

**CITY OF ST. AUGUSTA
STEARNS COUNTY, MINNESOTA
ORDINANCE NO. 2005-02**

AN ORDINANCE AMENDING SECTION 2 OF THE SUBDIVISION ORDINANCE
RELATED TO PREMATURE SUBDIVISIONS WITHIN THE CITY OF ST. AUGUSTA

THE CITY COUNCIL OF THE CITY OF ST. AUGUSTA, MINNESOTA HEREBY
ORDAINS:

Section 1. Section 1.11 Definitions of the Subdivision Ordinance-St. Augusta is hereby amended to include the following definition related to Premature Subdivisions.

Premature Subdivision: Any subdivision of land within the City of St. Augusta that does not meet the objectives of the Land Use Plan, Transportation Plan, Utility Plan, Local Water Management Plan, or Capital Improvement Plan, as amended.

Section 2. Section 2 Procedures for Filing and Review of the Subdivision Ordinance-St. Augusta is hereby amended to include the following section related to Premature Subdivisions:

PREMATURE SUBDIVISION

Any sketch plan, preliminary plat, final plat deemed premature pursuant to the following criteria shall be denied by the City Council:

Conditions for Establishing a Premature Subdivision

A subdivision may be deemed premature should any of the following conditions not be met:

1. Consistency with the Comprehensive Plan including any of the following:
 - a. Land use plan, as may be amended.
 - b. Transportation plan, as may be amended.
 - c. Utility (sewer and water) plans, as may be amended.
 - d. Local water management plan, as may be amended.
 - e. Capital improvement plan, as may be amended.
2. Consistency with Infill Policies. A proposed urban subdivision shall meet the City's infill policies:

- a. At the discretion of the City Council, the cost of utilities and street extensions must be covered by one or more of the following:
 - (1) An immediate assessment to the proposed subdivision.
 - (2) One hundred (100) percent of the street and utility costs are privately financed by the developer.
 - (3) The cost of regional and/or oversized trunk utility lines can be financed with available City trunk funds.
 - (4) The cost and timing of the expenditure of City funds are consistent with the City's capital improvement plan.
 - b. The developer payments will offset additional costs of utility installation or future operation and maintenance.
3. Streets or Highways to Serve the Subdivision. A proposed subdivision shall have adequate roads or highways when:
- a. Intersections with streets or highways providing access to a subdivision will provide or maintain a level of service (LOS) approved by the City Engineer and City Council. Determination of the LOS shall be in accordance with the current, approved Highway Capacity Manual.
 - b. The traffic generated from a proposed subdivision shall not require City street improvements that are inconsistent with the St. Augusta Capital Improvement Plan or the developer shall pay to correct any street deficiencies.
 - c. The existing LOS must be C or better for all streets and intersections providing access to the subdivision. If the existing level of service is D, E, or F, the developer must provide, as part of the proposed project, improvements needed to ensure a level of C or better.
 - d. If roads necessary to access the plat or those needed to gain access from a County Highway are deemed inadequate by the City Engineer or City Council due to width, weight, condition, design, lack of turn lanes, or lack of passing lanes the Developer shall be required to improve such roads to City standards.
 - e. Properties on the proposed plat can access a paved County highway either directly or via a paved City street without a traveling on an unpaved road.

- f. Where paved roads required in part D do not exist the City may approve the plat provided that the Developer agrees to construct paved roads to City standards from the proposed plat to a County Highway including all turn lanes, passing lanes, and associated road improvements required to support the development of the plat.
4. Water Supply. A proposed subdivision shall be deemed to have an adequate water supply when:
 - a. The City water system has adequate wells, storage, or pipe capacity to serve the subdivision.
 - b. The water utility extension is consistent with the St. Augusta Water Plan, as may be amended, and offers the opportunity for water main looping to serve the urban subdivision.
 - g. The extension of water mains will provide adequate water pressure for personal use and fire protection.
 - h. Rural subdivisions shall meet the conditions of Minnesota Statute 7080, as amended.
5. Waste Disposal Systems. A proposed subdivision shall be served with adequate waste disposal systems when:
 - a. The urban sewerer subdivision is located inside the City's Urban Service Area.
 - b. The City has sufficient pipe capacity to serve the subdivision if developed to its maximum density.
 - c. The subdivision will result in a sewer extension consistent with St. Augusta Sewer Plan and Capital Improvement Plan, as may be amended.
 - d. Rural subdivisions shall meet the conditions of Minnesota Statute 7080, as amended.
6. Drainage. A proposed subdivision shall provide a continuous public easement acceptable to the City Engineer and the City Attorney from the proposed plat to public waters for surface water drainage.
 - a. Where such a continuous public easement from the proposed plat to public waters does not exist for surface water drainage, the City may approve the plat provided:

- i. The post-development stormwater runoff from the plat is no greater than the pre-development stormwater runoff rate.
- ii. The post-development stormwater runoff volume for a 100-year storm event is no greater than the pre-development stormwater runoff volume.
- iii. The City determines that the drainage way from the proposed plat is of a type that is not likely to need maintenance in the future and the flow of stormwater through such drainage way is not likely to become obstructed in the future.

Section 3. Enactment. This ordinance shall be in full force and effect upon its passage and publication.

ADOPTED this _____ day of _____ 2005.

CITY OF ST. AUGUSTA

By: _____
B. J. Kroll, Mayor

ATTEST:

By: _____
William R. McCabe, City Administrator