

## CHAPTER 12 SUBDIVISION REGULATIONS

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### ORDINANCE 1200    TITLE AND APPLICATION

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Section 1200.01: TITLE. Sections 1 through 12, inclusive, shall be known, cited, and referred to as the "Kimball Subdivision Regulations," and will be referred to as "this Ordinance."

Section 1200.02: PURPOSE. The City Council, being aware of the responsibility which they have for the adoption of ordinances, rules, and regulations designed for the protection of public health, safety, and general welfare, deems it necessary to provide regulations for platting and subdividing of property within the City. Piecemeal planning of subdivisions, without correlation to the Comprehensive Plan, can bring a disconnected patchwork of plats, poor traffic circulation, and an undesirable atmosphere. All subdivisions platted within the jurisdiction of the City after the adoption of this Ordinance shall, in all respects, fully comply with the regulations set forth in this Ordinance to assure new subdivisions will contribute toward an attractive, orderly, stable, and wholesome community environment, and be designed with adequate municipal services and efficient movement of traffic.

Section 1200.03: PLATTING AUTHORITY. The City Council shall serve as the platting authority of the City in accordance with Minnesota Statute Chapters 462.358, as may be amended. No plat or replat shall be filed or accepted for filing by the Office of the Stearns County Recorder or Registrar of Titles unless adopted by the affirmative vote of the majority of the members of the City Council approving such plat or replat. The Building Inspector shall not issue building permits for any structure on a lot in any proposed subdivision that has not been approved by the City Council. The City Council shall not permit any public improvement to be installed unless the preliminary plat is approved. Grading and installation of services may be permitted provided a development agreement is approved by the City Council and the applicant files all financial securities.

Section 1200.04: RELATION TO OTHER LAWS AND REGULATIONS. It shall not be intended by the provisions of this Ordinance to repeal, abrogate, annul or in any way impair or interfere with private restrictions placed upon property by deed, covenant or other private agreements which are equal to or more restrictive, or with restrictive covenants running with the land to which the City is a party except that the most restrictive shall apply. In their interpretation and application, the provisions of this Ordinance shall be the minimum requirements adopted for the protection of the public health, safety, and general welfare.

Section 1200.05: POLICY.

Subd 1. It is hereby declared to be the policy of the City to consider the subdivision of land and the subsequent development of the plat as subject to the control of the City pursuant to the Comprehensive Plan for the orderly, planned, efficient, and economical development of the City.

Subd 2. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health from fire, flood, or other hazard. Land shall not be subdivided unless proper provisions have been made for drainage, stormwater management, wetland protection, potable water, domestic waste water, streets, and

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capital improvements such as parks, recreation facilities, transportation facilities, stormwater improvements, and any other necessary improvements.

Subd 3. The existing and proposed public improvements shall conform to and be properly related to the Comprehensive Plan and Capital Improvement Plan of the City.

Subd 4. The provisions of this Ordinance are in addition to and not in replacement of provisions of all Building Codes, and the Zoning Ordinance. Any provision of the Building Code, and Zoning Ordinance shall remain in full force and effect except as may be contradictory to the provisions hereof. Where any provision conflicts with another provision, the most restrictive provision shall be applied.

Section 1200.06: INTERPRETATION. In interpreting and applying the provisions of this section, they shall be held to the minimum requirements for the promotion of the public health, safety, comfort, convenience, and general welfare. Where the provisions of this Section 1205 Title and Application Ordinance, state statutes, other ordinances, code provisions, or regulations differ, the provision imposing the greater restriction shall be controlling.

Section 1200.07: ADMINISTRATION. This section shall be administered by the Zoning Administrator who is appointed by the City Council.

Section 1200.08: AMENDMENTS. The provisions of this section shall be amended by the City Council following a public hearing before the Planning Commission as provided by law (including rules and regulations of any applicable state or federal agency).