

ORDINANCE NO. 02-577

AN ORDINANCE TO ALLOW THE SUBDIVISION OF EXISTING LOTS AND BLOCKS WITHIN THE CITY LIMITS BY METHODS OTHER THAN THOSE WHICH ARE NOW ALLOWED BY CURRENT SUBDIVISION ORDINANCES; TO SET FORTH THE CONDITIONS UNDER WHICH SUCH SUBDIVISIONS WOULD BE ALLOWED; TO SPECIFY THE APPLICATION AND REVIEW PROCEDURE FOR SUCH SUBDIVISIONS; TO AMEND THE SECTION NUMBER OF THE AMENDMENTS AND PENALTY PROVISIONS OF THE SUBDIVISION REGULATIONS OF THE CITY OF FRIEND TO MAINTAIN THE PROPER SEQUENCING AND ORDER OF SUCH ORDINANCES; TO REPEAL ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

NOW, THEREFORE, 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, hereinafter entitled SHORT FORM SUBDIVISIONS; PROCEDURES, is hereby amended as follows:

Section 1. Short-Form Subdivisions. 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 tract of land has not been previously subdivided as a Short-Form subdivision.
2. The subdivision does not involve the dedication of public rights-of-way or easements.
3. The subdivision involves the replatting, consolidation or development of one or more lots into not more than four (4) lots.
4. The subdivision would not require the vacation of any occupied utility easements.
5. 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 Short-Form Subdivision Approval. An application for Short-Form subdivision approval shall be submitted to the Building Inspector. The following shall be submitted with the application.

1. Application fee as provided in Section 11-211 of the Municipal Code.

2. Two (2) reproducible mylar copies of the plat, which are at least 17" x 22" in size, at a scale of no more than 1" = 50' authorized by the Zoning Administrator.
3. Ten (10) reduced copies of the plat which are 8 ½ x 11 or 8 ½ x 14.
4. Applicable information as required under Section 11-206 Final Plat Requirements of the Municipal Code.

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 plat with its recommendations, if any, to the Council. The Council shall approve or disapprove the plat.

Section 5. Planning Commission and City Council Review and Action. If the plat does not qualify for administrative 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. Plat Information. The subdivision plat shall be prepared in accordance with the final plat standards in Section 11-206 of the Municipal Code.

Section 7. Subdivision Plat Filing. The City Clerk shall be responsible for filing said plat in the Register of Deeds' office in Saline County, Nebraska.

Section 8. Subdivision Filing Fees. The owner/subdivider shall be responsible for the payment of all plat filing fees.

Section B. That Section 11-212, entitled SUBDIVISION REGULATIONS; AMENDMENTS is hereby re-numbered and shall hereinafter be referred to as Section 11-213. It is not repealed.

Section C. That Section 11-213, entitled SUBDIVISION REGULATIONS; PENALTY is hereby re-numbered and shall hereinafter be referred to as Section 11-214. It is not repealed.

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

Section E. 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 F. This Ordinance shall take effect after its approval, passage, and publication or posting according to law.

Passed and approved this 2nd day of April, 2002.

CITY OF FRIEND, NEBRASKA



By: *Ammon W. Vanden*
MAYOR

Ann L. Betka
CITY CLERK/TREASURER

Publish 1 time - Apr. 10, 2002

Need 2 proofs