in full force and effect, except as they may be in conflict with the provisions of this Ordinance.

SECTION 7. ADDITIONAL MODIFICATIONS OF CODE

A. Delete Section 101 (2) and insert in lieu thereof:

"(2) Provide for the health and safety of residents by requiring properly designed streets and adequate on site or central sewer and water systems, as the case may be."

B. Delete Section 301.04 and insert in lieu thereof:

"301.04 Prior to consideration of the proposed plan by the community authorities, the sub-divider shall pay a fee as set forth below.

AREA NOT REQUIRING CENTRAL SEWER

- (1) For a minor subdivision resulting in three (3) or less lots, the fee shall be \$30.00.
- (2) For major subdivision where the entire property to be subdivided abuts an existing platted or dedicated public street and for which a concept plan may not be required under Section 614.17, the fee shall be as follows:

(a) 4 to 15 lots	\$60.00
(b) 15 to 30 lots	\$80.00
(c) over 30 lots	\$100.00
- (3) For a major subdivision which would require a new platted or dedicated street, but for which a concept plan may not be required under Section 614.17, the fee shall be \$100.00 plus \$2.00 for each lot in the subdivision.
- (4) For a major subdivision which would require a new platted or dedicated street and which may require a concept plan under Section 614.17, the fee shall be \$600.00 plus \$4.00 for each lot in the sub-division.

AREA REQUIRING CENTRAL SEWER

- (1) For a minor subdivision resulting in three (3) or less lots, the fee shall be \$60.00.
- (2) For major subdivision where the entire property to be subdivided abuts an existing platted or dedicated public street and for which a comprehensive plan may not be required under Section 614.18, the fee shall be as follows:

(a) 4 to 15 lots	\$120.00
(b) 15 to 30 lots	\$160.00
(c) over 30 lots	\$200.00

- (3) For a major subdivision which would require a new platted or dedicated street, but for which a comprehensive plan may not be required under Section 614.18, the fee shall be \$200.00 plus \$4.00 for each lot in the subdivision.
- (4) For a major subdivision which would require a new platted or dedicated street and which may require a comprehensive plan under Section 614.18, the fee shall be \$900.00 plus \$6.00 for each lot in the subdivision.

This fee will be used to cover public expenses incurred in connection with the review of the plan, and the sub-divider shall be reimbursed for any portion of the fee not expended for such purpose."

- C. Delete the references to "fifteen (15) days" in Section 302.03 and insert in lieu thereof "thirty (30) days".
- D. Delete the reference to "forty-five (45) days" in Section 302.04 and insert in lieu thereof "thirty (30) days".
- E. Delete Section 501.02(9) and insert in lieu thereof:

"(9) In areas not required to be serviced by a central sewer system, a percolation test and soil boring is required for each lot."

- F. Delete the second sentence in Section 501.03(1) and insert the following additional subsection to Section 501.03:

"(8) A property numbering system consistent with the Washington County Property Numbering System."

- G. Delete the second sentence in Section 602.01 and insert in lieu thereof:

"No plan shall be approved if the site is not suitable for purposes of the kind proposed by reason of potential flooding, topography, or adverse earth or rock formation or by reason of any need for an adequate and safe on-site sewer and water system."

- H. Delete Section 603.10 and insert in lieu thereof:

"Private streets and reserve strips may be permitted except in areas which are required to be serviced by a central sewer system, provided that adequate provision is made entitling the City to later acquire the street as a public right-of-way for nominal consideration and without the approval of the affected property owners. No public improvements shall be approved for any private street. All streets for which public improvements are approved shall be dedicated for public use."

- I. Delete Section 605.01 and insert in lieu thereof:

"605.01. Minimum right-of-way widths and pavement widths (face to face of curb) for each type of public street or road shall be as follows:

TYPE OF STREET	RIGHT-OF-WAY WIDTH	ROADWAY WIDTH
Thoroughfare	120 feet	as determined by traffic needs
Collector Street	80 feet	44 feet
Commercial or Industrial Service Street	60 feet	32 feet
Minor Street	60 feet	32 feet
Marginal Access Street	60 feet	45 feet
Cul-de-sac	turnaround radius	turnaround radius

A similar requirement may be imposed with respect to a private street or road."

J. Delete Section 605.13 and insert in lieu thereof:

"605.13 Curb and Gutter. Curb and gutter shall be included as part of the required street surface improvement in any area which is required to be serviced by a central sewer system and shall thus be designed for installation along both sides of all roadways."

K. Delete Section 611.01.

L. Delete the third sentence in Section 612.01.

M. Delete Section 614.05 and insert in lieu thereof:

"614.05 Building Sites.

In any area required to be serviced by a central sewer system, each lot shall provide an adequate building site at least one (1) foot above the street grade."

N. Delete Section 614.16 and insert in lieu thereof:

"614.16 Large Lot Planning.

In any area which is to be platted into lots in excess of 40,000 square feet or 160 feet in width at the building set back line, a preliminary re-subdivision plan may be required showing a potential and feasible way in which the lot or lots may be re-subdivided in future years for more intensive use of the land. The placement of buildings or structures upon such lots shall allow for such potential re-subdivision."

O. Add this following subdivision to Section 614:

"614.17 Concept Plan for Potential Development.

In any area which is not required to be serviced by a central sewer system, if the subdivision exceeds twenty (20) acres or is part of a larger parcel of land which is in excess of twenty (20) acres and is under substantially the same ownership, a concept plan may be required to demonstrate that the proposed subdivision will not prevent the entire parcel of land from being further developed as a feasible and potential planned unit development at an average density of at least two dwelling units per acre in the event that the area should ever in the future be required to be serviced by a central sewer system. Such a concept plan may be required to contain any and all components contemplated in Part VI of the Comprehensive Development Plan for such a concept plan and in the planned unit development provisions of the City Zoning Ordinance. No such plan shall be required if the subdivision is included in a concept plan submitted in connection with another subdivision previously approved within four years. The placement of buildings or structures on lots in the subdivided area and the provisions in the subdivision plan for utility easements and public rights of way shall be consistent with such concept plan.

614.18 Comprehensive Plan for Proposed Development.

In any area which is required to be serviced by a central sewer system, if the subdivision exceeds twenty (20) acres or is part of a larger parcel which is in excess of twenty (20) acres and under substantially the same ownership, a comprehensive plan may be required to show a potential and feasible way in which the entire parcel may be developed. Such a comprehensive plan may be required to contain any and all components which may be required in a concept plan as provided in Section 614.17. No such plan shall be required if the subdivision is included in a concept plan previously submitted under Section 614.17 in connection with another subdivision previously approved within four (4) years or is consistent with a comprehensive development plan of the City hereafter adopted by the City Council providing for development of the density and character contemplated in the subdivision request."

P. Delete the first two sentences in Section 702.05 and insert in lieu thereof:

"If concrete curb and gutter shall be constructed on both sides of streets, the construction shall be in accordance with Standard Specification for Highway Construction, M.H.D. Spec. No. 2531."

Q. Delete Section 702.07.

R. Delete the first sentence in Section 703.01 and insert in lieu thereof:

"A minimum water main of six-inch cast iron pipe or other approved pipe shall be required for all common water systems."

S. Delete the first sentence in Section 703.02 and insert in lieu thereof:

"Unless otherwise required, a sanitary sewer of 8 inch vitrified clay pipe or other appropriate pipe for all common sewer systems shall be installed as the minimum size placed at grades approved by the engineer."

T. Delete Section 704.02 and insert in lieu thereof:

"704.02. Any subdivision in an area which is not required to be serviced by a central sewer system must be such that each lot will accommodate or have access to an on-site septic system in conformity with the Pollution Control Ordinance. Tests to demonstrate the suitability of each lot or a common drainage field shall be made at the expense of the sub-divider, and a sketch map shall be submitted to identify the specific locations where tests were made."

U. Delete the words "Washington County" in Section 704.03.

V. Add an additional sentence to Section 705.01:

"Such well shall also comply with all applicable provisions of the Pollution Control Ordinance."

W. Delete Section 801.01(7) and insert in lieu thereof:

"(7) Water Mains.

In any area required to be serviced by a central sewer system or in any case where mains from a public water system are available, the sub-divider shall be required to install water mains to serve each lot in the subdivision and to connect the same to such available public water system. If no such system is available, the developer shall be required to cap the water mains and connect the same as service becomes available, in which event the City Council may provide that no building permits shall be issued for the development of the subdivision until such public water system becomes available."

X. Delete Section 801.01(8) and insert in lieu thereof:

"(8) Central Sewer System.

In any area required to be serviced by a central sewer system, the sub-divider shall be required to install sanitary sewers, including laterals, to serve each lot in the subdivision and to connect the same to any available central sewer system. If no such system is available, the developer shall be required to cap the sewers and connect the same as service becomes available, in which event the City Council may provide that no building permits shall be issued for the development of the subdivision until such central sewer system becomes available, or that the developer install adequate on-site disposal units. If such disposal units are installed, the developer shall:

- (1) locate them as to permit easy and the least expensive connection as service becomes available;

- (2) provide that underground plumbing extend three (3) feet beyond the footing which plumbing shall be plugged; and
- (3) provide that the area around the stack be scored so that the septic tank line can be disconnected and connection made with the central sewer system. In any area which it is anticipated will be required to be serviced by a central sewer system within five (5) years, the City Council may also impose on the subdivider the foregoing requirements set forth in this section 801.01(8)."

Y. Delete the first sentence of Section 808.02 and insert in lieu thereof:

"It is hereby the announced policy of the community that full and complete utility systems be installed in all areas which are required to be serviced by a central sewer system as soon as is practicably and feasibly consistent with the orderly and staged development of such areas."

SECTION 8. EFFECTIVE DATE

This Ordinance shall be and is hereby declared to be in full force and effect from and after its passage and publication according to law.

Passed by the City Council of the City of Pine Springs, Washington County, Minnesota, this 31st day of May, 1973.

Paul Linnerooth (signature)
Mayor

Attest:
Richard Zietlow (signature)
Clerk

Revision History

Ver.	Changes	Date Changed
1.0	Adopted by the City Council	May 31, 1973
1.1	Amended by Ordinance 26	Nov 10, 2020