

WASHINGTON COUNTY DEVELOPMENT CODE AMENDMENT

**WASHINGTON COUNTY
ORDINANCE NO. 177**

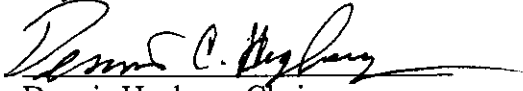
The Board of Commissioners of Washington County ordains:

SECTION 1: The Washington County Development Code be amended to delete in its entirety the existing Section 5, Minor Subdivision of Chapter Three, Subdivision Regulations of the Washington County Development Code and replace it with the revised Section 5, Minor Subdivision as set forth in Exhibit A, as attached to Resolution No. 2008-096, to require that minor subdivisions be subject to the platting requirements of the Development Code.

SECTION 2: The Washington County Zoning Administrator is hereby directed to amend the Washington County Development Code in accordance with the foregoing amendment.

SECTION 3: Effective Date. This Ordinance shall be and is hereby declared to be in full force and effect after its passage and publication according to law.

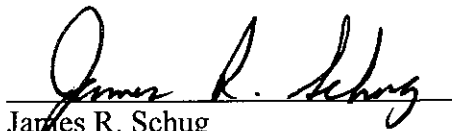
Passed by the Board of County Commissioners of Washington County, this 22nd day of July, 2008.



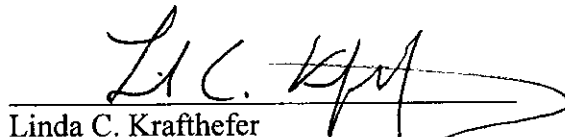
Dennis Hegberg, Chair
Washington County Board of Commissioners

ATTEST:

Approved as to form and legality:



James R. Schug
Washington County Administrator



Linda C. Krafthefer
Assistant Washington County Attorney

EXHIBIT A

AMENDMENTS TO THE WASHINGTON COUNTY DEVELOPMENT CODE

Amend Chapter 3, Subdivision Regulations of the Washington County Development Code as follows:
Delete Section 5, Minor Subdivision in its entirety and replace as follows:

SECTION 5. MINOR SUBDIVISION

- 5.1 In the case of a subdivision resulting in three (3) or fewer parcels and situated in a locality where conditions are well defined and no new roads or other public infrastructure is needed, the county may waive a portion of the platting requirements. However, a plat shall be filed in accordance with Chapter 505 of the Minnesota Statutes unless specifically exempted by Section 5.6 of this Ordinance.
- 5.2 The following information must be submitted:
- (1) A preliminary plat showing the following:
 - A. Topographic data at two (2) foot contour intervals. Flood plain information may be required if deemed necessary by the Zoning Administrator
 - B. Buildable area on the lots.
 - C. Driveway access points.
 - (2) Drainage, grading, and erosion control plans.
 - (3) Wetland delineation report and map.
 - (4) Soil testing for the installation of an on-site sewage disposal system.
 - (5) A final plat prepared in accordance with Minnesota Statute Chapter 505 showing the original parcel, platted lots, and lands to be dedicated.
- 5.3 Prior to approval of a minor subdivision, the township and/or county reserves the right to require the dedication of streets, utility and drainage easements, or public park land or cash in lieu of land.
- 5.4 All wetland areas and DNR protected waters shall be protected with a drainage easement up to the 100-year flood elevation or the wetland boundary, whichever is more restrictive.
- 5.5 All minor subdivisions shall be referred to the Washington County Plat Commission for review. At least 14 days prior to the scheduled Plat Commission meeting, 10 copies of both the preliminary plat and the final plat shall be submitted. The Plat Commission shall review and take action on both preliminary and final plats at their scheduled meeting.

5.6 Exceptions to platting requirement. The following are not required to be platted and may be described by a metes and bounds description:

- (1) Any subdivision of land in which all parcels involved are greater than 20 acres in size with at least 500 feet of frontage on a public road.
- (2) Property line adjustments where no new buildable parcel is being created. Although exempt from platting, a Certificate of Survey shall be submitted for all property line adjustments. The Certificate of Survey shall show the original property lines together with the adjusted property lines. The area in acres or square feet shall be shown for the portion of the parcels lying between the original and adjusted property lines. The Zoning Administrator may require parcels to be combined for tax purposes. The Zoning Administrator may require additional information or survey data be submitted as conditions warrant. Certificates of Survey are subject to review and acceptance by the County Surveyor's Office.
- (3) If any lot in the subdivision is greater than 20 acres in size, the 20 acre parcel does not need to be platted or a wetland delineation completed for that portion.

5.7 All requirements of Section 8, 9, and 10 of this chapter must be met where applicable. The following must also be completed:

- (1) A development agreement must be entered into specifying the number of density units allocated among the parcels (refer to Chapter 3 of the Washington County Zoning Ordinance) and approved by the County Board.
- (2) If the property abuts a county road or state highway, the road authority's approval of any proposed access locations is required. Written comments from the agency or an approved access permit for the proposed use will be considered proof on concurrence. Approval of access locations on county routes may be given at the Plat Commission review. Access locations, whether permitted or not, from previous uses of the property, are not automatically perpetuated.

5.8 The plat shall be reviewed by the Washington County Plat Commission per Chapter 505 of the Minnesota Statutes, and be subject to review and approval by the County Surveyor's Office.

5.9 Final plat shall be presented to the County Recorder/Registrar of Titles for recording within 120 days of Plat Commission approval. Plat Commission approval is null and void after 120 days.

**BOARD OF COUNTY COMMISSIONERS
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2008-096

DATE: July 22, 2008

DEPARTMENT Survey/Land Management

MOTION BY COMMISSIONER Peterson

SECONDED BY COMMISSIONER Kriesel

**RESOLUTION AMENDING THE WASHINGTON COUNTY DEVELOPMENT CODE
Chapter Three, Subdivision Regulations, Section 5, Minor Subdivision
ORDINANCE NO. 177**

WHEREAS, Washington County is authorized to carry on county planning and zoning activities in the unincorporated areas of the County pursuant to MINN. STAT. CHAPT. 394; and

WHEREAS, the Washington 2015 Comprehensive Plan was adopted by the Washington County Board of Commissioners on April 22, 1997 and became effective October 1, 1997 as Washington County Ordinance No. 124 and was amended on March 6, 2002 to Washington County 2020 Comprehensive Plan; and

WHEREAS, MINN. STAT. § 473.865 requires counties to adopt the official controls described in their Comprehensive Plan so as to implement the Comprehensive Plan; and

WHEREAS, the Washington County Development Code was adopted by the Washington County Board of Commissioners and became effective on October 20, 1997 as Washington County Ordinance No. 127; and

WHEREAS, the Washington County Planning and Advisory Commission held a public hearing on April 29, 2008 to consider the proposal of county staff that the Washington County Development Code be amended to require that minor subdivisions be subject to the platting requirements of the Development Code.

WHEREAS, the Washington County Planning Advisory Commission recommended approval of the amendment; and

WHEREAS, on July 22, 2008, the Washington County Board of Commissioners, pursuant to a Notice of Intent to Amend the Washington County Development Code, conducted a public hearing on the request; and

WHEREAS, the proposed amendment to Chapter Three, Subdivision Regulations, Section 5, Minor Subdivision requires that minor subdivisions be platted; and

WHEREAS, the proposed platting requirement would be in conformance with the Washington County Comprehensive Plan, a Policy Guide to 2020 and the Washington County Development Code.

NOW, THEREFORE, BE IT RESOLVED, that based upon the hearing record, the Washington County Board of Commissioners hereby adopts the proposed amendment to the Washington County Development Code as fully set forth in Exhibit A, which is attached hereto and incorporated herein.

BE IT FURTHER RESOLVED, that the Washington County Zoning Administrator is directed to make the changes set forth in the Washington County Development Code and cause the same to be published and codified according to law and from and after the effective date of Ordinance 177.

ATTEST: *James R. Lehng*
COUNTY ADMINISTRATOR

Thomas C. Hegberg
CHAIRMAN, COUNTY BOARD

	Yes	No
Hegberg	<u>X</u>	_____
Kriesel	<u>X</u>	_____
Peterson	<u>X</u>	_____
Pulkrabek	<u>X</u>	_____
Stafford	<u>X</u>	_____