

ORDINANCE NO. 06-688

AN ORDINANCE TO AMEND SECTION 11-212 OF THE MUNICIPAL CODE RELATED TO SUBDIVISIONS OF EXISTING LOTS AND BLOCKS WITHIN THE CITY LIMITS; TO CHANGE TERMINOLOGY AND DEFINITIONS; TO SET FORTH THE CONDITIONS UNDER WHICH SUCH SUBDIVISIONS WOULD BE ALLOWED AND TO SPECIFY THE APPLICATION AND REVIEW PROCEDURE FOR SUCH SUBDIVISIONS; TO REPEAL ALL PRIOR ORDINANCES IN CONFLICT HERewith; TO ALLOW FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF FRIEND, NEBRASKA, AS FOLLOWS:

Section A. That Section 11-212 of the Municipal Code of the City of Friend, Nebraska, presently entitled SHORT FORM SUBDIVISIONS; PROCEDURES, is hereby amended as follows:

Section 1. Subdivisions of Existing Lots and Blocks. The City Council is authorized to approve further subdivisions of existing lots and blocks whenever all required public improvements have been installed, no new dedication of public rights-of-way is involved, and such subdivision complies with the existing ordinance requirements concerning minimum areas and dimensions of such lots and blocks, if the following conditions are met:

1. The subdivision does not involve the dedication of public rights-of-way or easements.
2. The subdivision involves the replatting, consolidation or development of one or more lots into not more than four (4) lots.
3. The subdivision would not require the vacation of any occupied utility easements.
4. In the opinion of the Council, upon advice of the Planning Commission, the plat is not contrary to the comprehensive plan or other plans for the area.

Section 2. Application for Subdivision Approval. An application for subdivision approval under this ordinance shall be submitted to the Building Inspector. The following shall be submitted with the application.

1. Application and review fee of \$100 for each lot or block to be subdivided payable to the City Clerk must accompany all applications.
2. Survey results and a surveyor drawing of the lot or block to be subdivided performed by a licensed surveyor.
3. Any additional and applicable information as may be required by the Building Inspector.

Section 3. Review. Upon filing, the Building Inspector shall forward the application and

supplemental information to the Planning Commission for its recommendation. The Planning Commission may seek input from the City Utilities Superintendent, the School District, and the Chief of Police in formulating its recommendation.

Section 4. Action. The Planning Commission shall forward the application with its recommendations, if any, to the Council. The Council shall approve or disapprove the application.

Section 5. Planning Commission and City Council Review and Action. If the application under this ordinance does not qualify for approval or has been disapproved by the Council, an application for subdivision shall be submitted in accordance with Section 11-201 through 11-211 of the Municipal Code.

Section 6. Deed Filing; Filing Fees. The Applicant shall be solely responsible for filing all instruments necessary to convey title or otherwise accomplish the purposes for which the application was originally submitted in the Register of Deeds' office in Saline County, Nebraska, and all fees associated therewith.

Section B. That the title of Section 11-212, presently entitled SUBDIVISION REGULATIONS; SHORT FORM SUBDIVISIONS; PROCEDURES is hereby amended and shall hereinafter be titled as SUBDIVISION REGULATIONS, SUBDIVISIONS OF EXISTING LOTS OR BLOCKS; PROCEDURES.

Section C. That all ordinances and parts of ordinances in conflict herewith are hereby specifically repealed.

Section D. Should any section paragraph, sentence, or word of this Ordinance hereby adopted be declared for any reason to be invalid, it is the intent of the Mayor and Council of the City of Friend, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination hereof of any such portion as may be declared invalid.

Section E. This Ordinance shall take effect after its approval, passage, and publication in pamphlet form according to law.

Passed and approved this 4th day of April, 2006.



Debbie L. Gilmer
CITY CLERK/TREASURER

CITY OF FRIEND, NEBRASKA

By: Roger C. Johnson
MAYOR