

SUBDIVISION CONTROLS ORDINANCE

Beltrami County, Minnesota

Ordinance No. 5

as revised as January 22, 2002, and November 1, 2005

AN ORDINANCE Regulating the subdivisions of land by sale or building developments; defining terms; providing regulations, requirements and design standards; prescribing procedures for the presentation, approval and recording of plats; setting fees; and prescribing penalties for violations.

NOW BE IT ORDAINED AND ENACTED by the Board of County Commissioners of the County of Beltrami, State of Minnesota:

SECTION 1 -- GENERAL PROVISIONS

1.01 TITLE: This Ordinance from the date of its passage shall be entitled:

The Subdivision Controls Ordinance, Beltrami County
Minnesota.

1.02 PURPOSE: The Purpose of this Ordinance is to regulate the subdividing of land in Beltrami County lying outside the incorporated limits of any city, so that new subdivisions will be integrated with the comprehensive plan of Beltrami County and contribute to an attractive, stable and wholesome environment, adequate public services and integrated and safe street and highway system. This Ordinance shall clarify and supplement the requirements of Minnesota Statute 505.01 - 505.177.

1.03 COMPLIANCE: Hereafter, no lot in a subdivision may be sold unless and until the improvements required by the County Board in connection therewith have either been constructed or guaranteed, as herein provided.

It shall be unlawful for the owner, agent or persons having control of any land within the jurisdiction of this Ordinance to subdivide or lay out such land into lots, blocks, highways, streets, avenues, alleys, public ways and grounds, unless by plat compiled in accordance with Minnesota Statute 505.01 - 505.177, and the provisions of this Ordinance, except as herein allowed.

- 1.04 CONFLICT: Whenever there is a difference between minimum standards of dimensions specified herein and those contained in other official regulations, resolutions or ordinances of the County, or any other State or Federal law or regulation, the most restrictive standard shall apply.
- 1.05 LEGAL AUTHORITY: This Ordinance is enacted pursuant to "An Act Authorizing County Planning and Zoning Activities, Establishing a Board of Adjustment and Authorizing the Enactment of Official Controls," Minnesota Statute 394.21 - 394.37.
- 1.06 INCLUSIONS: Words used in the present tense shall include the plural, and the plural the singular. The word "persons" includes any individual, firm, association, syndicate or partnership, corporation, trust, or any other legal entity. The words "shall" or must are mandatory and not discretionary.

SECTION 2 -- DEFINITIONS

- 2.01 TERMS: For the Purpose of the Ordinance the following terms shall have the meaning hereinafter indicated in this section unless specifically stated otherwise:

2.011 ALLEY: A narrow street dividing a block of lots, which gives access to the rear of the affected lots and not intended as a main thoroughfare.

2.012 BELTRAMI COUNTY DRAINAGE POLICY: A document on file describing the best management practices and the requirements for storm water management in Beltrami County.

2.013 BOUNDARY SURVEY: A survey made to establish or to re-establish a boundary line on the ground or to obtain data for constructing a map or plat showing boundary lines.

2.014 BUILDING: Any structure, either temporary or permanent, having a roof or other covering, and designed for the shelter or enclosure of any person, animal or property of any kind, including tents, awnings or vehicles situated on private property and used for purposes of a building.

2.015 CERTIFICATE OF SURVEY: A graphic representation of any parcel of real property, the primary purpose of which is to show the results of a boundary survey. A

Certificate of Survey must be in the form required by the Beltrami County Surveyor, and certified to by a Registered Surveyor.

2.016 COMMISSION OR PLANNING COMMISSION: Beltrami County Planning Commission,
Beltrami County, Minnesota.

2.017 COMPREHENSIVE PLAN: The policies, statements, goals, and interrelated plans for private and public land and water use, transportation, and community facilities including recommendations for plan execution, documented in texts, ordinances and maps which constitute the guide for the future development of the county or any portion of the county.

2.018 COUNTY: Beltrami County, Minnesota.

2.019 COUNTY BOARD: Board of County Commissioners, Beltrami County, Minnesota.

2.020 CUL-DE-SAC: A semi-circular vehicular turn-around terminating a dead-end street.

2.021 DEAD-END STREET: A comparatively short street having but

one end open to traffic and the other end being terminated by a vehicular turn-around.

2.022 EASEMENT: A grant by a property owner of land for specific use by the public, or person or persons, for specific purposes.

2.023 FINAL PLAT: The final map, drawing or chart prepared pursuant to Minnesota Statutes 505.01 to 505.177, on which the subdivider's plan or subdivision is presented to the County Board for approval, and which if approved may be recorded with the County Recorder and/or the County Registrar of Titles. A Registered Land Survey, authorized by Minnesota Statute 508.47 shall follow the same procedures as a plat, as set forth in Sections 4, 5, and 6 of this Ordinance.

2.024 HARDSHIP: Means the property in question cannot be put to a reasonable use if used under the conditions allowed by the official controls; the plight of the landowner is due to circumstances unique to the property and not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute a hardship if a reasonable use for the property exists under the terms of the official

controls.

2.025 LOT: A portion of a subdivision or other parcel of land intended as a unit for transfer of ownership or development.

2.026 OUTLOT: A platted lot that is intended for a specific purpose which shall be set forth in the plat's dedication.

2.027 OWNER: Any individual, firm, association, syndicate, co--partnership, corporation, trust or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this Ordinance.

2.028 PARCEL: Any legally defined property with an assigned parcel identification number. (PIN)

2.029 PRELIMINARY PLAT: The preliminary map, or drawing accompanied with additional information required by this ordinance indicating the proposed layout of the subdivision to be submitted to the Planning Commission for its consideration.

2.030 RIGHT-OF-WAY: Land dedicated and publicly owned for use as

a road, street, alley, or crosswalk.

2.031 ROAD: A right-of-way which affords the principal means of access to abutting property.

2.032 STRUCTURE: Any building or appurtenance, including decks, but not including a overhead or underground utility lines such as sewer, electric, telephone, telegraph, gas, and towers, poles, or other supporting facilities.

2.033 SUBDIVIDER: Any person who undertakes the subdivision of land as defined herein. A parcel held in joint tenancy, tenants in common, partnerships, corporation or any other form of multiple ownership shall be divided as if it were in a single ownership

2.034 SUBDIVISION: The division of a single lot, or parcel of land, into two or more lots or parcels.

2.035 SURVEYOR: A land surveyor is a person registered under Minnesota Law, who prepares a survey or under whose supervision or direction a survey is made.

2.036 UTILITIES: Gas, water, cable, sewer, electrical, telephone, and telecommunications.

2.037 WATERCOURSE: Includes but is not limited to channel, creek, ditch, rain, river, and stream.

SECTION 3 -- APPLICATION

The provisions of this Ordinance shall apply to all lands lying outside the incorporated areas of any city in Beltrami County. Any persons wishing to subdivide a parcel into two or more parcels shall do so only in accordance with the provisions of this Ordinance.

3.01 A person wishing to subdivide a single parcel into two or three parcels shall submit a preliminary division request form to the county accompanied with a preliminary division fee made payable to the Beltrami County Treasurer. Upon receipt of the preliminary division request the county shall have ten (10) working days in which to review and approve the preliminary division request. At the time of the approved conveyance, a division fee shall be paid to the Beltrami County Treasurer. The current Real Estate property taxes for the parcel being proposed to be subdivided, must be paid in full as in accordance with M.S. 272.121

3.02 Except as provided in Section 3.021, a person wishing to

subdivide a single parcel into two or three parcels shall file with the County Recorder a Certificate of Survey.

3.021 The following shall be exempt from the Certificate of Survey requirement:

1. The division of land into parcels of each of which is not less than five acres in area and each parcel has a width of not less than 300 feet, and where no new streets, roads, easements for vehicle traffic, or other rights-of-way are involved. New means any right-of-way created after January 1, 1973. This exception is subject to the provisions of Section 3.02. These newly created parcels cannot be further subdivided without platting.

2. The division of a lot for the purpose of attachment to contiguous lots provided no substandard parcel remains.

3.03 Persons wishing to subdivide a single parcel into four or more parcels shall do so by means of a plat submitted and approved according to the provisions set forth in Section 4, of this Ordinance. Any parcel which has been previously subdivided into two or three parcels in accordance with Section 3.01 of this Ordinance, and which is proposed to be

further subdivided must be platted in accordance with Section 4, of this Ordinance and, where practical, to include the parcels previously divided by Certificate of Survey.

No plat may be created which contains any property contained in any other plat, unless and until such property has been vacated from such existing plat. This restriction shall not apply to any part of a plat designated as an outlot provided the entire outlot is included in the new plat.

The County may require a Certificate of Survey to be filed for subdivisions normally exempt from the provisions of this Ordinance when such subdivision results in a description in which there is reasonable doubt as to the permanency and stability of the reference points and boundaries.

3.04 LOT SIZE: Minimum lot size permitted by this Ordinance for all unincorporated lands lying outside of the jurisdiction of the Beltrami County Shoreland Management Ordinance is 45,000 square feet, with a minimum frontage of 150 feet in width. The 45,000 square foot minimum area may not include any Type 1-8 wetlands.

For lots less than five acres in size, no part of any street of right of way (other than utility and/or drainage

easements) may be included in determining the size of such lots.

All lots must contain a minimum of 45,000 square feet of contiguous land that is not a Type 1-8 wetland.

SECTION 4 - PROCEDURES FOR PLATTING APPLICATION PROCESS

4.01 Prior to the submission of any proposed plat under the process established in this ordinance, the subdivider shall meet with the Environmental Services Director at a pre-plat meeting to discuss any questions or the need for additional information that the subdivider may be required to submit. At the meeting the Environmental Services Director shall have available all County ordinances, policies and planning commission policies that the subdivider must conform to. The subdivider shall be informed by the Environmental Services Director as to what agencies must be contacted by the subdivider and what Town Board and/or what Township Planning Commission to contact. Representatives from various County, State and Federal departments which are involved in the platting process will be invited to attend the pre-plat meeting with the subdivider. The Environmental Services Director will notify the subdivider in writing of the changes and modifications required for the plat. Upon receipt of this letter and making the required changes and

modifications resulting from the pre-plat meeting, the subdivider can now proceed in submitting a platting application form to the Environmental Services Director on forms to be provided by the County. The application shall be accompanied by such information required by this ordinance and any other information deemed necessary by the Environmental Services Director for proper review.

All plat applications shall be examined and processed within twenty (20) working days of receipt of the application. Upon completing the review of the application and accompanying information, the Environmental Services Director shall notify the subdivider the date of the proposed plat public hearing with the Planning Commission.

4.02 The subdivider shall submit twenty-five copies or whatever is needed by the Environmental Services Department, of the completed plat application, one 8 1/2 x 11 copy, and one electronic copy (i.e. Auto Cad) of the proposed plat to the Environmental Services Department. After receipt, the Environmental Services Director shall deliver one copy of the application to each of the following:

Each member of the Beltrami County Planning Commission

-County Auditor

-County Recorder

- County Engineer
- County Surveyor
- County Attorney
- Town Board
- Minnesota Highway Department (when required by Minnesota Statutes, Section 505.03)
- Minnesota Department of Natural Resources (when required by the Beltrami County Shoreland Management Ordinance)
- School District Transportation Department
- Rural Fire Association
- E-911 Locatable Addressing Team
- Beltrami Soil and Water Conservation District
- US Army Corps of Engineers (where wetlands are present)
- Red Lake Watershed District (when applicable)

Each of these agencies shall examine the preliminary plat and return their comments to the Environmental Services Director's office within twenty-five days (with exception of the Planning Commission). If no reply is received, the plat will be presumed to have a preliminary approval of the agency not replying. The written general comments by the Town Board of the township involved should be received before the Planning Commission gives its final approval of

the plat. In the absence of such written comments by the Town Board, the Planning Commission may act at its own discretion. The subdivider shall be required to furnish additional copies if requested by the township.

4.03 The Environmental Services Director shall present the plat application accompanied with the agencies' replies at the next regular scheduled meeting of the Beltrami County Planning Commission. Based on appropriate law or ordinance, the Beltrami County Planning Commission may either approve, disapprove or table the plat. If it approves, the Zoning Director shall give a copy of the above requirements and suggestions to the subdivider for incorporation into the final plat. If the Commission disapproves, the Environmental Services Director shall notify the subdivider of the reasons for denial and that the subdivider must submit a revised plat with the required modifications.

4.04 If required by the Planning Commission, the subdivider shall modify the plat to address the requirements of agencies listed in 4.02. It shall be the subdivider's responsibility to notify each agency and the Environmental Services Director when such changes are complete.

4.05 The Environmental Services Director shall present the revised plat to the Beltrami County Planning Commission at a

scheduled meeting following completion of all modifications. Before the Beltrami County Planning Commission gives its final recommendations to the County Board of Commissioners, it shall have:

1. A report from the County Highway Engineer covering the matters set forth in Minnesota Statute Section 505.03, Subd. 2 (c), Beltrami County's Controlled Access Policy, and covering any other matter the County Highway Engineer deems appropriate to further safe public transportation.
 2. For proposed plats located within those townships that have a Township Planning Commission, a copy of its signed approval must be submitted by the developer. The Beltrami County Planning Commission shall have the option of hearing a plat for both the preliminary and final recommendations at the same meeting, if the plat has had the prior approval and recommendation of the respective Town Board and Township Planning Commission.
- 4.06 Prior to the submission of the proposed plat for final approval by the Planning Commission, the applicant shall:
- 1) Secure a Title Opinion for the benefit of Beltrami County. Such opinion shall be in a form acceptable to the County from an attorney licensed to practice law in Minnesota, and shall show title in all encumbrances

affecting the property to be platted. The subdivider may, in lieu of obtaining such Title Opinion, provide title insurance, in a form acceptable to the County, for the property to be platted.

2) Secure a development agreement from local road authority which agreement addresses, at a minimum, standards for road construction, a time table for construction, and financial assurances for the construction of the road according to the development agreement.

4.07 Following the final action by the Planning Commission, the Beltrami County Environmental Services Director will present a written report to the Beltrami County Board of Commissioners. The report must contain the approval or disapproval and the recommendations of the Planning Commission. The Beltrami County Board of Commissioners will consider this report and may either approve, disapprove, or table the plat.

4.08 If a plat is not recorded with the County Recorder and/or the Registrar of Titles within six months after the final approval has been given by the Beltrami County Board of Commissioners, the plat is deemed unrecordable until the following has been complied with:

1. The plat shall be reviewed by a committee composed of the County Recorder, Surveyor and the Environmental Services Director. If they find that no changes in any part of the platting procedure has occurred since the Beltrami County Board of Commissioner's approval, they may allow the plat to continue through the necessary steps to recordation.
2. If the above committee finds that changes have been made since the Beltrami County Board of Commissioners' approval, they shall refer the plat back to the Planning Commission.

SECTION 5 -- PLAT SPECIFICATIONS

Land Suitability: Each lot created through the subdivision platting process authorized under the provisions of this ordinance must be suitable for the proposed use. Suitability Analysis by Beltrami County will consider susceptibility to flooding, existence of wetlands, soil or rock formations with severe limitations for development, severe erosion potential or steep topography, inadequate water supply, or sewage treatment capabilities. Presence of significant historic sites or any other feature of the natural land likely to be harmful to the health, safety, or welfare of future residents of Beltrami County.

Sufficient information shall be submitted by the Developer to enable Beltrami County to make a determination of Land Suitability. The information shall include, at a minimum the following:

- 1) Topographic contours taken from the US Geographical Topographical mapping shall be shown on the preliminary plat.
- 2) The surface water features required by the Minnesota Statutes, Section 505.02 Subdivision 1, to be shown on the preliminary plat obtained from the United States Geological Survey quadrangle topographic maps or more accurate source.
- 3) All regulated wetlands on the proposed plat shall be identified and the boundaries shown on the preliminary plat. (See Appendix A)
- 4) Preliminary Plat shall have the soils and their classification from the Beltrami County Soil Survey properly identified and where they are located within the proposed plat.
- 5) Storm Water Discharge Permit: If the proposed plat development requires a State of Minnesota Pollution Control Agency Storm Water Discharge Permit, the developer shall be required to furnish a copy of the issued permit.
- 6) Description of vegetation on the property drawn and depicted on

the preliminary plat and labeled. Latest aerial photo to a scale of four (4) inches to one (1) mile.

7) Completed County Environmental Questionnaire.

8) Such other information as required by Beltrami County.

The Beltrami County Planning Commission shall make its decision in writing, specifying the facts upon which the suitability determination is made. If the determination is made that the land is not suitable for development, the Developer will be notified in writing regarding the particular facts leading to such determination. The developer will be afforded the opportunity to appeal such determination.

5.01 In addition to the requirements of Minnesota Statutes, Chapter 505, plats submitted for approval shall include, at a minimum, the following:

1. Scale: one inch equals 200 feet or larger.
2. Identification and description:
 - a) Proposed name of subdivision, which shall not duplicate the name of any plat heretofore recorded in Beltrami County.
 - b) Location by forty or Government lot, section, town, and range.

- c) Names and addresses of the owner, subdivider, surveyor and designer of the proposed plat.
- d) Date of preparation
- e) If any point on the plat is within 1,000 feet of the shoreline of a lake or within 300 feet of that of a stream, as defined in the Ordinance for the Management of Shoreland Areas of Beltrami County, then:
 - 1. A statement that the plat lies wholly within such shoreland area, if such is the case, or;
 - 2. A line defining the portion of the plat lying within such shoreland area, when the plat lies only partially therein.
 - 3. A true and accurate boundary survey of the plat shall be shown by bearings or azimuth and the distance to one-hundredths of a foot. Those government corners used to subdivide the plat and locate the boundary survey shall be indicated. The ratio of precision not to exceed 1 foot in 7500 feet.
 - a) All thoroughfares, right-of-way, and utility easements shall be platted accurately and property tied into boundary survey dimensions.
 - b) Area of lots shall be shown according to plat dimensions.
 - c) Permanent buildings and structures shall be shown.
 - d) Lakes, watercourses, and wetlands (marsh areas)

shall be accurately shown.

e) Easements of record shall be shown.

4. Each plat and lot thereof shall have an access to it by a public road. All public streets and roads on which public maintenance is anticipated or expected shall be constructed to the County standards as provided in Section 6 of this Ordinance.
5. The naming and numbering of streets shall be in accordance with the locatable road naming and structure numbering ordinance.

5.012 FINAL PLAT. In addition to the requirements of Minnesota Statutes, Chapter 505, and Section 5.011, this Ordinance, the plat submitted to the County Board for approval shall include the following:

1. Certification by a registered land surveyor to the effect that the plat represents a survey made by said surveyor, and that all monuments and markers shown thereon exist as located, and that all dimensions and geodetic details are correct.

2. Certification by a registered land surveyor other than the one producing the plat, except when there is a full-time Beltrami County Surveyor. All plats being

presented shall be approved by the Beltrami County Surveyor, who shall certify that the plat, in his or her professional opinion, is mathematically correct, and that the plat meets the requirements of Minnesota Statutes, Chapter 505.

3. Certification showing that all taxes due on the proposed subdivision, including the current years, have been paid.

4. Form for approval by the County Board:

"The County Board of Beltrami County, Minnesota, this _____ day of _____, does hereby approve this plat for subdivision. Said County Board conditions its approval, stipulating that said approval does not constitute consent, either expressed or implied, that any lot contained within this plat is suitable or acceptable for building purposes.

The showing of roads and/or easements on this plat does not indicate acceptance by the governing body that it will construct and/or maintain these rights-of-way. Acceptance by the governing body can be gained only by a separate petition pursuant to the Statutes concerning rights of way.

Chair, Beltrami County Board of Commissioners

County Administrator

5. The certificate required by paragraph 2 above may be included either on the plat itself or as a separate attachment.

SECTION 6 - ROADS

6.01 ROADS

6.011 The design of all streets shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic, topographic conditions, to runoff of storm waters and to the proposed uses of the area to be served.

6.012 Where adjoining areas are not subdivided, the arrangements of streets in new subdivisions shall make provision for the proper projection of streets. When a new subdivision adjoins undivided land susceptible to being subdivided, then the new street shall be carried to the boundaries of such

undivided land.

6.013 Where new streets extend adjoining streets, their projects shall be at the same or greater width, but in no case less than the minimum width required herein.

6.014 All streets and roads intended for vehicular traffic and all platted streets and roads lying within a proposed plat shall be laid out and constructed with the following minimum cross-sectional dimensions:

1. The right-of-way shall be a minimum of sixty-six feet (66') wide for a platted street or road and a minimum of forty-feet (40') wide for a platted alley. Where a platted street or road lies on the boundary of a plat, adjacent to undivided land susceptible to being subdivided, then that platted street or road may be designed as a half street thirty-three feet (33') in width. Service roads lying adjacent to a public highway shall be sixty-six feet (66') wide.
2. The right-of-way shall be cleared and grubbed to a minimum of twenty feet (20') either side of a center line in an embankment section; or such additional width as may be required in a ditch section.
3. The width between shoulder lines shall be uniform and

shall be a minimum of eleven feet (11') either side of center line.

4. Inslopes and backslopes shall not be steeper than two feet (2') on the horizontal to one foot (1') on the vertical.
5. The ditch separation shall be a minimum of two feet (2') with a ditch bottom of three feet (3') minimum.
6. Dead-end streets shall be terminated by use of either a cul-de-sac or T-turn around. A cul-de-sac must contain a minimum radius of 66 feet. T-turn arounds must have a minimum width of sixty-six (66) feet on the main trunk of the T and a minimum length of sixty-six (66) feet on each branch of the T.
7. Other items of construction such as disposal of trees and stumps, compaction, and surfacing shall be at the discretion of the governing body who will be responsible for and who is the ultimate authority for the street or road.

6.015 As an alternate to 6.014, in a subdivision in which streets with a residential cross-section are more appropriate than rural cross-section, the specifications for such streets must be approved by the County Engineer and the Town Board prior to the acceptance of the initial plat.

6.016 Location of Structures in Relation to Side Lot Lines and Roads.

1. There shall be at least 10 feet of side yard between any structure and side lot lines.
2. Location of individual on-site sewer systems shall be no closer than ten feet (10') from the road right-of-way.
3. No structure shall be placed closer than 50 feet from the road right-of-way.

SECTION 7 -- OTHER

7.01 AMENDMENTS: The County Board may amend the provisions of this Ordinance upon recommendation of the Beltrami County Planning Commission. The Beltrami County Planning Commission shall hold a public hearing on any proposed amendments prior to recommending any action to the County Board as specified in Minnesota Statutes, Chapter 394.26 - 394.30.

7.02 VALIDITY: If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect: the remainder of the Ordinance.

7.03 PUBLIC NOTICE: Public notice shall conform to Minnesota Statutes 394, as amended.

7.04 ENFORCEMENT:

7.041 This Ordinance shall be administered and enforced by the County Recorder, Surveyor and Environmental Services Director who are hereby designated the Enforcing Officers. The County Recorder shall not record any deed to any parcel of land which is a result of a subdivision made in violation of the provisions of this Ordinance. The County Auditor shall have the responsibility of identifying those conveyances which must be accompanied by either a Certificate of Survey or a plat, and shall additionally serve in an advisory capacity in the enforcement of this Ordinance, at the request of the County Recorder.

7.042 In the event of a violation or threatened violation of this Ordinance, the County Board, in addition to other remedies, may institute other actions or proceedings to prevent, restrain, correct, or abate such violations or threatened violations, and it shall be the duty of the County Attorney to institute such action.

7.043 Any taxpayer or taxpayers of Beltrami County, Minnesota, may institute mandamus proceedings in District Court to compel

specific performance by the proper official or officials of any duty required by and in this Ordinance.

7.05 APPEALS: The Beltrami County Board of Adjustment shall hear, review, and decide all appeals arising from this Ordinance, as provided in Minnesota Statutes, Chapter 394.27, subdivisions 5 and 6.

SECTION 8 -- FEES

8.01 Fee for permits, inspections, public hearings, processing of plats, and recording of plats may be established by resolution of the Beltrami County Board of Commissioners and shall be collected by the respective offices and departments designated and deposited with the County and credited to the General Revenue Fund.

SECTION 9 -- EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

STATE OF MINNESOTA)

(SS

COUNTY OF BELTRAMI)

I, _____, County Administrator of Beltrami County, Minnesota, do hereby certify that the foregoing Subdivision Controls Ordinance was adopted by the Beltrami County Board of Commissioners at their regular meeting held on January 22, 2002.

APPENDIX A

Implementation Guidelines for Plat Specifications Section 5, Item 3 Beltrami County Subdivision Controls Ordinance No. 5

Item 3: All wetlands on the proposed plat shall be identified and the boundaries shown on the preliminary plat.

1. The owner and developer shall require his or her licensed surveyor to perform and document the following task.
 - a. The surveyor **must** review the National Wetlands Inventory Map and the Beltrami County Soils Survey Map to identify those areas, which are proposed to be platted, as either wetland areas or hydric soils. If this is shown on the Beltrami County Soils Survey Map as hydric soils and there are wetlands shown by the National Wetlands Inventory Map, the wetland area shall be shown on the preliminary plat. If no wetland areas or hydric soils are indicated or shown on the Beltrami County Soils Survey Map or on the National Wetlands Inventory Map, a statement to the effect that "No wetland areas were indicated on the National Wetland Inventory Map nor does the area have any hydric soils" shall be placed on the preliminary plat.
2. In the event that the proposed plat could cause or create impacts to wetlands located within the proposed platted area, a wetland delineation report will be required for those wetlands that are proposed to be impacted. A wetland delineation report must be prepared by a knowledgeable, professional, trained individual in the wetland delineation requirements under the 1987 Army Corps of Engineers Wetland Delineation Manual and modifications, clarifications and ACOE regional supplements to the 1987 manual.

3. During the field survey, should wetland areas be discovered, those wetland areas are to be shown on the proposed preliminary plat. The surveyor shall also be required to place a statement on the preliminary plat that these wetlands were discovered during the field survey and were not found on the National Wetland Inventory Map.