



Olmsted County Code of Ordinances

Chapter 1200 Subdivision Ordinance & 1250 Olmsted County Platting Ordinance

Olmsted County, MN

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Table of Contents

1201 GENERAL PROVISIONS	5
1201.1. SHORT TITLE	5
1201.2. PURPOSE	5
1201.3. ADMINISTRATION	6
1201.4. COMPLIANCE.....	6
1201.5. REQUIRED APPROVAL OF SUBDIVISION PLATS.....	6
1202 DEFINITIONS	6
1202.1. SUBDIVISION.....	6
1202.2. STREETS AND ALLEYS	7
1202.3. PARKS.....	7
1202.4. OFFICIAL MAP	7
1202.5. COMPREHENSIVE DEVELOPMENT PLAN	7
1203 PROCEDURES FOR SUBMISSION OF PLATS.....	8
1203.1. PREPLAT INVESTIGATION.....	8
1203.2. PRELIMINARY PLAT	8
1203.3. FINAL PLAT	9
1203.4. RECORDING FINAL PLAT.....	9
1204 SPECIFICATIONS FOR PLANS AND PLATS	9
1204.1. PRELIMINARY PLAT	9
1204.2. FINAL PLAT	9
1204.3. GENERAL INFORMATION	10
PRELIMINARY PLAT	10
FINAL PLAT	11
1205 SUBDIVISION DESIGN STANDARDS.....	12
1205.1. GENERAL	13
1205.2. STREET DESIGNATION STANDARDS.....	14
MINIMUM STREET DESIGN STANDARDS	14
1205.3. INTERSECTIONS.....	14
1205.4. ALLEYS	15
1205.5. EASEMENTS AND DEDICATIONS	15
1205.6. BLOCKS	16
1205.7. LOTS	16
1205.8. FLOODPLAIN STANDARDS	17
1206 REQUIRED IMPROVEMENTS.....	18
1206.1. MONUMENTS	18
1206.2. STREETS.....	18
1206.3. SIGNS.....	18

1206.4. UTILITIES.....	19
1206.5. ENGINEERING PLANS.....	19
1206.6. PERFORMANCE BONDS.....	19
1207 PLATTING EXCEPTIONS AND CONDITIONS.....	20
1207.1. METES & BOUNDS SUBDIVISION.....	20
1. Portion of Platted Lot.....	20
2. Unplatted Land.....	20
3. Dedication of Street, Public Utility, And Environmental Corridor Easements	20
4. Applications.....	21
5. Filing Fee.....	21
6. Appeals.....	21
1208 DEDICATIONS AND RESERVATIONS.....	22
1208.1. GENERAL.....	22
1208.2. PARKS, SCHOOL AND PUBLIC USE SITES.....	22
1209 VARIANCES.....	22
1209.1. HARDSHIP.....	22
1209.2. LARGE-SCALE DEVELOPMENTS.....	22
1209.3. CONDITIONS.....	23
1209.4. BOARD OF ADJUSTMENT.....	23
1210 ENFORCEMENT.....	23
1210.1 ENFORCEMENT OF VIOLATIONS AND APPEALS.....	23
1211 AMENDMENTS.....	23
1212 VALIDITY, SEPARABILITY AND EFFECTIVE DATE.....	24
1212.1. VALIDITY.....	24
1212.2. SEPARABILITY.....	24
1212.3. EFFECTIVE DATE.....	24
1212.4 FEES.....	24
FEE SCHEDULE – APPENDIX A.....	25
A. Residential Uses:.....	25
B. Multiple Family and Non-Residential Uses:.....	25
C. Double Fee:.....	26
D. Other Zoning Permits:.....	26
E. Wetland Permits:.....	27
DEVELOPMENT APPLICATION FEES.....	28
1250 OLMSTED COUNTY PLATTING ORDINANCE.....	32
OLMSTED COUNTY PUBLIC HEALTH REGULATION NO. 1.....	32
1250.1 – PLATTING REQUIREMENTS.....	32
1250.2 – BOARD OF HEALTH REVIEW REQUIRED.....	32
1250.3 – THE TENTATIVE PLAT.....	32

1250.4 – THE FINAL PLAT.....33
1250.5 – EFFECTIVE DATE.....33

1201 GENERAL PROVISIONS

1201.1. SHORT TITLE.

This ordinance shall be known and may be cited as the Subdivision Ordinance of Olmsted County and its provisions shall apply to all lands to be subdivided in Olmsted County which lie outside the limits of incorporated cities, villages and towns.

1201.2. PURPOSE.

The Subdivision Ordinance of Olmsted County sets forth the minimum requirements deemed necessary to insure and protect the health, safety and welfare of the public. More specifically, the provisions of this ordinance are designed to:

- Assure that to the maximum extent possible, all lands will be developed for the best possible use with adequate protection against deterioration and obsolescence.
- Assure that effective protection is given to the natural resources of the community, especially ground water and surface waters.
- Encourage well-planned subdivisions through the establishment of adequate design standards.
- Discourage inferior developments that might adversely affect the local tax base.
- Create neighborhoods, which will be of lasting credit to the community.
- Facilitate adequate provisions for transportation and other public facilities.
- Secure the rights of the public with respect to public lands and waters.
- Improve land records by the establishment of standards for surveys and plats.
- Safeguard the interests of the public, the homeowner, the subdivider and units of local government.
- Prevent, where possible, excessive governmental operating and maintenance costs.

1201.3. ADMINISTRATION.

The Subdivision Ordinance of Olmsted County shall be administered by the Olmsted County Board of Commissioners through the Olmsted County Planning Advisory Commission appointed by them.

1201.4. COMPLIANCE.

After the adoption of this ordinance, no lot in a subdivision shall be sold, no permit shall be issued to alter or erect any building upon land in a subdivision, and no building shall be erected in a subdivision unless a subdivision plat or metes and bounds subdivision has been approved and recorded and until any reasonable improvements required by the Olmsted County Board of Commissioners relative to the subdivision have been constructed or guaranteed as provided herein. No land shall be subdivided which is held unsuitable by the Olmsted County Board of Commissioners for reason of flooding, inadequate drainage, water supply or sewage treatment facilities. All lots within the floodway and flood fringe (FFA and FFB) districts shall contain a building site at or above the Regulatory Flood Protection Elevation. All subdivisions shall have water and sewage disposal facilities that comply with the Olmsted County Board of Health regulations and have road access both to the subdivision and to the individual building sites no lower than two (2) feet below the Regulatory Flood Protection Elevation.

1201.5. REQUIRED APPROVAL OF SUBDIVISION PLATS.

Before any plat shall have any validity it shall have been approved by the Olmsted County Planning Advisory Commission and the Olmsted County Board of Health and the Olmsted County Board of Commissioners as provided herein and recorded in the office of the Register of Deeds of Olmsted County.

1202 DEFINITIONS

For the purpose of interpreting this ordinance, certain terms and words are herewith defined.

1202.1. SUBDIVISION. The division of a lot, parcel or tract of land into two (2) or more lots or parcels by the owner thereof or his agent, for the purpose of transfer of ownership or building development, or, if a new street is involved, any division of a parcel of land; provided that a division of land into forty (40) acres or more and not involving a new street shall not be deemed a subdivision. This term shall include resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to land subdivided.

1202.2. STREETS AND ALLEYS. The term street means a way for vehicular traffic, whether designated as a street, highway, parkway, thoroughfare, arterial, road or however otherwise designated. For the purposes of this ordinance, six (6) functional classifications of streets are used and are defined as follows:

- A. HIGHWAYS – Routes carrying large volumes of relatively fast-moving traffic and are designated as either Federal, State or Interstate highways.
- B. MAJOR STREETS – Arterials carrying large volumes of local traffic between widely separated areas of the community and which may be designated as County State Aid highways.
- C. COLLECTOR STREETS – Streets which carry traffic from minor streets to major streets and highways, including the principal entrance streets of a residential subdivision and streets used for circulation within such developments.
- D. LOCAL STREETS – Streets which are used principally for access to abutting properties, especially residential properties.
- E. SERVICE ACCESS STREETS – Trafficways which are adjacent and parallel to highways and major streets providing access to abutting properties.
- F. ALLEYS – Minor trafficways affording a secondary means of access to abutting properties which is not intended for general traffic circulation.

1202.3. PARKS.

Areas of public land developed and maintained primarily as pleasurable landscaped areas providing for both active and passive recreational pursuits, including tot-lots, playgrounds, neighborhood parks, play fields and special purpose areas.

1202.4. OFFICIAL MAP.

A map of Olmsted County and/or any portion thereof lying outside incorporated cities, villages and towns, which shows the exact alignments, gradients, dimensions and other pertinent data for highways and major streets and including specific controls for setbacks from the right-of-way of buildings or other physical structures or facilities.

1202.5. COMPREHENSIVE DEVELOPMENT PLAN.

A series of maps, documents and publications showing the desirable future development, the appropriate uses of private land and the general location and extent of all necessary or desirable facilities.

1203 PROCEDURES FOR SUBMISSION OF PLATS

1203.1. PREPLAT INVESTIGATION.

Prior to the filing of an application for conditional approval of a preliminary plat, the subdivider shall consult with the Olmsted County Board of Health, and with the Townboard of the township(s) in which the subdivision is to be located.

Within five (5) days following the next regularly scheduled Planning Advisory Commission and County Board of Health meeting, the subdivider shall be informed, in writing, that the plan as submitted or as modified does or does not meet the objectives of this ordinance.

1203.2. PRELIMINARY PLAT.

Upon completing the pre-plat investigation, the subdivider shall prepare a preliminary plat together with improvement plans and other supplemental material as may be specified by the Planning Advisory Commission and the County Board of Health.

Six (6) copies of the preliminary plat and supplementary material specified in Article IV, Section 4.2 shall be submitted to the Planning Advisory Commission and two (2) copies to the County Board of Health with written application for conditional approval at least ten (10) days prior to the meeting at which it is to be considered.

Following review of the preliminary plat and supplementary material submitted for conformity thereof to this ordinance, and negotiations with the subdivider on changes deemed advisable and the kind and extent of improvements made by him, the Planning Advisory Commission and the County Board of Health shall, within forty (40) days, act thereon as submitted or modified, and if approved, the Planning Advisory Commission and the County Board of Health shall express their approval as conditional approval and state the conditions of approval, if any, or if disapproved, shall express its disapproval and its reasons thereof.

The action of the Planning Advisory Commission and the County Board of Health shall be noted on four (4) copies of the preliminary plat, referenced and attached to any conditions determined. One (1) copy shall be returned to the subdivider, one (1) copy to the Townboard(s) in which the subdivision is to be located, one (1) copy to the County Board of Health and the other retained by the Planning Advisory Commission.

Conditional approval of a preliminary plat shall not constitute approval of the final plat. Conditional approval of a preliminary plat is hereby limited to a period of twelve (12) months, after which time the subdivider is required to resubmit a preliminary plat.

1203.3. FINAL PLAT. The final plat shall conform substantially to the preliminary plat as approved, and if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which is proposed to be recorded and developed at the time, provided however, that such portion conforms to all requirements of this ordinance.

Application for approval of the final plat shall be submitted in writing to the Planning Advisory Commission at least ten (10) days prior to the meeting at which it is to be considered.

Four (4) copies of the final plat and other supplemental data required for approval shall be prepared and submitted to the Planning Advisory Commission within twelve (12) months after conditional approval of the preliminary plat; otherwise conditional approval of a preliminary plat shall become null and void; unless an extension of time is applied for by the subdivider and granted by the Planning Advisory Commission.

1203.4. RECORDING FINAL PLAT.

No final plat for record shall be approved by the County Board of Commissioners for filing which has not had prior approval of the County Health Department, County Engineer, Planning Advisory Commission and the Townboard(s) in which the subdivision is to be located.

The Final plat of record, prepared in accordance with this ordinance shall be filed by the subdivider with the County Register of Deeds. The subdivider shall furnish signed copies to the County Register of Deeds, a time of recording, one (1) reproducible mylar, two (2) muslin backed, one marked original and one marked copy, and one (1) ozlid print of the plat. There shall be a filing fee assessed against the owner or developer whose name and address shall be recorded with the County Register of Deeds at the time the record plat is submitted for acceptance by the County Board of Commissioners.

1204 SPECIFICATIONS FOR PLANS AND PLATS

1204.1. PRELIMINARY PLAT. The preliminary plat shall be drawn on suitable tracing paper or other material of suitable quality with black waterproof ink or pencil at a scale not greater than one hundred (100) feet equals one (1) inch. Legible reproductions of said drawing may be submitted to the Planning Advisory Commission for purposes of receiving conditional approval.

1204.2. FINAL PLAT. The final plat shall be drawn on muslin backed white paper, Mylar or other suitable material with black waterproof ink. The final plat shall measure thirty (30) inches in length and twenty (20) inches in width with a border line of one and

one-half (1 ½) inches provided on the left side of the thirty (30) inch length and a border of one-half (½) inch provided on the other three (3) sides. When more than one sheet is required for any plat, each sheet shall be numbered consecutively and shall contain a notation of the total number of sheets, i.e., 2 of 3. The final plat shall be drawn to a scale not greater than one-hundred (100) feet to the inch.

1204.3. GENERAL INFORMATION. The information to be included on the preliminary and final plat is as follows:

PRELIMINARY PLAT

Date, scale, north point.

Proposed subdivision name and all intended street names.

Name of the subdivider and surveyor or engineer preparing plat.

Location of the plat by quarter, quarter section, section, town and range.

Topographic map of the area showing contours as follows: two (2) foot intervals where slope is seven (7) percent or less; five (5) foot intervals where slope is from seven (7) to fifteen (15) percent; twenty (20) foot intervals where slope is greater than fifteen (15) percent. All areas of the subdivision to be platted with a slope greater than twenty-five (25) percent must be clearly indicated.

Location and names of adjacent subdivisions and the owners of adjoining parcels of unsubdivided land.

Zoning classification of lands to be subdivided and all adjacent lands.

Location, widths and names of all existing, platted or dedicated streets, easements, railroad and utility rights-of-way, parks, water courses, drainage

ditches, permanent buildings and structures and such other data as may be required by the Planning Advisory Commission within the area being subdivided and within three-hundred (300) feet of the exterior boundaries of the area being subdivided.

Water elevations of adjoining lakes, rivers and streams at date of survey and their approximate high and low water elevations. All elevations shall refer to the established United States Coast and Geodetic Survey and/or United States Geodetic Survey Datum.

When the subdivision borders a lake, river or stream, a meander line shall be established at an elevation four (4) feet above the recorded high water elevation of the lake, river or stream.

The layout and width of all new streets and rights-of-way and easements, whether public or private, for public and private utilities.

Length and bearings of the exterior boundaries of the land being subdivided.

Approximate dimensions of all lots.

Approximate radii of all curves and lengths of all tangents.

Approximate location and area of all property to be dedicated for public use or reserved by deed covenant of use by all property owners in the development with a statement of the conditions of such dedication or reservation.

Approximate location of well site if community water supply is being proposed.

Percolation test results, minimum of two (2) per lot, together with soil borings, every acre to indicate depth to water table and rock formations.

A soil analysis obtainable from the United States Department of Agriculture, Soil Conservation Service, when requested.

An engineering feasibility report for the installation and operation of community type sewage disposal system and water distribution system where such facilities are to be incorporated in the final plat.

FINAL PLAT

Date, scale, north point.

Subdivision name and all street names.

Location of the plat by quarter, quarter section, section, town and range.

Location and names of adjacent subdivisions and the owners of adjoining parcels of unsubdivided land.

Exact location, widths and names of all existing platted or dedicated streets, easements, railroad and utility right-of-way, parks, water courses, drainage ditches, within the boundaries of the land to be subdivided.

Water elevations of adjoining lakes, rivers and streams at date of the survey and their approximate high and low water elevations. All elevations shall refer to the established United States Coast and Geodetic Survey and/or United States Geodetic Survey Datum.

When a subdivision borders a lake, river or stream the exact distance and bearings of

a meander shall be established at an elevation four (4) feet above the recorded high water elevation of the lake, river or stream.

Exact location and width of all streets, their bearings, angle of intersection, length of arcs, radii, points of curvature and tangent bearings.

Exact location and width of all easements, whether public or private and a statement of easement rights.

Exact length and bearings of the exterior boundaries of the land being subdivided.

Exact dimensions of all lots.

Exact radii of all curves and lengths of all tangents.

Exact location and area of all land to be dedicated for public use or reserved by deed covenant for common use of all property owners with the purpose indicated thereon. All lands dedicated for

public use, other than streets, shall be marked "Dedicated to the Public."

Deed restrictions, if any, including the boundaries of each type of restrictions.

Accurate location and material of all permanent reference monuments.

Name and address of the owner of record, the subdivider, and the engineer or surveyor preparing plat.

Certificate of the registered land surveyor preparing the plat that the plat, as presented, fully complies with the requirements of this ordinance and the platting laws of the State of Minnesota relative to the surveying, dividing and mapping of land; that the plat is a correct representation of all exterior boundaries of the land surveyed; that the plat represents a survey made by him and that all monuments indicated thereon exist and their location, size and material are correctly shown.

Certificate from the Minnesota Department of Health that plans for the water supply

system and sewerage system have been approved whenever applicable. In the event that the necessary certificates for community type water distribution and sewage disposal system(s) are not available at time of approval of the final plat, conditional approve may be given pending the issuance of said certificate(s) by the Minnesota Department of Health.

A certificate issued by the authorized county official stating that there are no unpaid taxes or special assessments on any of the lands included in the plat.

A certificate by the owner or owners dedicating to the public for full public use all street and street rights-of-way and other lands designated as "Dedicated for the Public's Use" and the granting of utility easements as shown on the plat.

Certificate of approval by the Planning Advisory Commission, the County Engineer, County Health Department and the Townboard of the township(s) in which the plat is located.

1205 SUBDIVISION DESIGN STANDARDS

The subdivision design standards contained in this ordinance are to assure that the style, character and form of new developments will conform to minimum requirements promoting the health, safety and general welfare of the public. In addition to these regulations and to insure that future developments are consistent with the growth objectives and goals of the community, subdivisions shall conform to the Comprehensive Development Plan of Olmsted County or any part thereof, the Official Map, Zoning Ordinance, County Health Department Regulations and any other applicable ordinances of Olmsted County.

1205.1. GENERAL.

The street system of a proposed subdivision shall be designed to facilitate adequate traffic circulation from the subdivision to adjacent areas. Street arrangements, character, width, grade, location, sight distance and surface material shall be related to existing or planned streets, topography, convenience and safety, and their intended ultimate function.

- A. The arrangement of major streets in a subdivision shall provide for the continuation or projection of existing streets in adjacent areas; or conform to a plan approved by the Planning Advisory Commission where topographic or other conditions make continuance or conformance to existing streets impracticable.
- B. Collector streets shall be properly related to major streets and designed in a manner so as to supplement the major street system, but not to serve in lieu thereof.
- C. Local streets shall be designed to benefit from the topography, to discourage through traffic and to provide the minimum amount of streets necessary for safe access to adjacent properties. The reasonable and intelligent use of curvilinear and cul-de-sac streets is encouraged wherever possible.
- D. Where a subdivision abuts upon, or contains an existing or proposed highway, major thoroughfare, or railroad right-of-way, the Planning Advisory Commission may require reverse frontage lots with appropriate screen plantings in the non-access reservation strip; or the provision of suitable access roads parallel to and on either side of said highway, major thoroughfare, or railroad right-of-way providing access to adjacent properties and affording separation of through and local traffic.
- E. Streets designed and laid out so as to have one end permanently closed shall not exceed five-hundred (500) feet in length, except where the Planning Advisory Commission has approved additional length due to property limitations.
- F. Turnarounds shall be provided at the permanently closed end of all streets and shall have a minimum turnaround radius of sixty (60) feet. The Planning Advisory Commission may approve a "T" or "Y" type turnaround in lieu of the circular turnaround.
- G. When connecting street lines deflect from each other by more than fifteen (15) degrees, they shall be connected by a curve with a radius appropriate to the intended functional use of said street as specified in Section 5.1 of this ordinance.
- H. All subdivisions abutting a public lake, river or stream shall provide public access at least eighty (80) feet wide to the low water elevation so that there will be public

access at not more than one-half (½) mile intervals as measured along the lake, river or stream shoreline.

1205.2. STREET DESIGNATION STANDARDS.

Street design standards are based upon the intended ultimate use as specified by their functional classification and are contained in the following table:

MINIMUM STREET DESIGN STANDARDS					
	MAJOR THOROUGH-FARE	COLLECTOR STREET	LOCAL STREET	SERVICE ACCESS STREET	ALLEY
<i>Rights of Way</i>	100'	80'	66'	40'	30'
<i>Surface Width</i>	As specified by County Engineer	36'	30'	24'	20'
<i>Base Specifications</i>	As specified by County Engineer				
<i>Minimum Horizontal Curve Radii</i>	850'	400'	200'	200'	200'
<i>Minimum Tangent Between Curves</i>	200'	150'	100'	100'	100'
<i>Minimum Grade</i>	0.4%	0.4%	0.4%	0.4%	0.4%
<i>Maximum Grade</i>	5%	7%	10%	10%	10%
<i>Pavement Specifications</i>	As specified by County Engineer				

1205.3. INTERSECTIONS.

All streets shall intersect at right angles or as close thereto as possible. No street shall intersect another at an angle of less than seventy (70) degrees. More than two (2) streets intersecting at the same location shall be prohibited. Street jogs with centerline offsets of less than one-hundred fifty (150) feet shall be avoided.

When the Planning Advisory Commission finds it necessary for reasons of safety and the protection of property, property lines at street intersections shall be rounded with a radius of fifteen (15) feet. The Planning Advisory Commission may permit comparable cords in lieu of the rounded corners.

1205.4. ALLEYS.

Alleys shall be required in all commercial and industrial districts, except that the Planning Advisory Commission may waive this requirement where the commercial or industrial district is designed as a comprehensive unit and adequate provision for service access, off-street loading and unloading areas and parking space is a part of the overall development plan.

- A. Dead-end alleys are prohibited except where natural or other features make it impossible to continue them. Where dead-end alleys are unavoidable, they shall be provided with adequate turnaround facilities at the dead-end as determined by the Planning Advisory Commission.
- B. Alleys shall not be provided in residential areas unless a secondary means of access to certain property is necessary due to topography or other exceptional circumstances.
- C. Design standards for alleys are contained in Section 5.1 of this ordinance.

1205.5. EASEMENTS AND DEDICATIONS.

Easements for public utilities may be required by the Planning Advisory Commission. Where such easements are determined to be necessary, they shall be provided along the rear and side lot lines and shall be ten (10) feet in width.

- A. Where a water course, drainage way channel or stream traverse a subdivision, there shall be provided a storm water easement for drainage right-of-way conforming substantially with the lines of such water course. If it is deemed advisable by the Planning Advisory Commission, such water course or drainage way may be reestablished to conform with the proposed street pattern, in which case suitable storm drainage facilities shall be installed as directed by the County Engineer.
- B. Upon consideration of the particular type of development proposed in the subdivision, and especially in large-scale neighborhood unit developments, the Planning Advisory Commission may require the dedication or reservation of areas or sites suitable to the needs created by such development for schools, parks and other neighborhood purposes.

1205.6. BLOCKS.

The length, width and shape of blocks shall be determined with due regard to:

- A. The provision of adequate building sites suitable to the particular needs of the type of use contemplated.
- B. Zoning requirements as to lot size and dimensions.
- C. Needs for convenient access, circulation, control and safety of traffic.
- D. Limitations and opportunities afforded by topography and other natural features.
 - 1. Block lengths shall not exceed sixteen-hundred (1,600) feet or be less than nine hundred (900) feet in length wherever practical.
 - 2. Pedestrian walkways not less than ten (10) feet wide shall be required where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities.

1205.7. LOTS.

The size, width, shape and orientation of lots and buildings set back line shall be appropriate for the type of development and use contemplated.

A. Residential lot dimensions are contained in the following table:

	LOTS SERVED BY PUBLIC SEWERAGE SYSTEM	LOTS SERVED BY PRIVATE SEWERAGE SYSTEM
<i>Minimum Lot Width at Street Line</i>	60 feet	120 feet
<i>Minimum Lot Width at Building Line</i>	60 feet	140 feet
<i>Maximum Lot Depth as measured along Side Lot Lines</i>	160 feet	2 ½ times street frontage
<i>Minimum Area of Lot</i>	7,200 square feet	20,000 square feet*

*Additional lot area may be required by the County Health Department depending upon soil and drainage conditions.

- B. Corner lots for residential use shall have additional width to permit appropriate building set back from and orientation to both streets.
- C. Side lot lines shall be as near to right angles or radial to street lines as possible.
- D. Every lot shall lie adjacent to a public street, thus providing access for fire protection, utilities and other necessary services.

1205.8. FLOODPLAIN STANDARDS

Suitability: No land may be subdivided which is unsuitable for reasons of flooding or inadequate drainage, water supply or sewage treatment facilities. Manufactured home parks and recreational vehicle parks or campgrounds are considered subdivisions under this ordinance.

1. All lots within the floodplain districts must be able to contain a building site outside of the Floodway District and at or above the regulatory flood protection elevation.
2. All subdivisions must have road access both to the subdivision and to the individual building sites no lower than two feet below the regulatory flood protection elevation. The road or driveway plan including a regional flood elevation determination must be prepared by a registered engineer or other qualified individual.
3. For all subdivisions in the floodplain, the Floodway and Flood Fringe A and B Districts boundaries, the regulatory flood protection elevation and the required elevation of all access roads must be clearly labeled on all required subdivision drawings and platting documents.
4. In the Flood Prone District, applicants must provide the information required in Section 9.01E of the Olmsted County Zoning Ordinance to determine the regional flood elevation, the floodway boundary and the regulatory flood protection elevation for the subdivision site.
5. If a subdivision proposal or other proposed new development is in a flood prone area, any such proposal must be reviewed to assure that:
 - (a) All such proposals are consistent with the need to minimize flood damage within the flood prone area,
 - (b) All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and
 - (c) Adequate drainage is provided to reduce exposure of flood hazard.
6. Subsurface sewage treatment systems (SSTS) shall not be located in a Floodplain as defined in the Olmsted County Zoning Ordinance for development within a platted subdivision after the date of adoption of this ordinance. Existing parcels developed or subdivided prior to the date of this ordinance must avoid placement of an SSTS in the floodplain unless no option exists to locate the SSTS outside of the floodplain.

The SSTS shall not be located in the Floodway and may only be located in the FFA and FFB Flood Fringe Districts or Flood Prone District if no other option exists. The SSTS must comply with all elements of Minnesota Rules, Chapter 7080.2270.

1206 REQUIRED IMPROVEMENTS

1206.1. MONUMENTS.

Durable iron monuments shall be placed at all block corners, all intermediate points on blocks where there is a change in the direction of the block line, at points of curves in streets, at each angle and curve point on the exterior boundary lines of the plat, and at such other points as may be required by the Planning Advisory Commission and/or the County Engineer.

1206.2. STREETS.

The following specifications are set for street construction:

- A. All streets shall be graded to their full right-of-way and the roadway compacted to ninety-five (95) percent of proctor density.
- B. All streets shall be surfaced over their traveled portion with four-hundred (400) pounds of aggregate per square yard, containing sufficient binder material for stabilizing and compacted to ninety-five (95) percent of proctor density. Width of the traveled portion of the roadway shall be determined by the streets functional classification specifications contained in Article V. Section 5.1 of this ordinance.
- C. All streets so surfaced shall be sodded or seeded with grass to provide protection from erosion over that area lying between the right-of-way lines and the edge of the surfaced roadway.
- D. Adequate provisions for the collection and disposal of surface and storm water shall be provided within the street right-of-way.
- E. All work and improvements listed under this section of the ordinance shall be done according to specifications of the Olmsted County Highway Department and shall be subject to the recommendations, supervision and approval of the County Engineer.

1206.3. SIGNS.

Street name signs shall be placed at all block corners and such other intermediate points as may be required by the Planning Advisory Commission. Signs shall be of a permanent nature, mounted upon metal posts and located at the intersections of the street right-of-

way lines extended. At intersections having four (4) block corners it will be necessary to erect signs on two (2) diagonal corners only.

All signs, posts and their installation shall require approval of the County Engineer.

1206.4. UTILITIES.

It shall be the responsibility of the subdivider to contact utility companies to determine the availability of services and to make the necessary arrangements for their installation.

A. Where a community type water supply system is to be utilized, the subdivider or developer shall install the water mains prior to construction of buildings upon the lots.

1206.5. ENGINEERING PLANS.

Street plans and profiles shall be drawn with black ink on standard highway plan and profile linen. Street plans and profiles shall be drawn to a scale not greater than one (1) inch equals one-hundred (100) feet horizontally and one (1) inch equals ten (10) feet vertically, and shall show original and proposed centerline elevations, all curve data, street orientation and a typical cross section for each street.

1206.6. PERFORMANCE BONDS.

In the interest of good development and to protect the taxpayers and future purchasers of residential, commercial and industrial properties, it shall be the policy of the Olmsted County Board of Commissioners to require that all dedicated streets and other public lands be improved to the degree herein stated prior to acceptance and recording of final plat and the building of structures thereon.

The County Board of Commissioners may accept a final plat for recording where the owner and/or developer of the platted subdivision furnished a certified check or surety bond acceptable to the County Board of Commissioners in sufficient amount to cover the provisions of this ordinance.

The amount of said certified check or surety bond shall be determined by the County Engineer and the stipulated period covered by such bond shall in general be for a period of one (1) year. In no case, however, shall the period of performance bonds exceed two (2) years.

1207 PLATTING EXCEPTIONS AND CONDITIONS

1207.1. METES & BOUNDS SUBDIVISION.

1. Portion of Platted Lot.

On application of the owner, the Planning Department may approve a metes and bounds subdivision of a portion of a platted lot under the following circumstances if, in each instance, the new and residual parcels of land which would result from the metes and bounds subdivision meet the requirements of the Zoning Ordinance.

- a. When it is desired to relocate a property line separating platted lots, or a platted lot and unplatted land, which would not result in the creation of any additional lots.
- b. When it is desired to divide two platted lots into not more than three parcels.
- c. When it is desired to divide one platted lot into not more than three parcels.
- d. When the parcels are approved for private sewage disposal systems, if needed, by the Health Department.
- e. When such a subdivision will not interfere with the purposes of the Subdivision Ordinance.

2. Unplatted Land.

On application of the owner, the Planning Department may approve a metes and bonds subdivision under the following conditions if, in each instance, the new and residual parcels of land which would result from the metes and bounds subdivision meet the requirements of the Zoning Ordinance.

- a. When the subdivision involves the creation of no more than a total of three new and residual parcels from a legally recorded parcel.
- b. When the parcels are approved for private sewage disposal systems, if needed, by the Health Department.
- c. When it is desired to relocate a property line that would not result in the creation of any additional lots.
- d. That such a subdivision will not interfere with the purposes of the Subdivision Ordinance.

3. Dedication of Street, Public Utility, And Environmental Corridor Easements.

When it is determined that additional public street easements are required along existing public roads in order to improve drainage or roadway safety, the owner shall be required to dedicate such necessary street easements as a condition of metes and bounds subdivision approval.

When public utility easements and/or environmental corridor easements are required as a result of a metes and bounds subdivision, the owner shall dedicate such necessary easements as a condition of metes and bounds subdivision approval.

4. Applications.

All applications under this section shall be filed with the Planning Department and shall have attached thereto a legal description and map of the land to be subdivided showing all new and residual parcels, any deed covenants or restrictions that exist or are proposed, and written approval of the Olmsted County Health Department for private sewage disposal systems, if needed.

All applications shall be sent to the Township Board for their review and comment. Failure to comment on any application within thirty-five (35) days of receipt shall cause the Township to forfeit its opportunity to comment on said application. After the Township has had an opportunity to comment on the application, the Planning Department shall render a decision within thirty-five (35) days.

Final approval of all applications will require a Plat of Survey prepared by a registered land surveyor for each new parcel (unless waived by the County Surveyor in total or in part). The County Surveyor may waive the Plat of Survey for a parcel of land that is six (6) acres or more in size.

5. Filing Fee.

A filing fee as established by the County Board (See Appendix A) shall accompany all applications for metes and bounds subdivision approval. All fees paid by check be made payable to the Olmsted County Treasurer.

6. Appeals.

All appeals of the decisions of the Planning Department or regarding this section shall be made directly to the Olmsted County Board of Adjustment. Appeals must be filed within ten (10) days of the date of the decision of the Planning Department. The Board shall hold a public hearing within sixty (60) days from receipt of a written appeal and shall dispose of all requests within sixty (60) days of the hearing. The decision of the Board of Adjustment shall be final.

The appellant, official, or township from whom the appeal is taken, and the public, shall be notified of the public hearing in accordance with Minnesota Statutes 394.27. Failure of any property owner or said persons to receive such notice shall not invalidate the proceeding provided a bona-fide attempt to give such notice has been made.

1208 DEDICATIONS AND RESERVATIONS

1208.1. GENERAL.

Where deemed appropriate by the Planning Advisory Commission, open spaces suitably located and of adequate size for parks, playgrounds or other recreational activities for local or neighborhood use, shall be provided for in the proposed subdivision. If said parcels are not dedicated to the County of Olmsted, the Planning Advisory Commission may recommend they be reserved by covenant or deed restriction for the common use of all property owners in the subdivision.

1208.2. PARKS, SCHOOL AND PUBLIC USE SITES.

When a park, school or other public use site shown in the Comprehensive Development Plan or Official Map of Olmsted County lies wholly or partly within the boundaries of the proposed subdivision, and such park, school or other public use site, is not dedicated for public use to Olmsted County, the Planning Advisory Commission may recommend that the area be reserved for acquisition by Olmsted County for a period of one and one-half (1 ½) years.

1209 VARIANCES

1209.1. HARDSHIP.

Where the Planning Advisory Commission finds that extraordinary hardship may result from strict compliance with the provisions of this ordinance, it may vary the regulations to the extent that substantial justice may be done and the public interest secured, provided that such variation may be granted without detriment to the public interest and will not have the effect of nullifying the intent and purpose of this ordinance.

1209.2. LARGE-SCALE DEVELOPMENTS.

The standards and requirements of this ordinance may be modified by the Planning Advisory Commission in the case of a subdivision large enough to constitute a self-contained community and which is to be developed in accordance with a comprehensive development plan safeguarded by appropriate restrictions and which make adequate

provisions for necessary community facilities. No variance shall be granted which shall have the effect of nullifying the intent and purpose of this ordinance.

1209.3. CONDITIONS.

In the granting of variances, the Planning Advisory Commission shall weigh the benefits of hardships against the general standards and objectives of this ordinance, and may require such conditions that will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

1209.4. BOARD OF ADJUSTMENT.

A Board of Adjustment, appointed by the Olmsted County Board of Commissioners, shall act upon all questions as they may arise in the administration of this ordinance. The board shall hear and decide appeals from and review any order, requirement, decision, or determination made in the enforcement of this ordinance.

1210 ENFORCEMENT

Any person, agent or corporation found guilty of violating any of the provisions of this ordinance, upon conviction thereof, shall be subject to a fine of not more than 100.00 dollars and the cost of prosecution for each violation; or be imprisoned for a period of not more than 90 days, or both. Each day that a violation exists or continues, shall constitute a separate offense.

1210.1 ENFORCEMENT OF VIOLATIONS AND APPEALS.

The procedures which must be followed in the event a) an exception or variance to any provision of this ordinance is sought where no process for an exception or variance has been spelled out in this ordinance, b) a violation of any provision of this ordinance occurs, or c) an appeal of a notice of violation is sought shall be governed by the Olmsted County Administrative Enforcement and Appeals Ordinance set forth in Chapter 4000 of the Olmsted County Code of Ordinances.

1211 AMENDMENTS

The Planning Advisory Commission may of its own motion or upon petition, cause to be prepared amendments supplementing or changing the regulations herein established. All proposed amendments, together with the recommendation of the Planning Advisory Commission, shall be submitted to the County Board of Commissioners for adoption in accordance with establishing procedures.

1212 VALIDITY, SEPARABILITY AND EFFECTIVE DATE

1212.1. VALIDITY.

Whenever any provision of this ordinance imposes restrictions which are more restrictive than those imposed by provisions of existing laws or ordinances, the provision of this ordinance shall govern.

1212.2. SEPARABILITY.

Should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, except that part so declared to be invalid.

1212.3. EFFECTIVE DATE.

The 2017 changes to this ordinance shall take effect 30 calendar days following the approval of the new County Administrative Enforcement and Appeals Ordinance by the Olmsted County Board of Commissioners and publication pursuant to law.

1212.4 FEES. There shall be fees established for items in this ordinance as established from time to time by Resolution of the County Board of Olmsted County. (See Appendix A).

(Passed March 1, 1966. Updated March 24, 2015; March 21, 2017; and September 28, 2017.)

FEE SCHEDULE – APPENDIX A

ZONING CERTIFICATES FEES

A. **Residential Uses:** (Values of improvement building, grading, etc., according to the following schedule)

Total Valuation	May-09	January 1, 2010	January 1, 2011
\$1 to \$500	\$26 per permit	\$27 per permit	\$28 per permit
\$501 to \$2,000	\$26 + \$1.4 per \$100	\$27 + \$1.45 per \$100	\$28 + \$1.5 per \$100
\$2,001 to \$25,000	\$47 + \$2.75 per \$1000	\$48.75 + \$2.85 per \$1000	\$50.5 + \$3 per \$1000
\$25,001 to \$50,000	\$110.25 + \$2 per \$1000	\$114.3 + \$2.1 per \$1000	\$119.5 + \$2.15 per \$1000
\$50,001 to \$100,000	\$160.25 + \$0.65 per \$1000	\$166.8 + \$0.7 per \$1000	\$173.25 + \$0.75 per \$1000
\$100,001 and up	\$192.75 + \$0.25 per \$1000	\$201.8 + \$0.25 per \$1000	\$210.75 + \$0.25 per \$1000

B. **Multiple Family and Non-Residential Uses:** (Values of improvement building, grading, etc., according to the following schedule)

Total Valuation	May-09	January 1, 2010	January 1, 2011
\$1 to \$500	\$26 per permit	\$27 per permit	\$28 per permit
\$501 to \$2,000	\$26 + \$1.95 per \$100	\$27 + \$2 per \$100	\$28 + \$2.05 per \$100
\$2,001 to \$25,000	\$55.25 + \$4 per \$1000	\$57 + \$4.2 per \$1000	\$58.75 + \$4.4 per \$1000

\$25,001 to \$50,000	\$147.25 + \$1.7 per \$1000	\$153.6 + \$1.75 per \$1000	\$159.95 + \$1.8 per \$1000
\$50,001 to \$100,000	\$189.75 + \$1 per \$1000	\$197.35 + \$1.05 per \$1000	\$204.95 + \$1.1 per \$1000
\$100,001 and up	\$239.75 + \$0.25 per\$1000	\$249.85 + \$0.25 per \$1000	\$259.95 + \$0.25 per \$1000

C. **Double Fee:** When the building construction or remodeling has occurred prior to issuing of the zoning certificate, a double fee maybe imposed.

D. **Other Zoning Permits:**

Other Zoning Permits	May-09	January 1, 2010	January 1, 2011
Staff Authorized			
Zoning Certificates	\$26 per	\$27 per	\$28 per
Agricultural Setback	\$45 per	\$47 per	\$49 per
Mobile Home Installation	\$34 per	\$35 per	\$36 per
Moving Permit	\$94 per	\$98 per	\$102 per
Grading/Erosion Permit	\$198 per	\$206 per	\$214 per
Demolition Permit	\$47 per	\$49 per	\$51 per
Compliance Letter			
Single Family	\$94 per application	\$98 per application	\$102 per application
Other	\$182 per application	\$189 per application	\$197 per application
Home Occupation	\$182 per application	\$189 per application	\$197 per application
(Staff Approved)			
Temporary Use Permit	\$291 per application	\$303 per application	\$315 per application

E. Wetland Permits:

Other Zoning Permits	May-09	January 1, 2010	January 1, 2011
Wetlands			
Exception Determination	\$260 per application	\$270 per application	\$281 per application
No-Loss Determination	\$260 per application	\$270 per application	\$281 per application
Delineation Review			
1 acre or less	\$333 per application	\$346 per application	\$360 per application
1 - 10 acres	\$744 per application	\$774 per application	\$805 per application
11+ acres	\$1061 per application	\$1103 per application	\$1147 per application
Replacement Plan			
1 acre or less	\$634 per application	\$659 per application	\$685 per application
1 - 10 acres	\$1373 per application	\$1428 per application	\$1485 per application
11+ acres	\$2028 per application	\$2109 per application	\$2193 per application
Sequencing Plan	\$624 per application	\$649 per application	\$675 per application
Appeal	\$380 per application	\$395 per application	\$411 per application
Banking Plan			
1 acre or less	\$634 per application	\$659 per application	\$685 per application
1 - 10 acres	\$1373 per application	\$1428 per application	\$1485 per application
11+ acres	\$2028 per application	\$2109 per application	\$2193 per application

Annual Monitoring Report	\$109 per application	\$113 per application	\$118 per application
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DEVELOPMENT APPLICATION FEES

	May-09	January 1, 2010	January 1, 2011
Rochester Urban Service Area and Olmsted County Land Use Plan Amendment			
1 acre or less	\$1820 per application	\$1893 per application	\$1969 per application
1 - 10 acres	\$1820 + \$52 per acre	\$1893 + \$54 per acre	\$1969 + \$56 per acre
11 - 99 acres	\$2340 + \$16 per acre	\$2433 + \$17 per acre	\$2529 + \$18 per acre
100 + acres	\$3764 + \$1 per acre	\$3946 + \$1 per acre	\$4131 + \$1 per acre
Olmsted County – Residential Zoning District Change			
1 acre or less	\$1144 per application	\$1190 per application	\$1238 per application
1 - 10 acres	\$1144 + \$14 per acre	\$1190 + \$15 per acre	\$1238 + \$16 per acre
11 - 99 acres	\$1284 + \$5 per acre	\$1340 + \$5 per acre	\$1398 + \$5 per acre
100 + acres	\$1729 + \$1 per acre	\$1785 + \$1 per acre	\$1843 + \$1 per acre
Olmsted County - Non-Residential Zoning District Change			
1 acre or less	\$1508 per application	\$1568 per application	\$1631 per application
1 - 10 acres	\$1508 + \$68 per acre	\$1568 + \$69 per acre	\$1631 + \$70 per acre
11 - 99 acres	\$2188 + \$15 per acre	\$2258 + \$15 per acre	\$2331 + \$15 per acre

	May-09	January 1, 2010	January 1, 2011
100 + acres	\$3523 + \$1 per acre	\$3593 + \$1 per acre	\$3666 + \$1 per acre
Olmsted County – Agricultural Zoning District Change			
1 acre or less	\$1144 per application	\$1190 per application	\$1238 per application
10 - 99 acres	\$1,030 + \$5 per acre	\$1,070 + \$5 per acre	\$1,100 + \$5 per acre
100 + acres	\$1,450 + \$1 per acre	\$1,520 + \$1 per acre	\$1,550 + \$1 per acre
Text Amendment	\$1144 per application	\$1190 per application	\$1238 per application
General Development Plan	\$1400 per application	\$1456 per application	\$1514 per application
ARC Amendment	\$790 per application	\$822 per application	\$855 per application
Conditional Use Permits			
Home Occupation	\$520 per application	\$541 per application	\$563 per application
Agricultural Use	\$489 per application	\$509 per application	\$529 per application
Residential Use	\$520 per application	\$541 per application	\$563 per application
Non-Residential Use	\$1274 per application	\$1325 per application	\$1378 per application
Variance			
Residential Use	\$489 per application	\$509 per application	\$529 per application
Residential Use with Multiple Lots	\$489 per application \$156 per additional lot	\$509 per application \$162 per additional lot	\$529 per application \$168 per additional lot
Non-Residential Use	\$978 per application	\$1017 per application	\$1058 per application

	May-09	January 1, 2010	January 1, 2011
Appeals	\$244 per application	\$254 per application	\$264 per application
Plats			
Preliminary and Resubdivisions Plats	\$1144 per application plus \$21 per lot	\$1190 per application plus \$22 per lot	\$1238 per application plus \$23 per lot
Final Plat	\$884 per application plus \$21 per lot	\$919 per application plus \$22 per lot	\$956 per application plus \$23 per lot
Subdivision Variance	\$489 per application	\$509 per application	\$529 per application
Metes & Bounds Convey.	\$686 per application	\$713 per application	\$742 per application
Thoroughfare Plan Amend.	\$978 per application	\$1017 per application	\$1058 per application
Traffic Impact Study			
Rezoning Traffic Analysis or Traffic Impact Report	\$172 per application \$83 per hour (over 2 hrs)	\$179 per application \$86 per hour (over 2 hrs)	\$186 per application \$89 per hour (over 2 hrs)
Traffic Design Analysis Report	\$83 per application	\$86 per application	\$89 per application
Environmental Worksheet			
1 acre or less	\$1820 per application	\$1893 per application	\$1969 per application
1 - 10 acres	\$1820 + \$78 per acre	\$1893 + \$81 per acre	\$1969 + \$84 per acre
11 - 99 acres	\$2600 + \$16 per acre	\$2703 + \$17 per acre	\$2809 + \$18 per acre
100 + acres	\$4024 + \$1 per acre	\$4216 + \$1 per acre	\$4411 + \$1 per acre

	May-09	January 1, 2010	January 1, 2011
Environmental Impact Statement	To be determined on a contractual basis	To be determined on a contractual basis	To be determined on a contractual basis
Manufactured Home Park			
1 - 10 homes	\$1508 per application	\$1568 per application	\$1631 per application
11 - 99 homes	\$1,350 + \$20 per home	\$1,400 + \$20 per home	\$1,450 + \$20 per home
100+ homes	\$3,150 + \$5 per home	\$3,200 + \$5 per home	\$3,250 + \$5 per home
Manufactured Home Park Amendment or Park Closure	\$962 per application	\$1000 per application	\$1040 per application

Incomplete applications, Applications Changes or Delays:

Incomplete applications, applications changes or delays initiated by the applicant during the review process that result in additional expenses to review the application, resubmit referrals, notices, etc. require the applicant compensate the Planning Department for these additional costs. If the application has been tabled for period of nine months or more, at the applicant request, the applicant is required to file a new application and pay the entire application fee.

END OF CHAPTER 1200

1250 OLMSTED COUNTY PLATTING ORDINANCE

OLMSTED COUNTY PUBLIC HEALTH REGULATION NO. 1

1250.1 – PLATTING REQUIREMENTS.

A regulation requiring Board of Health review and approval of plats before final approval of plats by the County Board of commissioners; providing for the preparation of tentative and final plats; specifying essential information to be included in such plats.

Under authority provided in Section 145.53, Minnesota Statutes, 1953, BE IT AND IT IS HEREBY RESOLVED by the County Board of the County of Olmsted, Minnesota that:

1250.2 – BOARD OF HEALTH REVIEW REQUIRED.

Before the Olmsted County Board of Commissioners approve a plat for the subdivision of land, such plat shall be referred to the County Board of Health for review and approval. This review and approval shall be made of a tentative plat and of a final plat.

1250.3 – THE TENTATIVE PLAT.

(a) Information Required. For the purpose of this review the subdivider shall prepare and present to the County Board of Health a tentative plat. This tentative plat shall include or be accompanied by information on lot boundaries, street and right of way boundaries, type of water supply and method of sewage disposal to be used, location and results of tests made to ascertain subsurface soil, rock and ground water conditions – such tests to be a minimum of one soil test on each acre of subdivision, location and depth of existing and proposed drain tile lines before and after grading, approximate direction and gradient of ground slope shown by topographical contours at five (5) foot intervals and any unusual features of the subdivision and adjacent land which may have adverse effect on that public health such as flood water levels. Except for subdivisions of less than five (5) lots this information shall be provided by the subdivider in an engineering report prepared by a professional engineer registered in Minnesota. In subdivisions of less than five (5) lots the information on location and results of tests to ascertain soil rock and ground water conditions may be developed by the County Board of Health cooperating with the subdivider. The County Board of Health may waive any individual requirements for information which are not applicable to a specific subdivision.

(b) Review of Tentative Plat. The tentative plat shall be reviewed by the County Board of Health. The County Board of Health shall approve the tentative plat or make recommendations for its revision. The County Board of Health is authorized to make any field observations and tests to provide information for such approval or recommendations.

Where individual water supply and sewage disposal Systems are planned each lot shall be of suitable area and dimensions to provide enough usable area to permit the construction of these facilities in accordance with standards recommended by the County Board of Health. The County Board of Health may recommend greater area and frontage than the prescribed minimums where the tests of soil, topography, ground water, and other conditions which would tend to produce public health problems indicate the necessity thereof. Where community water supply and sewage disposal systems are planned to service two or more lots, the plans for such systems shall be submitted to and approved by the State Board of Health and such approved plans shall be made a part of the plat.

(c) Approval of Tentative Plat. The County Board of Health shall write or stamp its approval or recommendations on the tentative plat or identify the plat with reference to a report prepared for the Olmsted County Board of Commissioners. A copy thereof shall be furnished to the subdivider. The County Board of Health report of approval or recommendation on a tentative plat shall become the basis for the development of the final plat.

1250.4 – THE FINAL PLAT.

Before the Olmsted County Board of Commissioners approves a final plat for the subdivision of land such final plat shall be referred to the County Board of Health for review and approval. This final plat shall show the lot boundaries. The County Board of Health shall write or stamp its approval or recommendations on the final plat or prepare for the Olmsted County Board of Commissioners a report of approval or recommendations which shall be identified with reference to the final plat. A copy thereof shall be furnished to the subdivider.

1250.5 – EFFECTIVE DATE.

This regulation shall be in full force and effect from and after adoption and publication.

Adopted by the County Board of the County of Olmsted, Minnesota, this eleventh day of October, A.D. 1955.

F.C. COLVIN
Chairman of the County Board Attest:
Frances L. Underleak County Auditor.

END OF CHAPTER 1250