

SUBDIVISION REGULATIONS

City of Baltic, South Dakota

Notice of Public Hearing Published: August 9, 2000

Planning and Zoning Commission recommended approval: 14 August 2000

Public Hearing held by the City Council: 21 August 2000

First Reading Held by the City Council: 14 August 2000

Second Reading held by the City Council: 12 September 2000

Adoption approved: 12 September 2000

Notice of Adoption published: 04 October 2000

Effective Date: 24 October 2000

ORDINANCE NO. 166

AN ORDINANCE ESTABLISHING REGULATION OF THE SUBDIVISION OF LAND IN THE CITY OF BALTIC, SOUTH DAKOTA, AS PROVIDED FOR UNDER SDCL 11-3, 11-4 AND 11-6: REQUIRING AND REGULATING THE PREPARATION AND PRESENTATION OF PRELIMINARY AND FINAL PLANS FOR SUCH PURPOSES; ESTABLISHING MINIMUM SUBDIVISION DESIGN STANDARDS; PROVIDING MINIMUM IMPROVEMENTS TO BE MADE OR GUARANTEED TO BE MADE BY THE SUBDIVIDER; SETTING FORTH THE PROCEDURE TO BE FOLLOWED BY THE CITY COUNCIL IN APPLYING THESE RULES, REGULATIONS AND STANDARDS; AND FOR THE REPEAL OF ALL PRIOR ORDINANCES OR REGULATIONS IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BALTIC, SOUTH DAKOTA:

Section 1: The attached document titled Subdivision Regulations is hereby adopted by reference, and is hereby approved as the official subdivision regulations for the City of Baltic, South Dakota.

Section 2: All prior ordinances and parts of prior ordinances in conflict with the provisions of this ordinance are hereby repealed.

ADOPTED THIS 12th DAY OF SEPTEMBER 2000

Mayor, City of Baltic

First Reading: 21 August 2000

Second Reading: 12 September 2000

Finance Officer, City of Baltic

Publication Date: 04 October 2000

Effective Date: 24 October 2000

NOTICE OF ADOPTION

ORDINANCE NO. 166 ESTABLISHING SUBDIVISION REGULATIONS FOR THE CITY OF BALTIC, SOUTH DAKOTA, PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

Notice is hereby given that the Baltic City Council has adopted Ordinance No. 166 establishing Subdivision Regulations for the City of Baltic, South Dakota. These regulations are set forth in the document titled *Subdivision Regulations*; this document provides for the regulation of the subdivision of land within the City of Baltic and in the extraterritorial area described in the City's Major Street Plan, under the authority of SDCL Chapter 11-3, 11-4 and 11-6; and also provides for the repeal of all prior ordinances or parts thereof in conflict therewith. The Subdivision Regulations include, but are not limited to requirements and standards for the preparation and presentation of preliminary and final plats. The Subdivision Regulations are available for public review at the Baltic City Finance Office during normal business hours. The Subdivision Regulations were duly adopted by the City Council on the 12th day of September 2000, and will become effective 20 days after publication of this NOTICE OF ADOPTION, unless a referendum shall be invoked.

Dated this 12th day of September 2000



Elaine C. Hendrickson
Municipal Finance Officer
City of Baltic

Minutes of the 13 December 1999 Baltic Planning and Zoning Commission Meeting


The Baltic Planning and Zoning Commission met at 6:30 PM on the 13 December 1999. President James Wendland brought the meeting to order. Present were Mike Wendland, Dean Skatvold, Doug Burns and Randy Murphy.

Discussed was variance request for placing a garage on Lot 10 in block 10 of Langness 2nd addition to Baltic, South Dakota. Request tabled for further study.

The Revised Subdivision Regulations were reviewed. Motion by Mike Wendland to recommend approval to the City Council. Burns seconded. Motion Carried.

Motion by M. Wendland to adjourn, second by Murphy. Motion Carried.

Next meeting will be held on 10 January 2000 at 6:30 PM.


Elaine C. Hendrickson
Municipal Finance Officer

AFFIDAVIT OF PUBLICATION

State of South Dakota

SS

County of Minnehaha

Connie Bender of said county, being, duly sworn, on oath, says: That he/she is the publisher or an employee of the publisher of the **Baltic Beacon**, a legal weekly newspaper, published by Prairie Publications in the City of Dell Rapids, in said County of Minnehaha, and State of South Dakota; that he/she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive; that said newspaper has been published within the said County of Minnehaha and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the notice, order or advertisement, a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for 1 successive week(s) to wit:

August 9 2000

Baltic

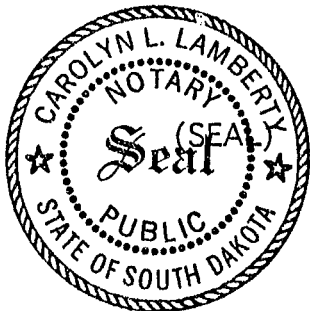
PUBLIC HEARING

NOTICE IS GIVEN that the Baltic City Council will hold a hearing on the Subdivision Regulations of the City of Baltic on 21 August 2000 at 5:30 p.m. at Baltic City Hall. The Baltic City Council will hold the 2nd reading of Ordinance 166 Subdivision Regulations of the City of Baltic at the Council meeting on 11 September 2000 held at Baltic City Hall at 7:00 p.m. All interested parties are welcome and encouraged to attend and be heard.

Elaine C. Hendrickson
Municipal Finance Officer

B-Aug. 9

That the full amount of the fee charged for the publication of the attached public notice insures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are \$ 4.89.



Connie Bender
Subscribed and sworn to before me this 9th day of August 2000

Carolyn L. Lamberty
Notary Public in and for the County of Minnehaha, South Dakota. My commission expires November 5, 2004.

Minutes of the 14 August 2000 Baltic Planning and Zoning Commission Meeting

The Baltic Planning and Zoning Commission met at 6:30 PM on August 14, 2000. President James Wendland brought the meeting to order. Present were Dean Skatvold, Doug Burns, Dennis Johnson, Ryan Larson, Steve Olson and Randy Murphy.

Bob Sittig, speaking for Baltic Independent Schools, requested approval of the building permit to place a concrete slab between the existing concrete slab, which supports the gas fuel tank, and the bus barn. The new slab will support a diesel tank and measure 11 feet by 8 feet. Burns made a motion to approve the permit contingent on the receipt of the approval of the State Fire Marshall. Skatvold seconded. All Ayes.

A plat was presented for a portion of the West Half of the Southwest Quarter (W1/2 SW1/4) of Section 33, Township 104 North, Range 49 West of the 5th Principal Meridian, Minnehaha County, South Dakota which has been divided into Lot 17 of Block 1 and Lots 7 and 8 in Block 4 and Lots 11 and 23 in Block 3 and Lot 16 in Block 7 and Lots 1 to 13, inclusive, in Block 6 and Lots 1 to 6 in Block 5, and adjacent street right-of-ways which are dedicated to public use, all within the Baltic Heights Addition to the City of Baltic, Minnehaha County, South Dakota. This area is commonly called Phase V of Baltic Heights. Burns made a motion to approve the plat contingent on the completion of the drop inlet at Kyle Avenue and Anna Avenue and that 6th Street, contained within the platted area, is a collector street and as such must be 40 feet in width from curb to curb. Murphy seconded. All Ayes.

Next the Planning and Zoning Commission held a hearing to review a request to rezone from A-1 to R-1 the plat of a portion of the West Half of the Southwest Quarter (W1/2 SW1/4) of Section 33, Township 104 North, Range 49 West of the 5th Principal Meridian, Minnehaha County, South Dakota which has been divided and platted into Lot 17 of Block 1 and Lots 7 and 8 in Block 4 and Lots 11 and 23 in Block 3 and Lot 16 in Block 7 and Lots 1 to 13, inclusive, in Block 6 and Lots 1 to 6 in Block 5, and adjacent street right-of-ways, all within the Baltic Heights Addition to the City of Baltic, Minnehaha County, South Dakota. This area is commonly called Phase V of Baltic Heights. No one was present to object to the rezoning of the subject area. Larson made a motion recommending rezoning the area from A-1 Agricultural District to R-1 Residential District. Skatvold seconded. All Ayes.

At the request of the Municipal Finance Officer Murphy made a motion to reaffirm the approval of the Subdivision Regulations. Burns seconded. All Ayes.

Murphy made a motion to adjourn. Skatvold seconded. All present voted aye.

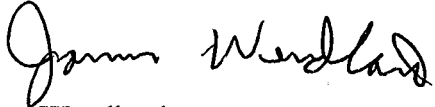


Elaine C. Hendrickson
Municipal Finance Officer

14 August 2000

To the Baltic City Council,

The Planning and Zoning Commission reaffirms its recommended approval of the July 'final draft' of the Subdivision Regulations for the City of Baltic, South Dakota first given 13 December 1999 and now reaffirmed on 14 August 2000.

A handwritten signature in cursive script that reads "James Wendland".

James Wendland
Planning and Zoning President

AFFIDAVIT OF PUBLICATION

State of South Dakota

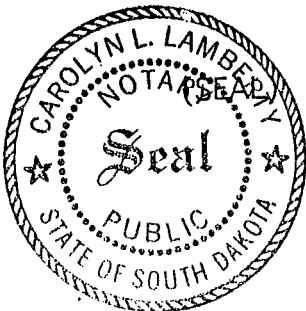
ss

County of Minnehaha

Connie Bender of said county, being, duly sworn, on oath, says: That he/she is the publisher or an employee of the publisher of the **Baltic Beacon**, a legal weekly newspaper, published by Prairie Publications in the City of Dell Rapids, in said County of Minnehaha, and State of South Dakota; that he/she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive; that said newspaper has been published within the said County of Minnehaha and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the notice, order or advertisement, a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for / successive week(s) to wit:

August 30 2000

That the full amount of the fee charged for the publication of the attached public notice insures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are \$ 12.32.



Connie Bender
Subscribed and sworn to before me this 30th day of August 2000

Carolyn L. Lamberty
Notary Public in and for the County of Minnehaha, South Dakota. My commission expires November 5, 2004.

Baltic

**MINUTES OF 21 AUGUST 2000
SPECIAL SESSION**

THE BALTIC CITY COUNCIL MET IN SPECIAL SESSION ON 21 August 2000, AT 5:50 P.M. MAYOR MIKE WENDLAND CALLED THE MEETING TO ORDER. Present were Council members Doug Burns, and Larry Miller. Ryan Larson and Robin Koopman were absent. The meeting was held at Baltic City Hall.

The 2001 budget was the main focus of the meeting. Miller made a motion to increase the Alderpersons' annual pay to \$1,465 and the Mayor's annual pay to \$1,910. This is a 3% pay increase per year and will become effective with the 2003 budget. Burns seconded. All Ayes.

Burns made a motion to capitalize all City property with an original value greater than \$500. Miller seconded. All Ayes.

Bids were opened for Streets 08-00 project. Burns made a motion to accept the bid from "The Road Guy" for \$1.00/sq. yard of chip sealing and \$90/ton for patch and repair. No bidders were present to answer any of the questions. The use of 30 tons of material to patch and repair was the deciding factor as to the lowest responsible bid.

A hearing notice was published on 09 August 2000, for the hearing to be held at this session of the City Council, for Ordinance 166—Subdivision Regulation. A hearing was held and no one appeared to hear or be heard.

Burns made a motion to adjourn the meeting at 8 p.m. Miller seconded. All Ayes.

Elaine C. Hendrickson
Municipal Finance Officer

B-Aug. 30

AFFIDAVIT OF PUBLICATION

State of South Dakota

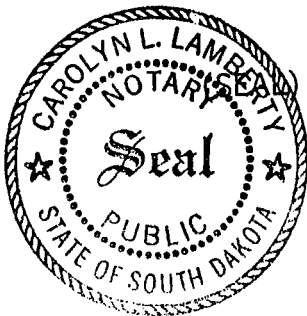
ss

County of Minnehaha

Connie Bender of said county, being, duly sworn, on oath, says: That he/she is the publisher or an employee of the publisher of the **Baltic Beacon**, a legal weekly newspaper, published by Prairie Publications in the City of Dell Rapids, in said County of Minnehaha, and State of South Dakota; that he/she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive; that said newspaper has been published within the said County of Minnehaha and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the notice, order or advertisement, a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for 1 successive week(s) to wit:

	<u>October 4 2000</u>
_____	20
_____	20
_____	20
_____	20
_____	20
_____	20
_____	20
_____	20
_____	20

That the full amount of the fee charged for the publication of the attached public notice insures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are \$ 44.30.



Connie Bender
 Subscribed and sworn to before me this 4th day of October 2000

Carolyn L. Lambert
 Notary Public in and for the County of Minnehaha, South Dakota. My commission expires November 5, 2004.

(over)

Baltic

MINUTES OF 12 SEPTEMBER 2000
 REGULAR SESSION

THE BALTIC CITY COUNCIL MET IN REGULAR SESSION ON SEPTEMBER 2000 AT 7:00 MAYOR MIKE WENDLAND CALLED THE MEETING TO ORDER. Present were Council members Doug Burns, Ryan Larson and Larry Miller. Robin Koopman was absent. The meeting was held at the Baltic City Hall.

Miller made a motion to approve the minutes of the 10, 14 and 21 August 2000 meetings. Burns seconded. All Ayes.

Expenses approved at 12 September 2000 City Council Meeting: A.B.A.T.E. of Sioux Falls Inc., vendors regis, 20.00; Baltic Building Supply, flanges/seals, 66.45; Baltic Telecom, phone, 143.58; Beal Distributing, beer, 2,534.90; Business Forms & Accounting, checks, 194.36; C&R Supply, Inc, flange/flapper, 23.20; Campbell Supply, mat/resin, 18.95; Carlson Distributing, beer, 1,514.30; Carpet One, carpet, 3,600.91; CGC's Fuel, fuel, 272.33; City of Baltic Water Bill, water, 88.94; City of Baltic, petty cash reimbursement, 194.32; City of Brandon, building inspect, 150.00; City of Sioux Falls, rubble disposa, 23.84; Coca-Cola, pop/mix, 200.80; Colton Print Shop, ad, 15.80; Dakota Beverage, beer, 718.40; Dell Rapids Lumber Co, sander, 102.82; Econo Food, food, 47.56; Elaine Hendrickson, mileage, 235.12; Famous Brands, liquor, 888.26; First National Bank, taxes, 3,596.23; Frito-Lay Inc, chips, 43.26; Governor's Inn, room, 64.00; Grainger Inc, bmg motor, 20.27; Harl food, 113.50; Jerry's Repair & Press, Cl, jet sewer line, 800.00; Kraft Pizza Co, pizza, 198.87; Mac's, hardware, 34.72; Maxwell Hotel Supply, glasses/pitche, 91.52; Menard's, tile/toilet, 402.35; Midamerican Energy, gas, 55.60; Midcontinent Communications, internet, 39.00; Midway Service, tires, fuel, 65.13; Midwest Alarm Co, alarms, 26.38; Midwest Oil, pail, 3.75; Minnehaha Comm Water, water, 2,408.70; Northern States Power Co, electricity, 515.38; Office Max, Office Supplies, 60.99; One Call Systems, Inc, locates, 14.70; Pepsi Coja Bottling Co, pop, 150.00; Prairie Publications, publishing, 171.48; Queen City, supplies, 492.01; S Dakota Dept of Revenue, sales tax, 1,043.38; Sams Club (Credit), supplies, 230.89; Scott Boyd, karaoke, 300.00; Servall Towel and Linen, linen, 21.36; So. Dak. Distributing, liquor, 1,546.10; South Dakota Municipal League, registration, 155.00; South Dakota Unemployment Div, penalty, 16.15; Sverdrup Township, blading, 75.00; The Health Pool of SD, health insuran, 651.80; Tractor Supply Co, tank fitting, 5.98; True Value Hdw, lights, 35.77; Utility Dep Return-1, Gretchen Keppler, 45.00; Utility Deposit Rtn (1 time use), Nicole Dybvig, 13.84; Verizon Wireless, cell phone, 23.74; Video Lottery Consultants Inc, chips, 163.10; Waste Management-Sioux Falls, pickup sen, 2,735.75.

Disbursements were reviewed. Miller made a motion to approve the disbursements. Larson seconded. All Ayes.

Toby Brown and Michael Struck of Southeastern Council of Government and Richard Benda of the Governors Office of Economic Development, each addressed

AFFIDAVIT OF PUBLICATION

State of South Dakota

ss

County of Minnehaha

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October 4 2000

That the full amount of the fee charged for the publication of the attached public notice insures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are \$ 14.01.



Connie Bender
Subscribed and sworn to before me this 4th day of October 2000

Carolyn L. Lambert
Notary Public in and for the County of Minnehaha, South Dakota. My commission expires November 5, 2004.

Baltic

NOTICE OF ADOPTION ORDINANCE NO. 166 ESTABLISHING SUBDIVISION REGULATIONS FOR THE CITY OF BALTIC, SOUTH DAKOTA, PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF; AND REPEALING ALL ORDINANCE OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

Notice is hereby given that the Baltic City Council has adopted Ordinance No. 166 establishing Subdivision Regulations for the City of Baltic, South Dakota. These regulations are set forth in the document titled Subdivision Regulations; this

document provides for the regulations of the subdivision of land within the City of Baltic and in the extraterritorial area described in the City's Major Street Plan, under the authority of SDCL Chapter 11-3, 11-4 and 11-6; and also provides for the repeal of all prior ordinances or parts thereof in conflict therewith. The Subdivision Regulations include, but are not limited to requirements and standards for the preparation and presentation of preliminary and final plats. The Subdivision Regulations are available for public review at the Baltic City Finance Office during normal business hours. The Subdivision Regulations were duly adopted by the City Council on the 12th day of September 2000, and will become effective 20 days after publication of this NOTICE OF ADOPTION, unless a referendum shall be invoked.

Dated this 12th day of September 2000.

Elaine C. Hendrickson
Municipal Finance Officer
City of Baltic

B-Oct. 4

Table of Contents

SUMMARY:	SUBDIVISION REGULATIONS	1
ARTICLE I	TITLE AND PURPOSE	2
ARTICLE II	LEGAL PROVISIONS	2
ARTICLE III	DEFINITIONS	3
ARTICLE IV	PROCEDURES: Preliminary Plats, Final Plates & Vacation of Plats	6
ARTICLE V	GENERAL REQUIREMENTS AND DESIGN STANDARDS	10
ARTICLE VI	IMPROVEMENTS REQUIRED FOR FINAL PLAT APPROVAL	13
ARTICLE VII	FINAL APPROVAL	16
ARTICLE VIII	VARIANCE AND AMENDMENTS	17
ARTICLE IX	ENFORCEMENT AND PENALTY	18
ARTICLE X	EFFECTIVE DATE	18

SUMMARY: SUBDIVISION REGULATIONS

These regulations, adopted by Ordinance number _____ (adopted _____, 1999, effective _____, 1999), regulate the subdivision of land within the jurisdictional area of the City of Baltic, under the authority of SDCL Chapters 11-3, 11-4 and 11-6, including requirements and standards for the preparation and presentation of preliminary and final plats. By the same authority, the City of Baltic reserves the right to pass and approve the development of platted subdivisions of land already recorded in the office of the county Register of Deeds, if such plats are entirely or partially undeveloped.

As provided for in SDCL 11-6-26, the jurisdictional area subject to these regulations shall include the area covered by the City of Baltic's Major Street Plan (adopted _____ 1999; effective _____ 1999).

Through these regulations, the Planning Commission and City Council shall:

- *prescribe standards for laying out subdivisions in harmony with the City of Baltic's Comprehensive Plan;
- *establish minimum design and performance standards;
- *require the installation of improvements by the subdivider; and
- *require a performance bond from the subdivider guaranteeing such improvements.

The Planning Commission shall set forth the procedure to be followed by the Baltic City Council in applying these rules, regulations, and standards, and prescribing penalties for the violation of its provision as conferred by state statute.

ARTICLE I
TITLE AND PURPOSE

Section 1: Title. These regulations shall be known, cited and referred to as "The Subdivision Regulations of Baltic, South Dakota."

Section 2: Purpose. The purpose of these regulations is to promote the orderly development of Baltic, and to protect and provide for the public health, safety, morals and general welfare.

ARTICLE II
LEGAL PROVISIONS

Section 1: Jurisdiction. These regulations shall be applicable within the area established in the Comprehensive Plan, including such territory inside and outside the City, as provided for in SDCL 11-6-26.

Section 2: Conflict. These regulations are not intended to interfere with or annul any other ordinance or regulation. Where any of these regulations are at variance with other rules, statutes, ordinances or regulations, those imposing higher standards shall prevail.

Section 3: Separability. Should any section or provision of these regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole.

ARTICLE III
DEFINITIONS

Section 1: Definitions. For the purpose of these regulations, certain numbers, abbreviations, terms and words used herein shall be used, interpreted, and defined as set forth in this section.

- A. Alley: Public or private ways which are used primarily for vehicular service access to the backs or to the sides of properties which otherwise abut on the street.
- B. Arterial Street: Are designed or utilized primarily for high vehicular speeds or for heavy volumes of traffic.
- C. Block: A tract of land bounded by streets, or by a combination of streets, public parks, railroad right-of- ways, shoreline of waterways, or municipal boundaries.
- D. Central Water System: A community water system including treatment and distribution established by the developer to serve a subdivision in the outlying area.
- E. Central Sewerage System: A community sewer system including collection and treatment facilities established by the developer to serve a development in the outlying area.
- F. Collector Street: A road intended to move traffic from local streets to arterials.
- G. City: Municipality of Baltic, South Dakota.
- H. City Council: The City Council of Baltic, South Dakota, as duly elected.
- I. Comprehensive Plan: The master plan or general plan for the development and improvement of Baltic, South Dakota, as adopted by the City Council.
- J. Cul-de-sac: A local street with one end open to traffic and the other end terminated by a turn-around.
- K. Developer: The legal or beneficial owner or owners of a lot or of any land included in a proposed development, including the holder of an option or contract to purchase or other

persons having enforceable proprietary interests in such land.

- L. **Development:** The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any excavation, landfill, or land disturbance; and any use or extension of the use of the land.
- M. **Easement:** Authorization by a property owner for the use by another, for specific purposes, for any designated part of his property.
- N. **Final Plat:** The map or plan or record of a subdivision and any accompanying material as described in these regulations.
- O. **Frontage:** That side of a lot abutting on a street regarded as the front of the lot.
- P. **Frontage Road:** A minor street which runs parallel or adjacent to arterial streets and highways and which serves to reduce the number of access points.
- Q. **Improvements:** By improvement is meant street grading, street surfacing, curb and gutter, water mains and lines, sanitary sewers, storm drainage facilities, culverts or other such installations as designated by the City Council.
- R. **Lot:** A portion of a subdivision intended as a unit for transfer of ownership or development.
- S. **Local Street:** A minor street which is designed and used primarily for access to abutting properties.
- T. **Performance Bond:** Any form of security or assurance, including cash deposit, surety bond, collateral, property, or instrument of credit, in an amount and form satisfactory to the City Council.
- U. **Planning Commission:** The Planning Commission of Baltic, South Dakota.
- V. **Preliminary Plat:** The preliminary drawing or drawings indicating the proposed layout of the subdivision to be submitted to the Planning Commission for approval.
- W. **Subdivider:** A person, corporation, partnership, association, or any group who prepares or causes to be prepared a subdivision plat.

- X. Subdivision: A subdivision is a parcel or parcels which has been divided into two or more separate units for the purpose of subsequent sale or building development. Subdivision includes the division or development of residential and nonresidential zoned land, whether by deed, metes and bounds, lease, map, plat, or other recorded instrument.

ARTICLE IV

PROCEDURE: Preliminary Plats, Final Plats & Vacation of Plats

Section 1: General. The procedure for review and approval of a subdivision plat shall consist of these steps: informal discussion with the Planning Commission, preparation and submission of a preliminary plat, preparation and submission of a final plat of the subdivision, and performance bond(s) as required.

Section 2: Preliminary Plat. After meeting with the Planning Commission, the subdivider shall prepare a preliminary plat prior to the sale of any land within the area to be subdivided, before making any street improvements or the installation of any utilities. The preliminary plat shall meet the standards of design as set forth in Article V and shall show the following information.

1. A scale minimum of one hundred (100) feet to one (1) inch.
2. Name of subdivision, names and addresses of the owners, engineers or surveyors.
3. A vicinity sketch, showing adjacent property owners, land uses, and structures.
4. Date and north points.
5. Acreage of land to be subdivided.
6. Contour intervals of not more than five (5) feet.
7. Boundary lines of area to be subdivided.
8. Existing and proposed easements, their location and dimensions.
9. Streets on and adjacent to the subdivision, with their appropriate dimensions.
10. Utilities on and adjacent to the subdivision showing existing and proposed connections.
11. Lot lines, lot and block numbers.

12. Sites for public, semi-public, recreational, commercial or multi- family uses, and their acreage.
13. Minimum building setback lines.
14. Copies of any deed restrictions shall be attached.

To be reviewed at a Planning Commission meeting, a Preliminary Plat must be submitted no less than ten (10) days prior to the meeting at which it is to be considered. Following review of the preliminary plat and supplementary material, the Planning Commission shall, within forty-five (45) days, act thereon. If the plat is approved, the Planning Commission shall express its approval and, if any, state the conditions of such approval; if the plat is disapproved, the Planning Commission shall return the plat with the reasons in writing for disapproval attached.

Approval of the preliminary plat shall not be deemed approval of the final subdivision plat, rather it shall constitute a guide for the preparation of the final plat.

Approval of the preliminary plat is revocable at any time and shall become void after twelve (12) months from the date of approval if no progress has been made in the development of the final plat. If progress has been made in development prior to the twelve month deadline, the preliminary plat will remain in effect for five (5) years. A preliminary plat shall be updated each time a final plat is submitted for a portion of the development or subdivision.

Section 3: Final Plat. The final plat shall conform substantially to the preliminary plat as approved, and it may constitute only a portion of the preliminary plat which the subdivider proposed to record and develop. The final plat shall give the following information:

1. The scale shall be one hundred (100) feet to one (1) inch or larger.
2. Date, title, legal description, scale, and north point.
3. Tract boundary lines, right-of-way lines for streets, easements and other right-of-ways, property lines, with accurate dimensions within one hundredth (1/100) of a foot; bearings of deflection angles, radii, arcs and central angles of all curves with dimensions to the nearest minute.
4. Lot and block numbers, lot lines and frontage dimensions.

5. Names and locations of adjoining subdivisions and streets adjoining unplatted property.
6. Certification on the plat of title showing that the applicant is the owner, that the making of the plat receives his consent and is in accordance with his desires, and a statement by such owner dedicating streets, right-of-ways, and other sites for public use.
7. Certification by a land surveyor registered in South Dakota as to the accuracy of survey and plat.
8. Receipt by the zoning administrator.
9. Protective covenants or deed restrictions shall be filed with the county Register of Deeds.

Six copies of the final plat and required supplementary material, including plans and specifications for all required improvements, shall be submitted to the Planning Commission at least ten (10) days prior to the Planning Commission meeting at which it is scheduled to be considered.

The subdivider shall post a certified performance bond with the Finance Officer, in sufficient amount to assure completion of all the required improvements, ten (10) days prior to the Planning Commission meeting at which the final plat is scheduled to be considered.

Following review of the final plat and supplemental material, the Planning Commission shall forward its recommendations to the City Council who shall approve or disapprove said final plat within sixty (60) days following submittal.

When reviewed by City Council, the final plat shall be certified by the county Director of Equalization and shall be endorsed with or have attached the certificate of the County Treasurer that all taxes which are liens upon any land included in such plat, as shown by the records of his office, have been fully paid.

No final plat shall be acted upon by the City Council without affording a hearing thereon, notice of the time and place of which shall be sent by mail to said subdivider not less than five (5) days before the date fixed therefore. In addition, no final plat shall be acted upon by the City Council until plans and specifications for all required improvements have been submitted to and reviewed by the Planning Commission. The Planning Commission and City Council may consult with an engineer to determine if the plans and specifications are adequate to protect public health and safety, and if they meet the standards established in *Article V - General Requirements and Design Standards*, and in *Article 6 - Improvements Required for Final Plat Approval*, and other generally accepted standards for the construction of infrastructure and public works.

Following the public hearing, the City Council shall approve or disapprove the final plat within sixty (60) days after receipt thereof. If the final decision is disapproval, the reasons therefore shall be stated in writing with a duplicate copy forwarded to the subdivider.

When the final plat has been approved by the City Council, five (5) copies shall be returned to the subdivider with the certified approval of the City Council. The subdivider shall be responsible for obtaining any and all County certifications, including with the County Register of Deeds as an official plat of record. A certified copy shall be transmitted, by the subdivider, to the County Auditor. The remaining copies shall be returned to the City Finance Officer. No work shall be done on the subdivision and no lots sold before the final plat is accepted and recorded.

The subdivider shall attach to the final plat a map of the proposed subdivision showing the location, specifications and extent of those required services, for which the subdivider is responsible, as specified in *Article V - General Requirements and Design Standards*, and in *Article 6 - Improvements Required for Final Plat Approval*.

Section 4: Vacation of a Plat of Record. Any such plat may be vacated by the proprietors at any time before the sale of any lots by a written instrument declaring the same to be vacated, duly executed, acknowledged and recorded in the same office with the plat to be vacated.

Section 5: Vacation of Part. Any part of a plat may be vacated under the provisions and subject to the conditions of Section 4 of this article; provided such vacating does not abridge or destroy any of the rights and privileges of other proprietors in said plat. Nothing contained in this section shall authorize the closing or obstructing of any public roadways laid out according to law.

ARTICLE V
GENERAL REQUIREMENTS & DESIGN STANDARDS

Section 1: General. The City Council shall impose the following general requirements and compel all subdividers to comply with the following design principles in the layout of subdivisions.

Section 2: Land Suitability. If the Planning Commission or City Council finds that the land to be subdivided is unsuitable for development due to high agricultural productivity, flooding, bad drainage, steep slopes, rock formations or other conditions and if from adequate investigations it has been determined that in the best interest of the public the land should not be divided, the Planning Commission or the City Council shall not approve the subdivision unless adequate methods are found by the subdivider for meeting the problems created by the proposed subdivision.

The Planning Commission or City Council may refuse to approve what it considers scattered, or premature subdivision of land by reason of lack of adequate water supply and sewerage treatment, schools, proper drainage, good roads or other public services which would necessitate an excessive expenditure of public funds for the supply of such services.

Section 3: Streets. The street layout of the proposed subdivision shall provide for the continuation or projection of streets and alleys already existing in areas adjacent to the area being subdivided. In addition, streets and alleys of the proposed subdivision shall correspond in name, direction and width to existing streets and alleys.

Where a subdivision abuts or contains an existing or proposed arterial street, the Planning Commission may require frontage roads, reverse frontage lots with screen planting along the rear property line or other such treatment as may be necessary for adequate protection of residential properties.

Street right-of-ways shall not be less than the following:

1. Arterial streets--80 feet
2. Collector streets--72 feet
3. Local streets--66 feet
4. Alleys--20 feet

Subdivisions platted along existing streets shall dedicate additional right-of-way if necessary to meet the minimum street width requirements set forth in this article.

Street jogs with center line offsets of less than one hundred twenty-five (125) feet shall not be made.

The Planning Commission shall not approve streets which will be subject to inundation or flooding, unless such a street is essential for unusual circumstances exist. Where flood conditions appear to exist, the Planning Commission shall require profiles and elevations of streets in order to determine the advisability of approving the proposed subdivision.

No street names shall be used which will duplicate or be confused with names of existing streets, irrespective of the suffix, avenue, boulevard, drive, place, court, or similar suffix.

Dead end streets as permanent features shall be prohibited. Cul-de-sacs shall be prohibited.

Section 4: Blocks. Block lengths shall not exceed twelve hundred (1200) feet or be less than three hundred (300) feet, except in cases in which the Planning Commission determines that deviation from this requirement is necessary for the proposed subdivision and appropriate for the surrounding area.

All blocks shall be a minimum of two hundred (200) feet wide and shall have two tier of lots. However, where unusual roadway or topographical conditions exist, the Planning Commission may approve a single tier of lots.

Section 5: Lots. Minimum depth of lots shall be one hundred (100) feet. The size, shape and configuration shall be as the Planning Commission deems appropriate.

All lots shall front on a public street for a minimum distance of sixty-six (66) feet.

Double frontage and reverse frontage lots shall be prohibited except where necessary to provide a separation from through traffic or to overcome specific problems related to topography.

Section 6: Easements. Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary. Such easements shall be no less than twelve (12) feet wide. When the Planning Commission deems it necessary for proper drainage within or through a subdivision, it shall require that a

storm water easement or drainage right-of-way be provided.

Section 7: Public Open Spaces. Where increased demands on schools, parks or recreation areas will occur as a result of the applicant's proposed subdivision, the Planning Commission may require the dedication or reservation of such open space within the proposed subdivision for school, park, recreation, or other public purposes. The Planning Commission may require for public use dedication of fifteen (15) percent of the subdivision for school, park, recreation, or other public purposes. The Planning Commission may accept a cash payment of \$400 per acre in lieu of the public use dedication, with such payment to be placed in a capital improvements fund for parks and recreation. Dedication of lands for public open spaces do not include street right-of-ways, drainage easements, utility easements and yard requirements. The developer shall be required to level land for park, school, or recreational uses.

Section 8: Zoning Regulations. No final plat of land within the area of force and effect of an existing zoning ordinance will be approved unless it conforms with the Zoning Regulations.

ARTICLE VI

IMPROVEMENTS REQUIRED FOR FINAL PLAT APPROVAL

Section 1: Monuments. The subdivider shall place permanent monuments in the subdivision as provided herein. Iron monuments five-eighths (5/8) inch in diameter and no less than eighteen (18) inches long shall be placed on street right-of-way lines, street intersections, block corners and all lot corners.

Section 2: Curb and Gutter. Curb and gutter shall be installed by the subdivider on all roadways in the plat being dedicated to public use, and shall be constructed of cement concrete (of comparable quality and specifications as Portland cement) in accordance with designs and specifications approved by the city council and the city engineer, including all appropriate provisions for handicapped accessibility.

Section 3: Streets. All streets, roads, and alleys shall be graded and surfaced to their full widths by the subdivider. Pavement widths shall be measured between the edges of the gutters, thereby excluding curb and gutter widths from the measurement of pavement width.

Minimum pavement widths to be provided are:

STREET TYPES	MINIMUM WIDTHS
Arterial (each lane)	12 feet
Collector	40 feet
Local	30 feet
Frontage Road	20 feet
Alleys	20 feet

Road Surfacing: All roadways to be dedicated for public use shall be surfaced from curb to curb. Surfacing between the gutters shall, at a minimum, be either:

*Asphalt, four (4) inches thick, with a six (6) inch aggregate base course; or

*Portland Cement Concrete (non-reinforced), seven (7) inches thick, with a four (4) inch gravel cushion.

All surfaced roadways shall be installed within a reasonable time, as determined by the City Council, after curb and gutter has been installed within the subdivision.

In cases where streets are anticipated to have higher than normal traffic volumes or an unusually high proportion of traffic from heavier vehicles, the Planning Commission may recommend, and the City Council may require, higher road surfacing standards for such streets.

Section 4: Sidewalks. Within all subdivisions, permanent Portland Cement Concrete sidewalks along each side of every street shown on the plat, dedicated to public use, shall be constructed by the builder or developer of all new homes. All sidewalks shall either be a minimum of 5 feet in width, or, where the subdivision is abutting existing sidewalks, the sidewalks within the subdivision shall conform to the width of the existing abutting sidewalks.

Section 5: Drainage and Storm Sewer. The subdivider shall make adequate provisions for storm drainage runoff through channels or a storm sewer system. Any such improvements shall be constructed separate from the sanitary sewer system.

Section 6: Water Facilities. The subdivider shall install all water distribution facilities, including fire hydrants.

Section 7: Sewerage Facilities. The subdivider shall install public sewerage facilities and manholes subject to review by the Planning Commission and approved by the City Council. Sewers shall be installed to each lot, with grades and sizes. No individual disposal or treatment systems shall be permitted.

Section 8: Public Utilities. The subdivider shall provide lot easements for public utilities wherever possible. When it is necessary to install utilities in the street, the following standards shall apply:

*After grading is complete and approved, and before a pavement base is laid, all in-street work (water and sewer mains, storm sewer, gas mains, etc.) and all service connections shall be completely installed and approved, so as not to require disturbing the pavement surface after paving is completed.

Section 9: Street Signs. The subdivider shall install street signs, indicating the name and block number, at each intersection.

Section 10: Street Lighting. The subdivider shall install street lighting in accordance with existing City standards. Any additional costs, due to lighting fixtures requested by the subdivider above and beyond City standards, shall be borne by the subdivider.

Section 11: Construction Standards. The subdivider shall consult with the area soil conservationist in the planning and construction phase of the development to insure compliance with state statute 38-8A-1-21.

Section 12: Disaster Alert Sirens The subdivider shall consult with the Minnehaha County Civil Defense Director in the planning and construction phase of the development to determine if disaster alert sirens are required in the subdivision. If a siren or sirens are required, the subdivider shall provide the disaster alert siren of a size and design specification approved by the Minnehaha County Civil Defense Director.

ARTICLE VII
FINAL APPROVAL

Section 1: Inspection. The City Council shall provide for the inspection of the required improvements (Article VI) during construction, in order to insure their satisfactory completion before public dedication.

Section 2: Completion and Approval of the Improvements. Approval of the Final Plat by the Planning Commission shall be indicated with the signature of the presiding officer of the Planning Commission on the final plat. Such signature shall be conditional upon the developer completing, in accordance with the Planning Commission and City Council directives and standards, all street, sanitary, water and other improvements as required by these regulations and as specified in the final plat. The signature of the presiding officer of the Planning Commission is also conditional upon the developer furnishing a title insurance policy, approved by the City Attorney, which indicates a guarantee of completion of all the required improvements and that the improvements are free and clear of all and any liens or other encumbrances.

Section 3: Approval of Final Plat. Upon approval and recommendation of the Planning Commission, the City Council shall accept the improvements for dedication and the final plat of the subdivision.

ARTICLE VIII
VARIANCES AND AMENDMENTS

Section 1: Exceptional Conditions. The Planning Commission may recommend, and the City Council may grant, a variance to these regulations if all of the following conditions exist:

1. The proposed use is reasonable;
2. It would be unreasonable to require conformance to the ordinance;
3. The difficulty of conforming to the ordinance is due to circumstances unique to the property;
4. The problem must be one not created by the landowner, and;
5. The variance, if granted, will not alter the essential character of the locality.

Section 2: Amendments. Any provisions of these regulations may from time to time be amended, supplemented, changed, modified, or repealed by the City Council according to law; however, such amendments, supplements, changes and modifications, shall not become effective until after study and recommendation by the Planning Commission and final approval by the City Council, as follows:

- Proposed change in Subdivision Regulations drafted and sent to City Attorney for review
- Letter received from City Attorney confirming legality of proposed changes
- Planning Commission makes recommendation to City Council
- Notice of joint City Council / Planning Commission Public Hearing published
- <15 day waiting period>*
- Public Hearing held by City Council and Planning Commission
- First reading of ordinance changing the regulations held
- Second reading of ordinance changing the regulations held
- Notice of Adoption published
- <20 day waiting period>*
- Revised Subdivision Regulations become effective

ARTICLE IX
ENFORCEMENT AND PENALTY

Section 1: Enforcement. No plat or plan of a subdivision of land located within the jurisdiction of this ordinance shall be recorded or filed with the county Register of Deeds, nor shall any plat or subdivision have any validity until it complies with the provisions of this and has received final approval in writing from the City Council.

Section 2: Penalty. The owner or agent of the owner of any land shall forfeit and pay to the City the sum of two hundred (200) dollars for each lot or part of lot sold or otherwise disposed of, leased, or offered for sale or lease before the final plat thereof has been approved by the City Council as provided in this ordinance. The City may enjoin such transfer, lease, sale or agreement by action for injunction brought in any court of record.

ARTICLE X
EFFECTIVE DATE

Section 1: Effective Date. This Ordinance shall take effect and be in force from and after its passage and publication according to law.

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING REGULATION OF THE SUBDIVISION OF LAND IN THE CITY OF BALTIC, SOUTH DAKOTA, AS PROVIDED FOR UNDER SDCL 11-3, 11-4 AND 11-6: REQUIRING AND REGULATING THE PREPARATION AND PRESENTATION OF PRELIMINARY AND FINAL PLANS FOR SUCH PURPOSES; ESTABLISHING MINIMUM SUBDIVISION DESIGN STANDARDS; PROVIDING MINIMUM IMPROVEMENTS TO BE MADE OR GUARANTEED TO BE MADE BY THE SUBDIVIDER; SETTING FORTH THE PROCEDURE TO BE FOLLOWED BY THE CITY COUNCIL IN APPLYING THESE RULES, REGULATIONS AND STANDARDS; AND FOR THE REPEAL OF ALL PRIOR ORDINANCES OR REGULATIONS IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BALTIC, SOUTH DAKOTA:

Section 1: The attached document titled Subdivision Regulations is hereby adopted by reference, and is hereby approved as the official subdivision regulations for the City of Baltic, South Dakota.

Section 2: All prior ordinances and parts of prior ordinances in conflict with the provisions of this ordinance are hereby repealed.

ADOPTED THIS _____ DAY OF _____, 19____.

Mayor, City of Baltic

Finance Officer, City of Baltic

First Reading: _____

Second Reading: _____

Publication Date: _____

Effective Date: _____