

ARTICLE 1

TITLE AND APPLICATION

SECTION

- 30-01-01: Title
- 30-01-02: Purpose
- 30-01-03: Jurisdiction
- 30-01-04: Platting Authority
- 30-01-05: Application of Chapter
- 30-01-06: Conflict of Interest
- 30-01-07: Relation to Other Laws and Regulations
- 30-01-08: Policy

30-01-01: TITLE: Sections 30-01-01 through 30-11-02, inclusive, shall be known, cited and referred to as the “Hanover Subdivision Ordinance,” and will be referred to herein as “this Chapter.”

30-01-02: PURPOSE: This Chapter is hereby adopted in order to safeguard the best interest of the City, and to assist the developer in coordinating development plans with the plans and policies of the City. It is the purpose of these regulations to prevent the unregulated, piecemeal development of new subdivisions that in turn might cause undesirable and costly traffic circulation patterns, infrastructure systems and disrupt the unified scheme of community development as set forth in the Comprehensive Plan. To ensure that new subdivisions will contribute toward an attractive, orderly, stable and wholesome community environment, adequate municipal services and efficient movement of traffic, all subdivisions platted within the jurisdiction of the City of Hanover shall, in all respects, fully comply with the regulations set forth in this Chapter. It is the intent of this Chapter to provide regulations and requirements for the platting of land within the City of Hanover pursuant to the authority stipulated In the Minnesota Statutes Chapters 429, 462, 471 and 505 as may be amended, which regulations the City Council deems necessary for the health, safety and general welfare of all residents.

30-01-03: JURISDICTION: The regulations herein governing plats and the subdivision of land shall apply to all lands within the corporate limits of the City and the unincorporated area within two miles of its limits including those lands delineated as Floodplain Overlay District and Shoreland Management Overlay District on the Official Zoning Map.

31-01-04: PLATTING AUTHORITY: The Hanover 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 Hennepin or Wright 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 in the manner prescribed by this Chapter. The Building Official 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 and shall not permit any services until approval of the final plat.

30-01-05: APPLICATION OF CHAPTER: Any plat, hereafter made, for each subdivision or each part thereof lying within the jurisdiction of this Chapter, shall be prepared, presented for approval, and recorded as herein prescribed. The regulations contained herein shall apply to the subdivision of a lot, tract or parcel of land into two or more lots, tracts or other division of land for the purpose of sale or building development, whether immediate or future, including the re-subdivision or re-platting of land or lots.

30-01-06: CONFLICT OF INTEREST: Where a conflict of interest may exist involving the City Engineer, their duties shall be carried out by some other Licensed Civil Engineer as approved by the City Council.

30-01-07: RELATION TO OTHER LAWS AND REGULATIONS: It shall not be intended by the provisions of this Chapter 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 Chapter shall be the minimum requirements adopted for the protection of the public health, safety and general welfare.

30-01-08: POLICY:

- A. 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 Hanover Comprehensive Plan for the orderly, planned, efficient and economical development of the City.
- B. 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 menace. Land shall not be subdivided unless proper provisions have been made for drainage, stormwater management, wetland protection, potable water, domestic wastewater, streets, and capital improvements such as parks, recreation

facilities, transportation facilities, stormwater improvements, and any other necessary improvements.

- C. The existing and proposed public improvements shall conform to and be properly related to the Comprehensive Plan, Local Water Management Plan, and the Capital Improvement Plan of the City.
- D. The provisions of this Chapter 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 any other provision, the most restrictive provision shall be applied.
- E. No land shall be subdivided which is unsuitable for the reason of flooding, inadequate drainage, water supply or sewage treatment facilities. All lots within plain Overlay Districts shall contain a building site at or above the Regulatory Flood Protection Elevation. All subdivisions shall have water and sewage treatment facilities that comply with the provisions of this Ordinance and have road access both to the subdivision and to the individual building sites no lower than (2) two feet below the Regulatory Flood Protection Elevation. For all subdivisions in the floodplain, the Floodway and Flood Fringe boundaries, the Regulatory Flood Protection Elevation and the required elevation of all access roads shall be clearly labeled on all required subdivision drawings and platting documents.