

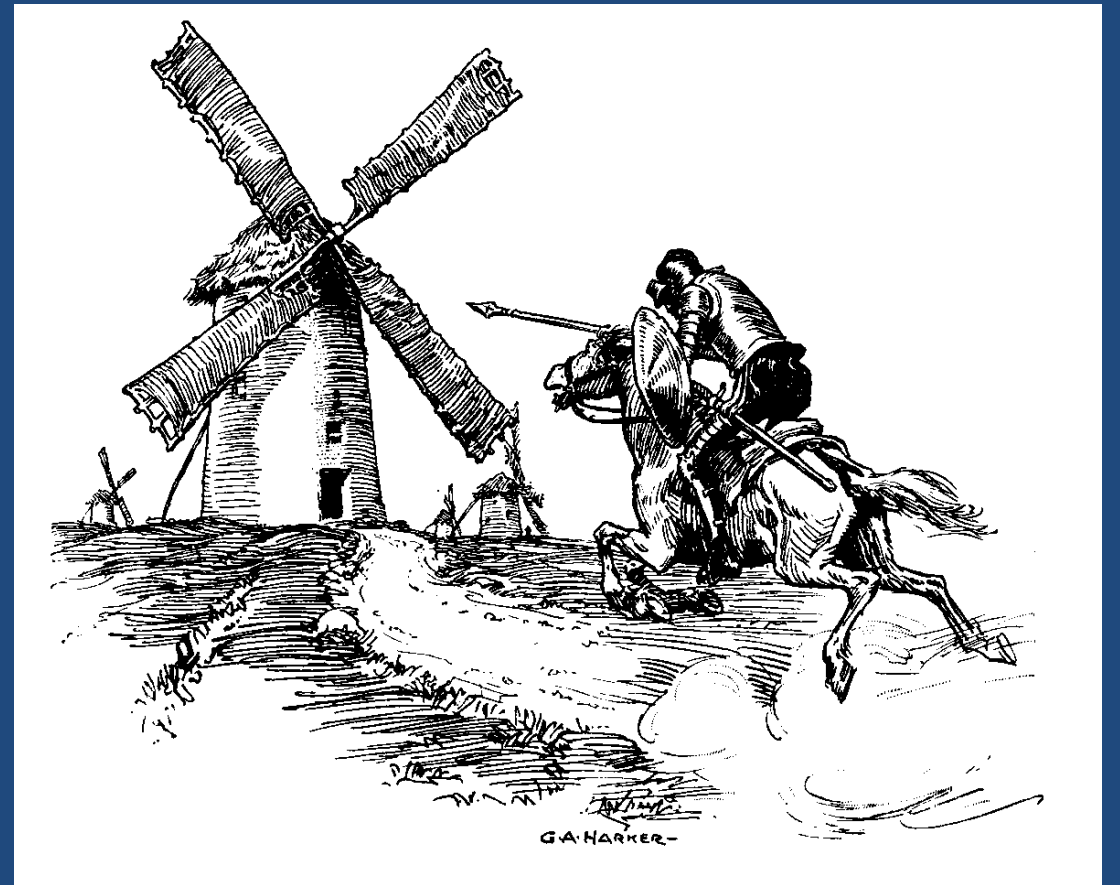
A Legal Framework for the Twin Cities; Observations on Physical Changes in a City

Rod Squires, University of Minnesota, Dept. of Geography Environment and
Society

I like to live on the intellectual "edge"

?

I like to live on the intellectual "edge"



I like to live on the intellectual “edge”

Drawing a thread between

- Rectangular land survey lines and corner monuments

And

- A Monticello, Minn., movie theater will offer ax throwing as well as cocktails and heated reclining seats
- Have a beer, hurl a hatchet at new suburban ax-throwing bar - When Jason Cooney and his team were building Victoria Burrow, the first bar in Minnesota to allow people to both drink alcohol and throw axes, Cooney kept hearing the same sarcastic question: What could go wrong?



Minneapolis and St. Paul are cities in which the physical structures – mainly buildings and roads – are arranged according to a plan implemented by controls on who constructs them, when they are constructed and how they are constructed

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Planning

Local Government Police Powers – Official Controls

- Zoning codes
- Subdivision controls
- Official map

The Development Process

Minneapolis and St. Paul are cities in which the physical structures – mainly buildings and roads – are arranged according to a plan implemented by controls on who constructs them, when they are constructed and how they are constructed

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The Development Process

MUNICIPAL PLANNING

462.351	MUNICIPAL PLANNING AND DEVELOPMENT; POLICY STATEMENT.
462.352	DEFINITIONS.
462.353	AUTHORITY TO PLAN; FUNDS; FEES; APPEAL.
462.3531	WAIVER OF RIGHTS.
462.3535	COMMUNITY-BASED PLANNING.
462.354	ORGANIZATION FOR PLANNING.
462.355	ADOPT, AMEND COMPREHENSIVE PLAN; INTERIM ORDINANCE.
462.356	PROCEDURE TO EFFECT PLAN: GENERALLY
462.357	OFFICIAL CONTROLS: ZONING ORDINANCE.
462.358	OFFICIAL CONTROLS: SUBDIVISION REGULATION; DEDICATION.
462.3585	JOINT PLANNING BOARD.
462.359	PROCEDURE TO EFFECT PLAN: OFFICIAL MAPS.
462.3593	TEMPORARY FAMILY HEALTH CARE DWELLINGS.
462.3595	CONDITIONAL USE PERMITS.
462.3597	INTERIM USES.
462.36	CERTIFIED COPIES FILED WITH COUNTY RECORDER.
462.361	JUDICIAL REVIEW.
462.3612	HOUSING FISCAL IMPACT NOTES.
462.362	ENFORCEMENT AND PENALTY.
462.363	PRESENT ORDINANCES CONTINUED.
462.364	INCONSISTENT LAWS.
462.365	EXTENSION OF TIME FOR COMPLIANCE.

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It all begins with a map and then a plat or similar

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How do municipalities physically change?

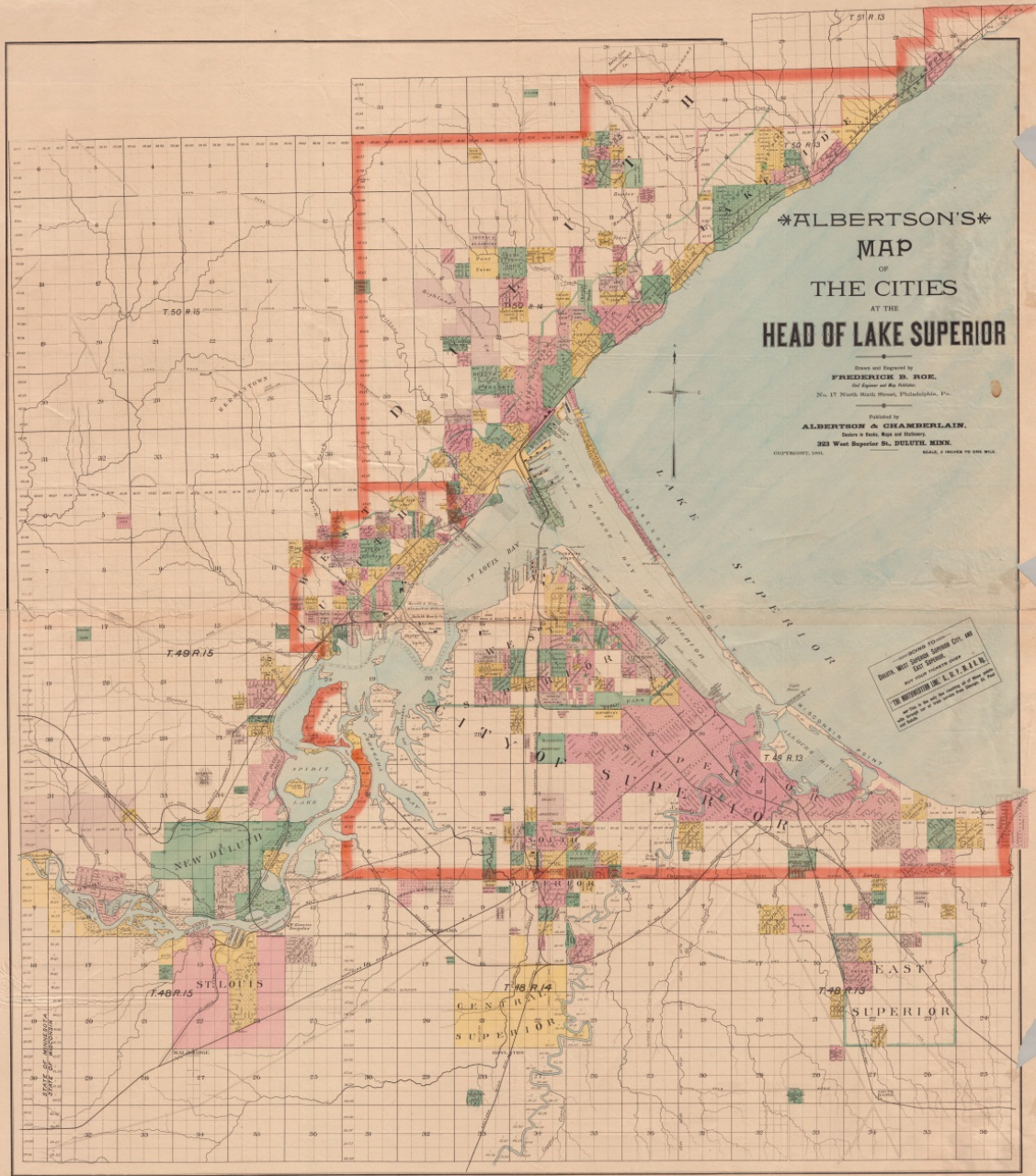
How can these changes be mapped?

[The Urban Jigsaw; A Paean to Land Surveyors in Minnesota](#) (Fall, 2016)

IN THE MARKET PLACE OF IDEAS



"Just how fresh are these insights?"



ALBERTSON'S
MAP
OF
THE CITIES
AT THE
HEAD OF LAKE SUPERIOR

Drawn and Engraved by
FREDERICK B. ROE,
3rd Avenue and Bay Station,
No. 17 North Third Street, Philadelphia, Pa.

Published by
ALBERTSON & CHAMBERLAIN,
Dealers in Maps, Plans and Statistics,
323 West Superior St., DULUTH, MINN.

COPYRIGHTED, 1881. SCALE, 1 INCH TO ONE MILE.

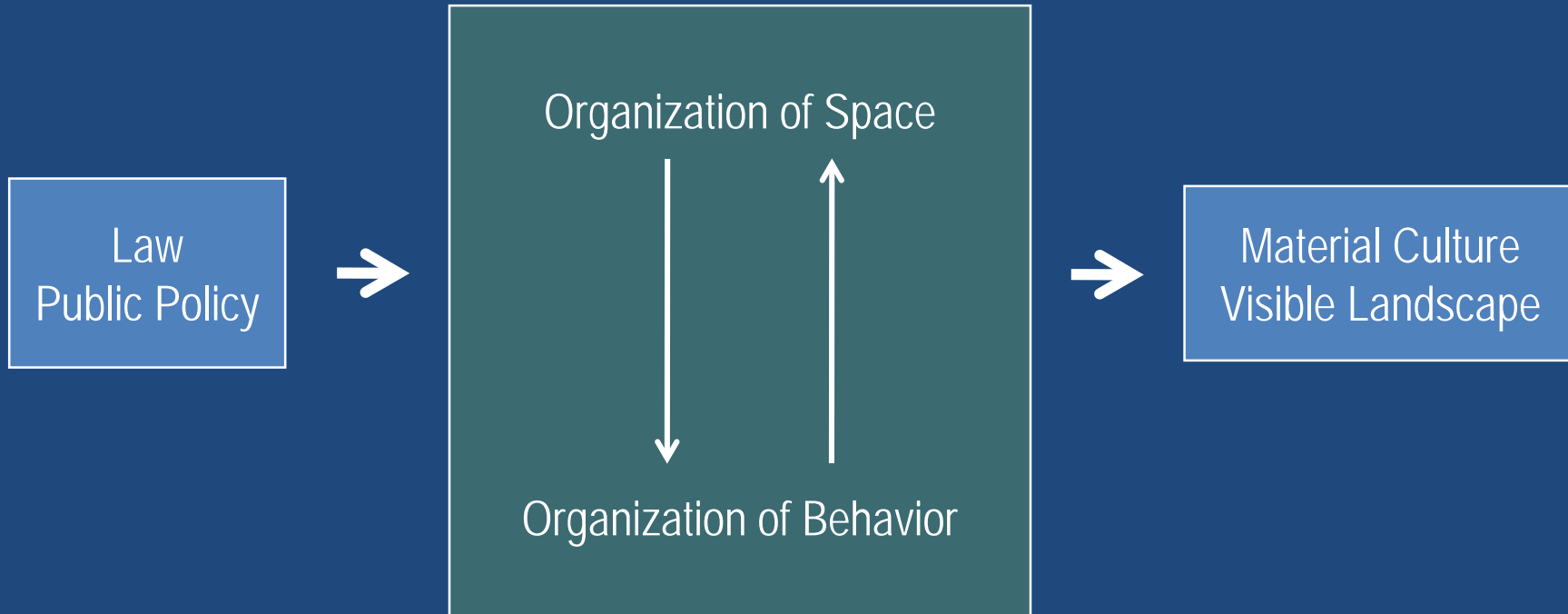
THE UNIVERSITY OF CHICAGO LIBRARY
300 SOUTH EAST ASIAN AVENUE
CHICAGO, ILL. 60607
Acquired from the University of Chicago Library
on 05/11/2011

STATE OF MINNESOTA

CHICAGO DIST. NO. 10172
Acquired from the University of Chicago Library
on 05/11/2011

My Worldview

My Worldview



Landownership comprises

A spatial unit

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A spatial unit

- Jurisdictions (governments) with a legal description having powers over residents and non-residents operating within its boundaries especially those owning land – [Minnesota](#), [Dakota County](#), [West St. Paul](#)

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 - [Lots 5 & 6 C. Johnson's Addition](#)
 - Part of Lot 1, section 18 [Township 28 North Range 22 West of the 4th Principal Meridian](#)
 - North 296.33 feet of the south 605.82 feet of the west 735 feet of the west 50 acres of the south ½ of the southwest ¼ of section 31 Township 28 North Range 28 West of the 4th Principal Meridian

-

Landownership comprises

A **behavioral unit** – defining the limitations on the behavior of those owning real estate – state, county, city

[Minnesota Statutes 2018 Local Government Police Powers c.462 Planning, Zoning](#)

462.351 Municipal planning will assist in developing lands more wisely to serve citizens more effectively, will make the provision of public services less costly, and will achieve a more secure tax base. It is the purpose of sections [462.351](#) to [462.364](#) to provide municipalities, in a single body of law, with the necessary powers and a uniform procedure for adequately conducting and implementing municipal planning

Minnesota Laws 1965 c.670. "An act relating to municipal planning and development and providing for zoning, official maps, subdivision regulations and other official controls"

The legislature finds that municipalities are faced with mounting problems in providing means of guiding future development of land so as to insure a safer, more pleasant and more economical environment for residential, commercial, industrial and public activities and to promote the public health, safety, morals and general welfare. Municipalities can prepare for anticipated changes and by such preparations bring about significant savings in both private and public expenditures.

A municipality may carry on comprehensive municipal planning activities for guiding the future development and improvement of the municipality and may prepare, adopt and amend a comprehensive municipal plan and implement such plan by ordinance and other official actions in accordance with the provisions of this act

Laws 1921 c.217 "An act to authorise (sic) the regulation of the location, size and use of buildings in cities of the state of Minnesota now or hereafter having 50,000 inhabitants or over, and the adoption of comprehensive plans pursuant to such regulations"

- To promote "the public health, safety, order, convenience, prosperity and general welfare, any city in the State of Minnesota now or hereafter having 50,000 inhabitants or over, acting by and through the governing body of such city, may by ordinance regulate the location, size and use of buildings therein, may make different regulations for different districts thereof, and may acquire or prepare and adopt a comprehensive city plan for such city or any portion thereof for the future physical development and improvement of the city"

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Zoning

The process of dividing land in a jurisdiction into areas in which certain land uses are permitted or prohibited

The most common tool used by local governments to implement comprehensive plans

The constitutionality of zoning established in *Village of Euclid, Ohio v. Ambler Realty Co.* 272 U.S. 365 (1926)

July 1917 "Zoning : the division of cities into residence and industrial districts; a discussion of laws and ordinances"

Minneapolis 216-219

Minnesota 219-223

De Facto Zoning

Power to regulate – alleys, roads, markets, city halls – electricity, gas, water, public utilities, police, fire, parks

Laws 1913 c. 98 “An Act authorizing cities of fifty thousand inhabitants and over in the exercise of the police power by ordinance to designate residence districts in such cities wherein only buildings for residences may be erected and maintained”

Laws 1913 c. 420 “An Act authorising (sic) cities of fifty thousand inhabitants and over in the exercise of the police power by ordinance to designate residence and industrial districts in such cities and classify industries and buildings which may be erected and maintained therein, and prohibit oil others”

Laws 1915 c.128 “An Act authorizing cities of the first class to designate and establish restricted residence districts and to prohibit the erection, alteration and repair of buildings thereon for certain prohibited purposes”

Proceedings of the City Council of the city of Minneapolis (1913)

Residential **District** No. 13. **District** bounded by 33rd street and 36th street and extending from the alley between Emerson and Fremont avenues south to the alley between Fremont and Girard avenues south, and located in Minneapolis, Hennepin County, Minnesota.

Upon petition of fifty per cent of the property owners of the district sought to be affected

No person shall hereafter construct or maintain within said **district** any business industry or any building except for single **residence** or duplex, and there is hereby prohibited within such **district** the erection of any hotel, store, factory, warehouse, dry-cleaning plant, public garage or stable, tenement or apartment house.

Proceedings of the City Council of the city of Minneapolis 1913

Designating a residence district within City of Minneapolis in accordance with Chapter 98 of General Laws of the State of Minnesota for the year 1913—							
Block 11, First Division of Remington Park, and east ½ of block 15, Second Division of Remington Park			743	743	743	743	778
Fourth Ward, portions of Ridgewood, Pillsbury, Franklin, Groveland, Hennepin, Dell Place, Forest avenue and Clifton avenues	505		505	505	505	505	543
Lowry Hill Districts	192	212	257	257	325	325	333
Lake street, West End Addition to Minneapolis, Second Division, and West End Addition to Minneapolis, First Division....			632	632	632	632	658
Rearrangement of blocks 9 and 10, First Division of Remington Park (Ref.)	633		633	633	695	695	729
19th street, Franklin avenue and 24th street.	415		415	415	415	415	439

Proceedings of the City Council of the city of Minneapolis. ... v.26 (1900)

COMMITTEE ON BICYCLE PATHS.

Bicycle paths to be constructed in center of street.....	200	
Petitions and motions for bicycle paths on certain streets and avenues.....		
.....171, 189, 200, 217, 237, 246, 254, 292, 297, 349	349	357
Protests against bicycle paths on certain streets and avenues.....	170	254
Recommending annulment of bicycle paths.....	263	
Recommending the construction of bicycle paths.....	199, 224, 263, 278	380
Street commissioners to detail a man to look after streets used by bicycles..	265	278

Moved, That it is the sense of this Council that all bicycle paths hereafter constructed be constructed in the center of the street on the grade surface of the street.

Referred to Special Committee on Bicycle Paths.

Jurisdictions

Census of Governments - From Municipalities to Special Districts, Official Count of Every Type of Local Government in 2017 Census of Governments

Counties

Cities – incorporated and so vested with legal powers

Townships

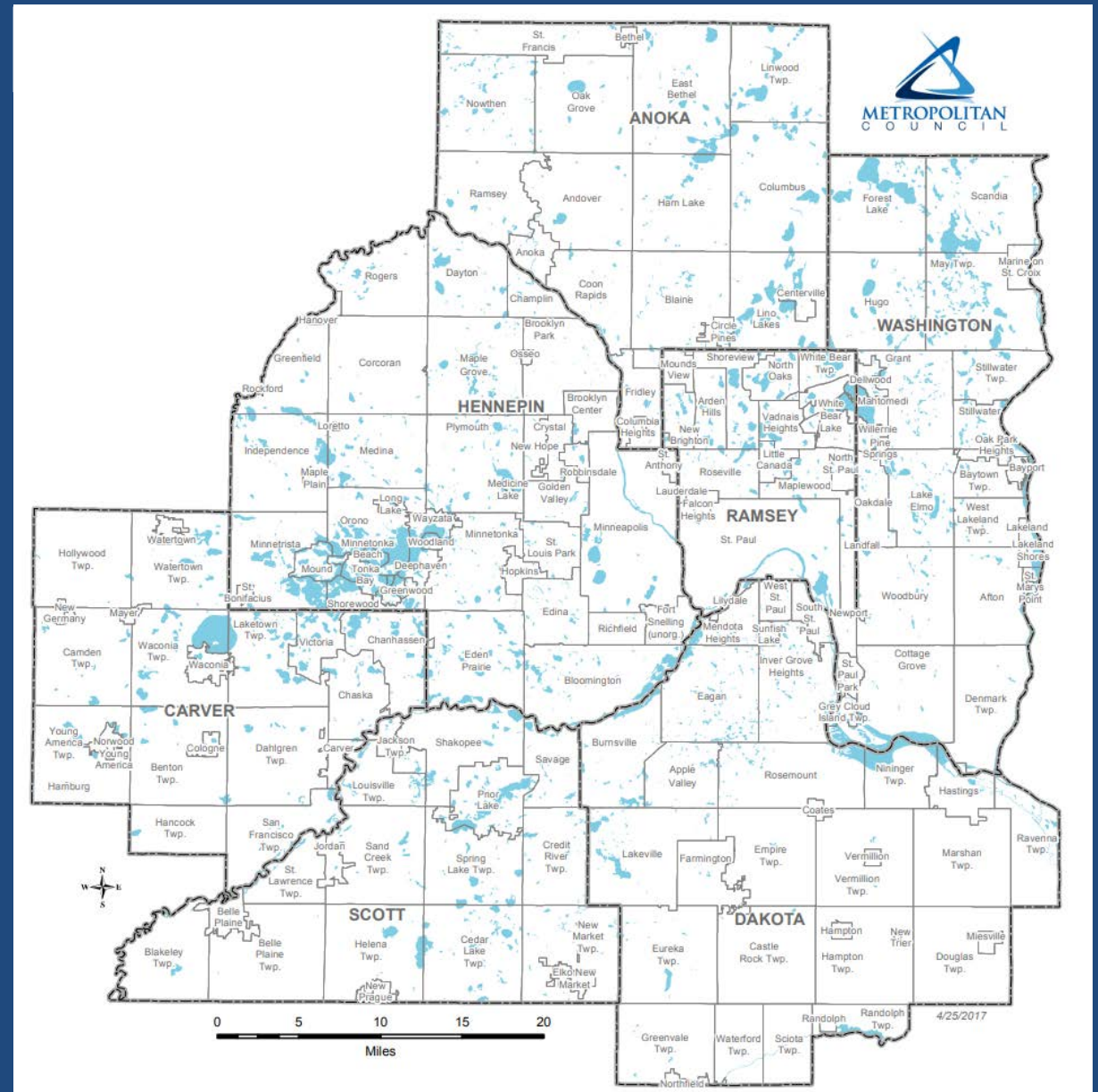
Special Districts

Population	No.	Statutory Classification
>100,000	3	First class
20,000-100,000	30+	Second Class
10,000-20,000	59-	Third Class
5,000-10,000	46	Fourth Class
2,500-5,000	84	Fourth Class
1,000-2,500	138	Fourth Class
<1,000	498	Fourth Class

Metropolitan Council – the regional policy-making body, planning agency, and provider of essential services for the Twin Cities metropolitan region. The Council's mission is to foster efficient and economic growth for a prosperous region

The Metropolitan Land Use Planning Act (1976)

Comprehensive Plan Updates



Twin Cities Metropolitan Area Political Boundaries

Cities are municipal corporations – can also be unincorporated

The boundaries of cities are largely defined by the state

The boundaries can change however – and how is also defined by the state

[Minnesota Statutes \(2019\) C.414](#) Municipal Boundary Adjustments

[Summary of Minnesota Annexation Law](#)

[Change of Boundaries, Status and Name](#)

[Minnesota Boundary Adjustments – History](#)

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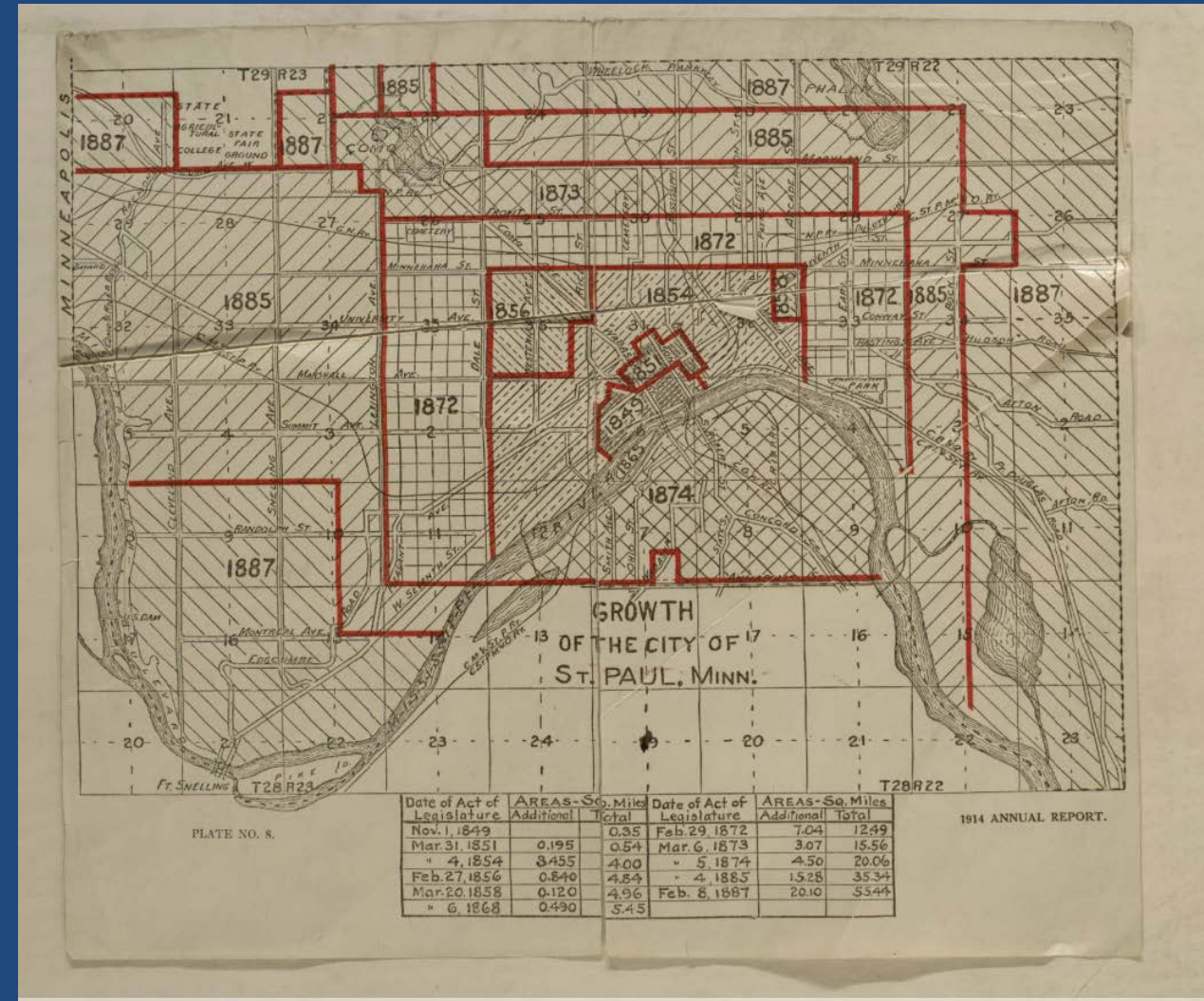
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[Plat Book of the City of St. Paul 1916](#)

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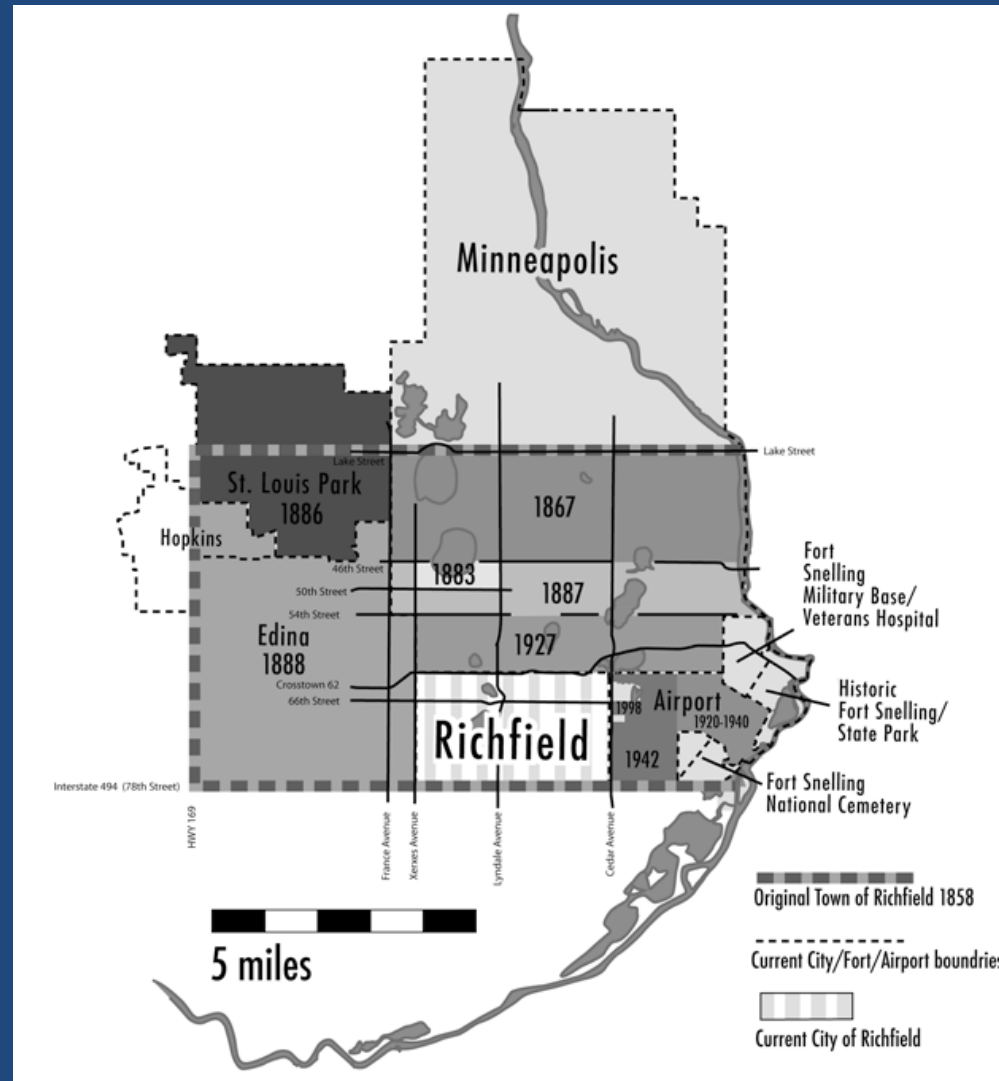
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https://en.wikipedia.org/wiki/Richfield,_Minnesota

Current City Boundaries

An Historical Glimpse of the City of West St Paul

West St Paul

All of Sections number Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), and the North one-half (N ½) of Section Twenty-Nine (29) lying north of Mendota Road, and the North one-half (N ½) of Section Thirty (30), and the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of Section Seven (7). All in Township 28 North, Range 22, West, of the fourth principal meridian

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South St. Paul

All of Sections numbered fifteen (15), sixteen (16), twenty-one (21), twenty-two (22), twenty-three (23), twenty-six (26), twenty-seven (27), the north half (½) of section twenty-eight (28); the following plats, lots and/or areas in the Southeast quarter (SE ¼) of Section 28: Apfelridge, Stelo Addition, Glenview Park, the North 528 feet of the northeast quarter (NE ¼) of said southeast quarter (SE ¼) ...

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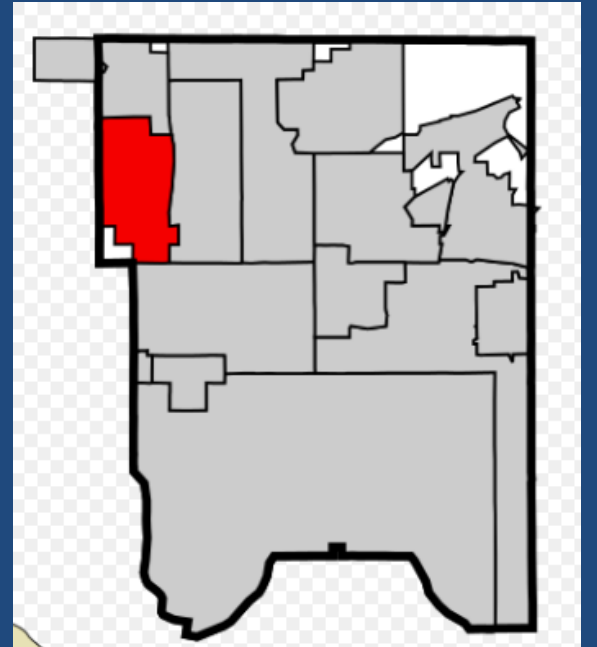
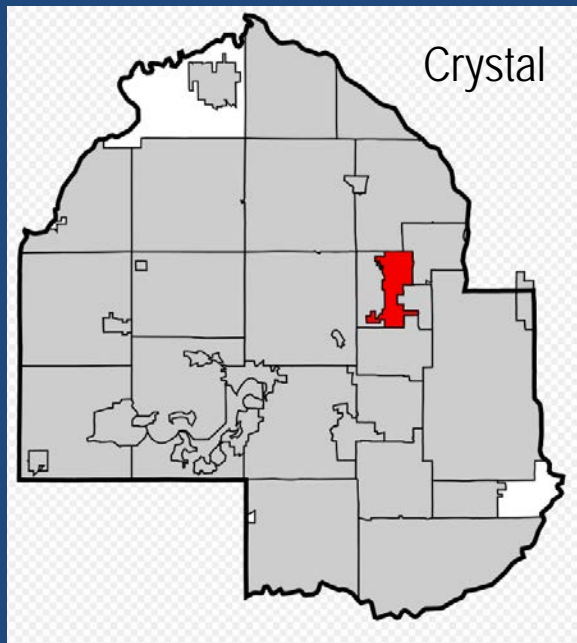
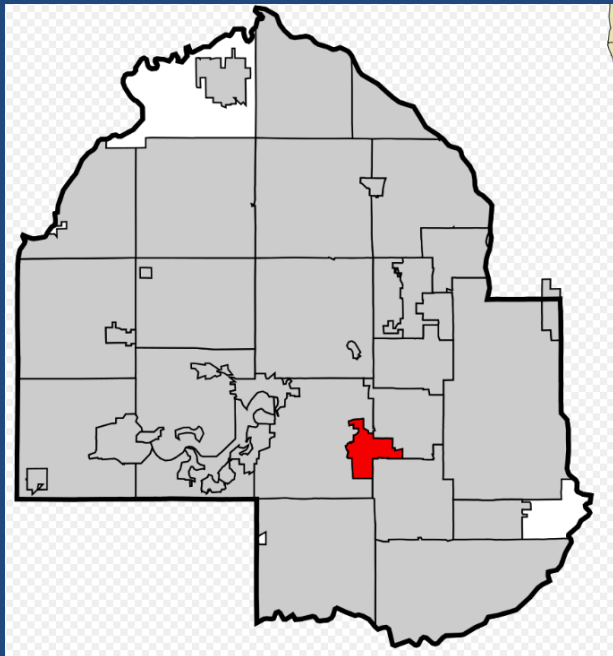
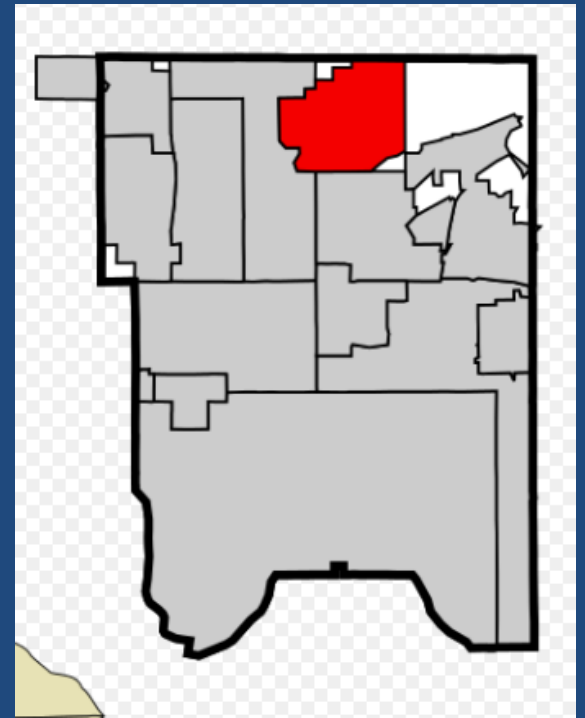
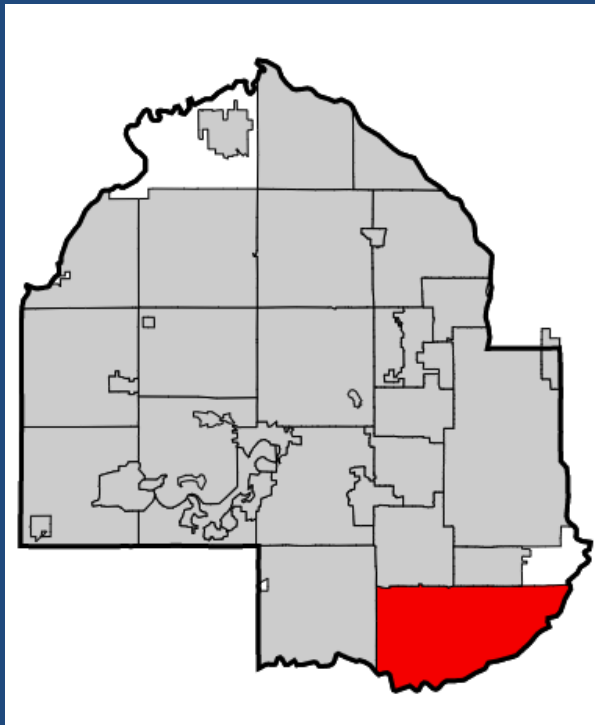
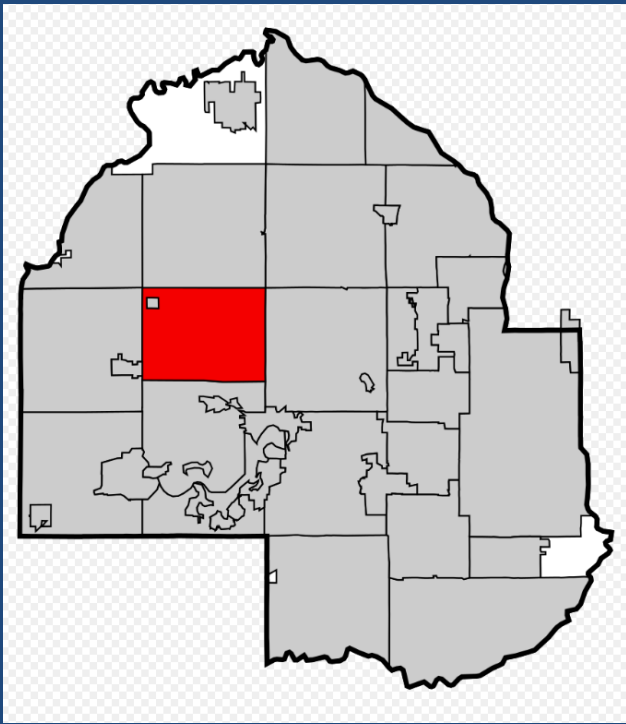
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Minneapolis

The City has the boundaries established under law

City Charter 1920



Real Property

A Cadastral System

Comprises state-mandated records kept by counties in Minnesota

- Documents – plats or similar – a particular type of map that identifies (a) the location and (b) the boundaries of a parcel of land
- Documents that identify any legal entity having an interest in that parcel and the nature of the interest

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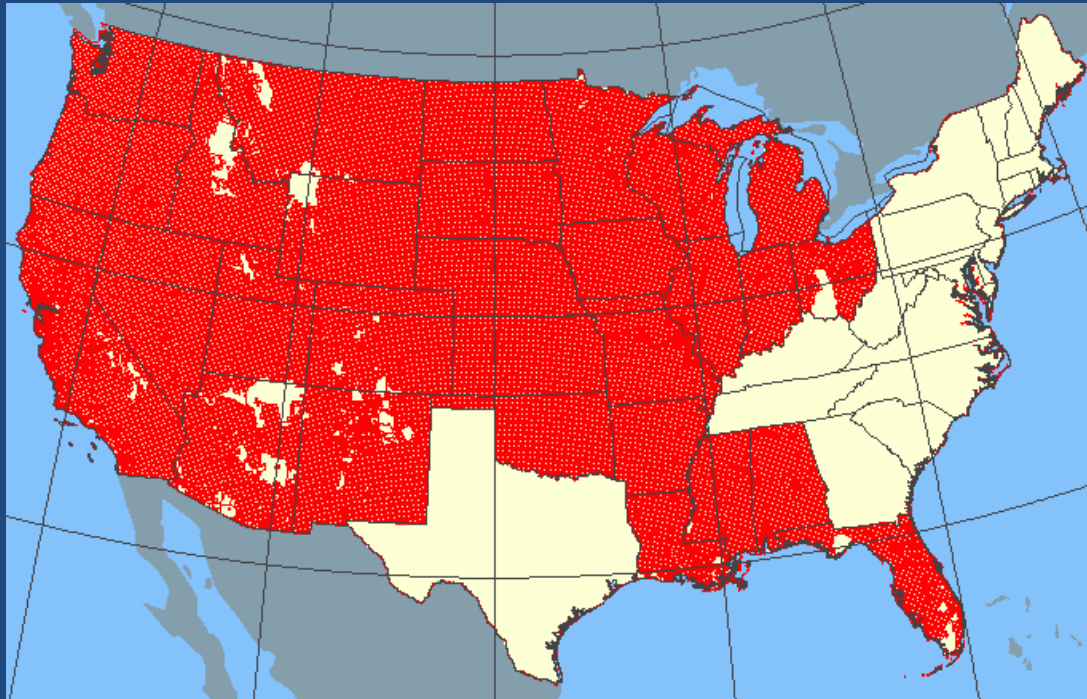
- Documents – plats or similar – a particular type of map that identifies (a) the location and (b) the boundaries of a parcel of land
- Documents that identify any legal entity having an interest in that parcel and the nature of the interest
- Official controls – described in state statutes and part of the public record
 - Zoning codes – how parcels may be used (implemented by county & city)
 - Subdivision controls – how parcels may be divided (implemented by county & city)
 - Official map – purpose varies (implemented by state, county & city)

Subdivision Control

How parcels may be divided

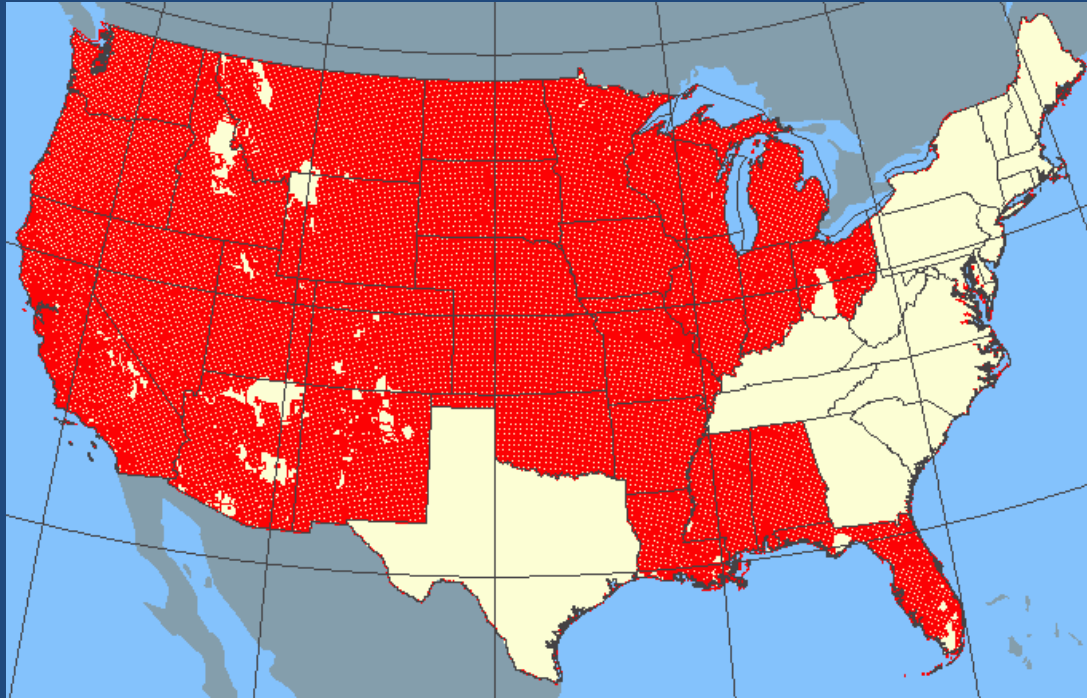
The Original Cadaster

Imposed a rectangular grid, comprising lines running north and south and east and west along which monuments were set in the ground

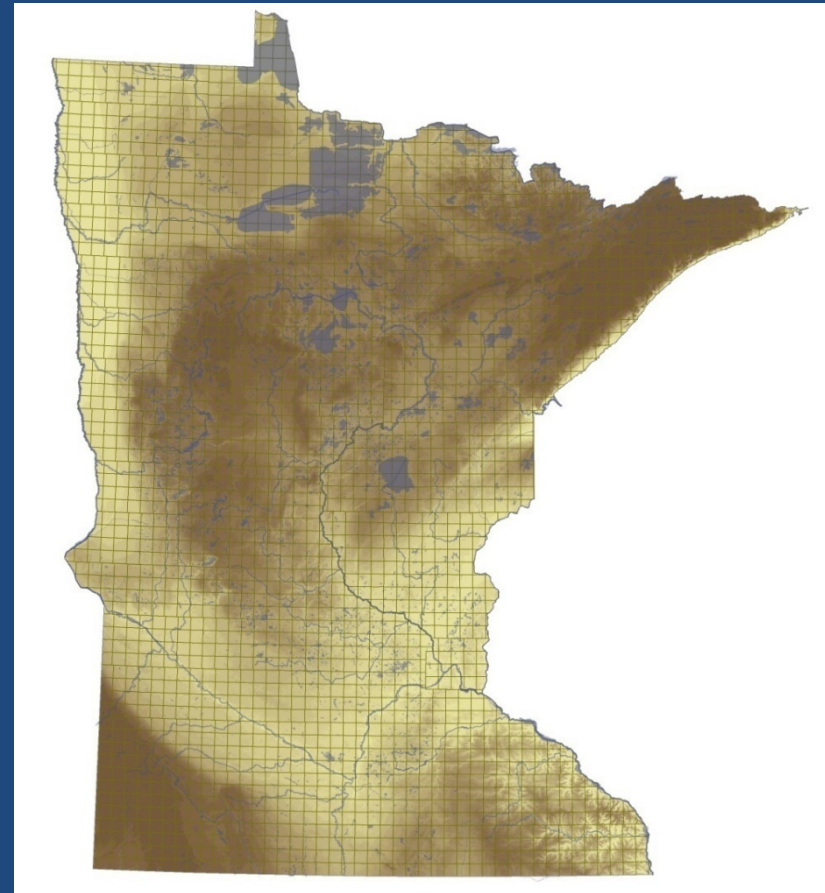


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Imposed a rectangular grid, comprising lines running north and south and east and west along which monuments were set in the ground



In Minnesota the monuments were set at approximately ½ mile intervals



Purpose of the original surveys – to privatize land

- to create parcels of land with a unique legal description – boundaries and location
- to make a township plat showing
 - those parcels – sections, $\frac{1}{4}$ sections, $\frac{1}{4}\frac{1}{4}$ sections, government lots
 - the topographic features most relevant to the prospective landowner

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The first large scale map in most parts of the United States (40 chains/inch = approx. 1:125,000)

The lines and corner monuments comprising the rectangular grid, describes

- the location for every parcel of land in Minnesota
- the current boundary lines for most parcels of land in rural Minnesota

This grid may not provide the current boundary lines for any parcel of land in urban Minnesota. However, the corner monuments play an important role

The corner monuments – not the lines – are important

Land Act of February 11, 1805

“All the corners marked in the surveys, returned by the surveyor-general ...shall be established as the proper corners, of the sections, or subdivisions of sections, which they were intended to designate”

“The boundary lines, actually run and marked in the surveys returned by the surveyor-general ...shall be established as the proper boundary lines of the sections, or subdivisions, for which they were intended ”

Minnesota Statutes 381.12

“When the county board determines that the monuments established by the United States in the public lands survey to mark section, quarter section, and meander corners have been destroyed or are becoming obscure, it may employ a licensed surveyor to preserve, restore and mark the corners with a durable magnetic monument.” Laws 1875 c.33

Minnesota Statutes 389.04

“in restoring lost or obliterated government corners, the county surveyor shall follow the rules established by or pursuant to acts of Congress, and all such surveys shall be made in strict conformity to the original survey made by the United States.” Laws 1903 c.51

Original Parcels – (Congressional) (1848-1909)



Parcel fragmentation &/or agglomeration



Rural Areas ...Current Parcel Configuration...Urban Areas

Original parcel boundaries still persist but the corner monuments – set at more or less ½ mile segments – may not



In most cities the original parcel boundary lines have been altered and only the corner monuments – set at more or less $\frac{1}{2}$ mile segments – still exist

MONUMENT 420

CERTIFICATE OF LOCATION OF GOVERNMENT CORNER

East Quarter Corner of Section 17, Township 29 North, Range 23 West, County of Ramsey, State of Minnesota.

At the corner location shown on the sketch

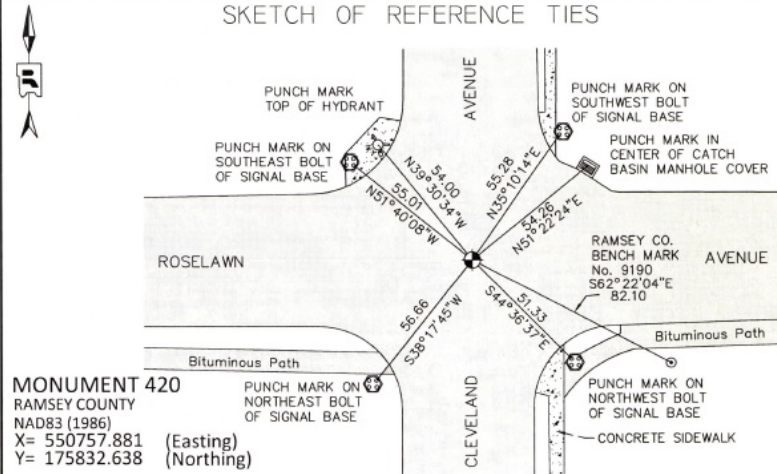
On May 5, 2015 found a cast iron monument, flush; tied for removal during road construction.

left monument as found raised/lowered monument removed monument (explain)

On August 5, 2015 placed a 20 inch Ramsey County cast iron monument; tied.

Cast iron manhole assembly set by others.

SKETCH OF REFERENCE TIES



MONUMENT 420
 RAMSEY COUNTY
 NAD83 (1986)
 X= 550757.881 (Easting)
 Y= 175832.638 (Northing)

RAMSEY COUNTY
 NAD83 (2011)
 X= 550757.558 (Easting)
 Y= 175833.270 (Northing)

ALL DISTANCES ARE SHOWN IN U.S. SURVEY FEET.
 BEARINGS ARE FOR TIE REFERENCE PURPOSES ONLY.

Statements of evidence relative to this corner are on the following page.

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision, that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota, and that this certificate is correct and complete to the best of my knowledge and belief.

Daniel D. Baar 3-7-16
 Daniel D. Baar Date
 Deputy County Surveyor
 Minnesota License No. 45816

OFFICE OF COUNTY SURVEYOR
 County of Ramsey

I hereby certify that this document was filed in the County Surveyor's office this 7th day of March, 2016.

Craig W. Higman
 Craig W. Higman, L.S.
 Ramsey County Surveyor

MONUMENT 420

East Quarter Corner of Section 17, Township 29 North, Range 23 West

- November 3, 1847 Set Quarter Section post; Bur Oak 15 N33E 1.68.
Isaac Higbee, Deputy Surveyor
- August, 1899 The Quarter Corner Between 16 and 17 was found as a Boulder Monument. Retied it and set monument. Ramsey County Resurvey
- January, 1966 Found Granite monument. Ramsey County Engineering Office
- June 22, 1976 Found a nail at surface. Granite monument down 0.58 ft.
Ramsey County Surveyor's Office
- July 29, 1977 Checked monument. Ramsey County Surveyor's Office
- August 4, 1977 Set a short cast iron monument. Ramsey County Surveyor's Office
- August 12, 1984 Tied monument. Ramsey County Surveyor's Office
- May 12, 1989 Retied monument. Ramsey County Surveyor's Office
- April 9, 1993 Removed short cast iron monument for Construction Department for Cleveland Avenue. Ramsey County Surveyor's Office
- August 3, 1994 Relocated position and set P.K. nails and tied.
Ramsey County Surveyor's Office
- October, 1994 Set a 20 inch cast iron monument. Ramsey County Surveyor's Office
- August 18, 2003 Tied monument, found flush. Ramsey County Surveyor's Office
- June 18, 2009 Retied monument. Ramsey County Surveyor's Office
- May 5, 2015 Tied monument for removal during road reconstruction.
Ramsey County Surveyor's Office
- August 5, 2015 Set new 20 inch "Ramsey County" cast iron monument and tied out.
Manhole assembly to be set by others. Ramsey County Surveyor's Office

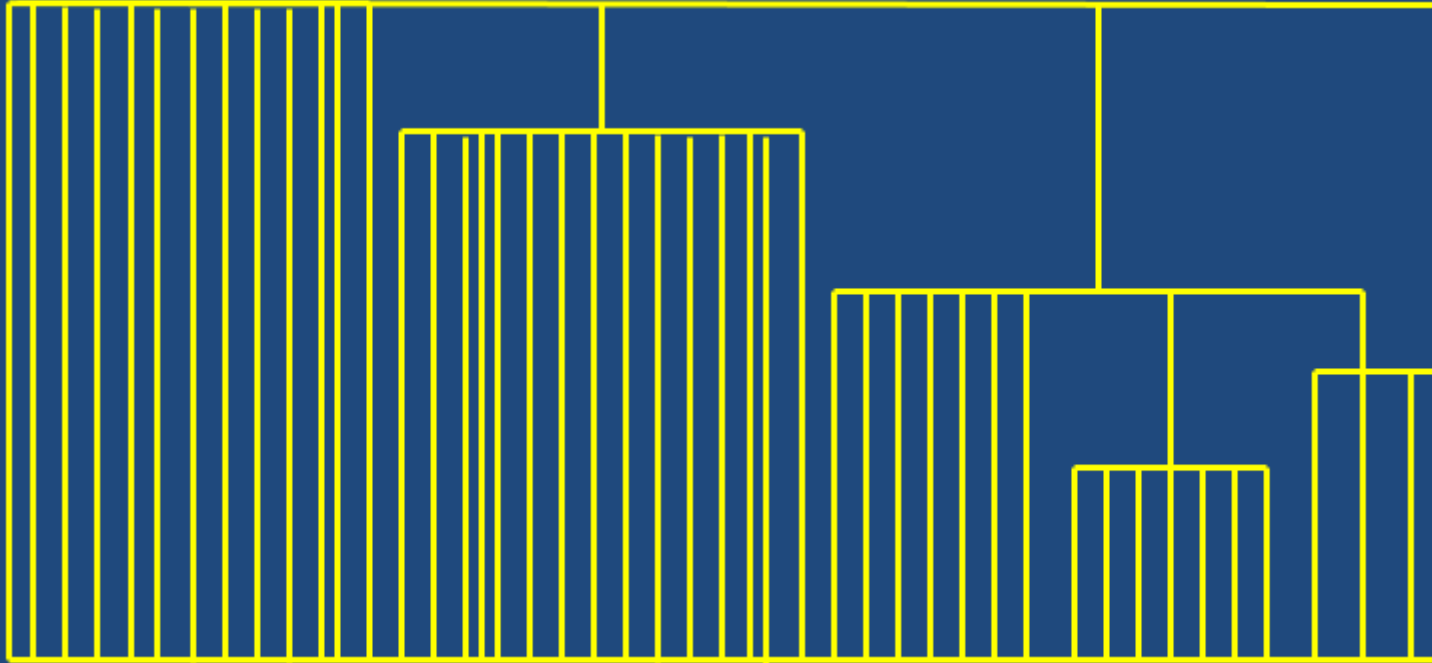
Although I do worry

Minnesota Statutes (2018) 381.13 Township Landmarks

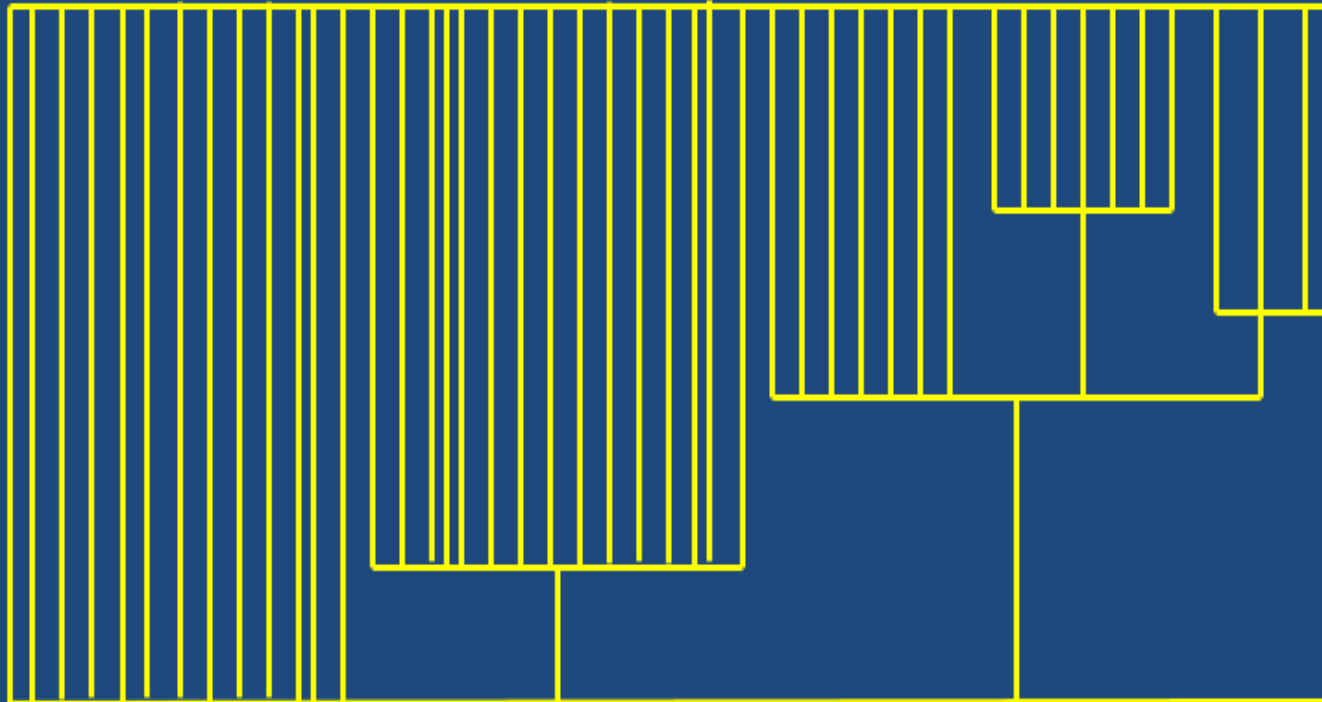
In every county, the county board shall cause to be placed by a licensed surveyor at the northeast corner of each congressional township a durable magnetic monument having a head not less than 3-1/2 inches in diameter and a length of 20 inches. The monument must be embedded its full length in the ground. The county board shall pay from the treasury the expense of installing the monuments, and the place where the monument is located is prima facie evidence of the northeast corner of such township.

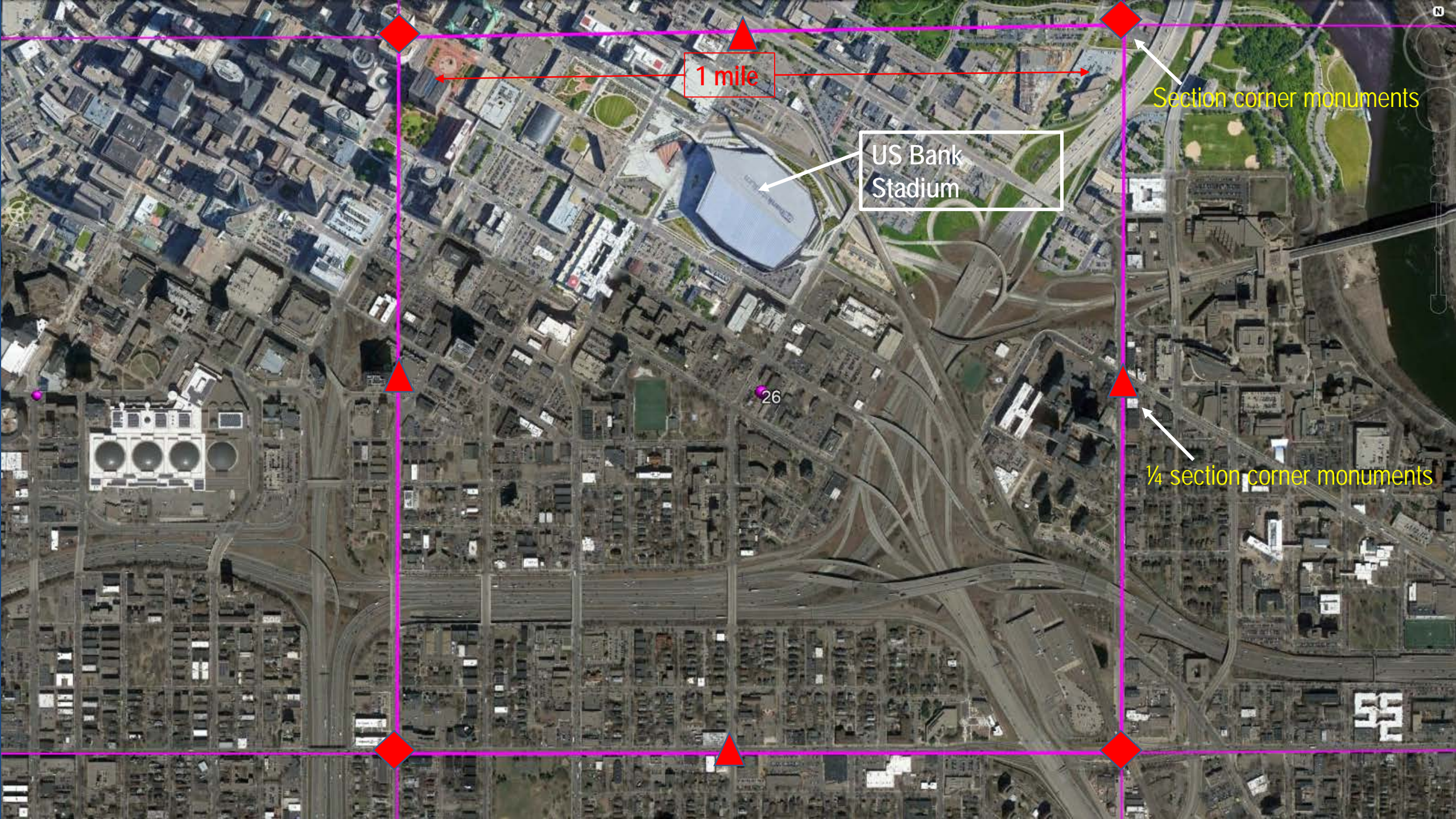
Laws 1875 c.32 "An Act to establish Landmarks for Townships"

Fragmentation – dividing original parcel into smaller parcels



Agglomeration – consolidating original parcels into larger parcels





1 mile

US Bank Stadium

Section corner monuments

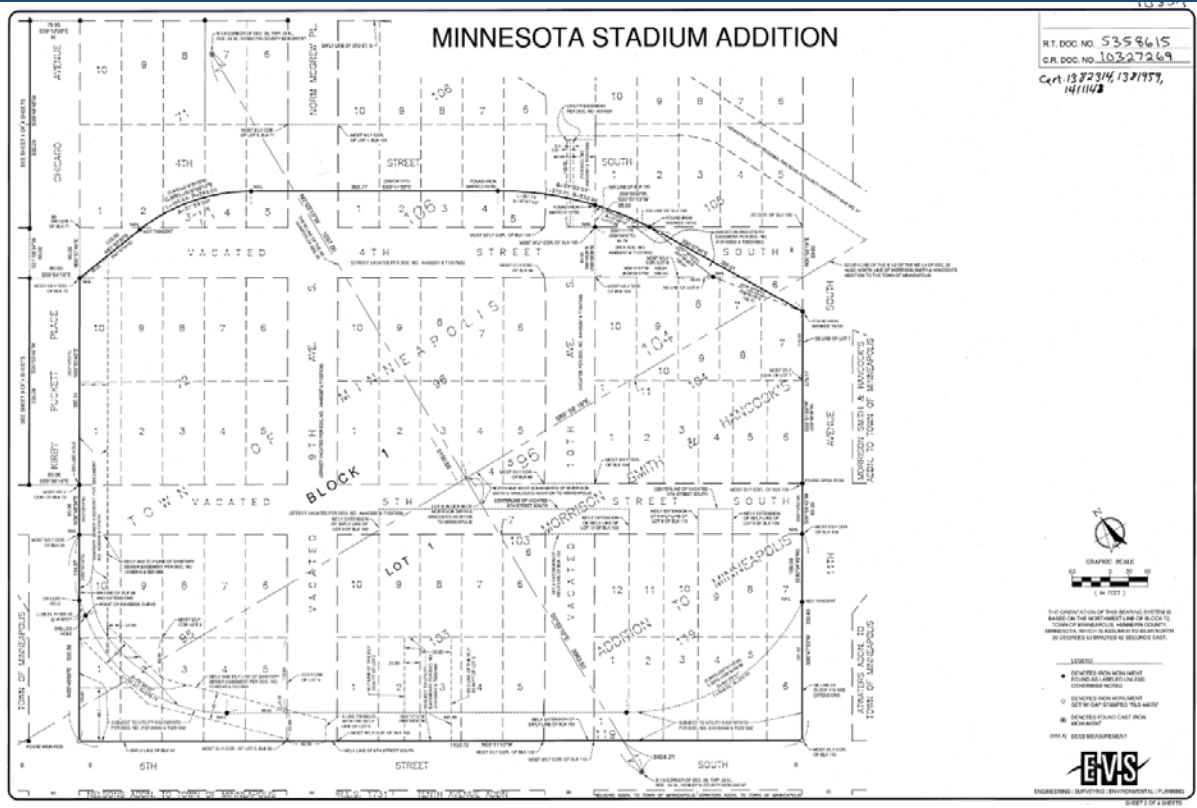
1/4 section corner monuments

26

55

File No. 21861

66-416



KNOW ALL PERSONS BY THESE PRESENTS: Minnesota Sports Facilities Authority, a Minnesota public body and political subdivision, owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Block 70, Town of Minneapolis, Hennepin County, Minnesota.

Torrens Property

together with:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Block 73;
 That part of the Southeasterly 6 feet of Seventh Avenue vacated, lying between extensions across said strip of land of the Southwesterly line of said Lot 1 and the Northeasterly line of said Lot 10;
 All in Town of Minneapolis, Hennepin County, Minnesota.

Torrens Property

together with:

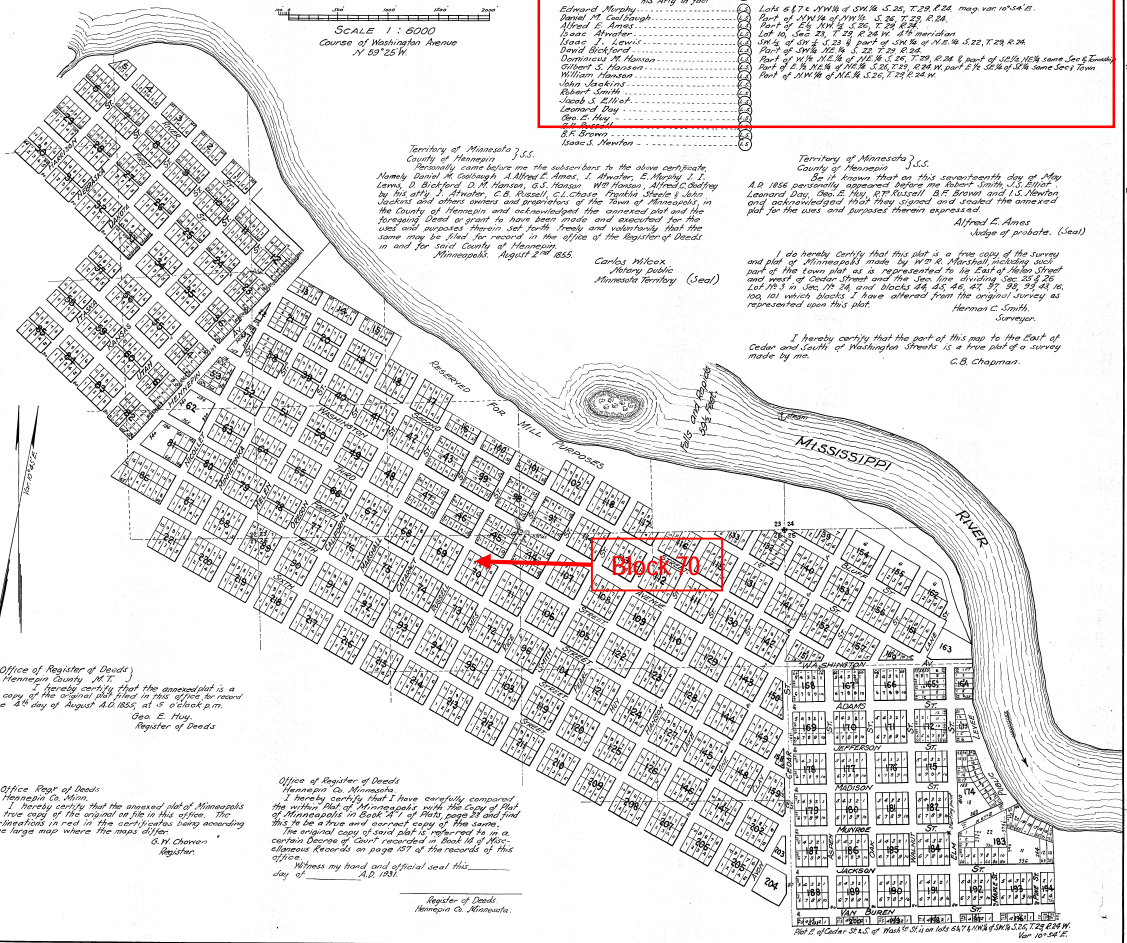
All that part of the following described land:
 Blocks 71, 72, 95, 96, 103, 104, 105, 106, and 119, Town of Minneapolis;
 Blocks 96, 103, 104, and 119, Morrison, Smith & Hancock's Addition to Minneapolis;

and those parts of vacated 5th Street South, 10th Avenue South, 9th Avenue South, and 4th Street South lying between the northwest line of Block 95, Town of Minneapolis, extended to the southwest corner of Block 71, Town of Minneapolis, the southeast line of Block 119, Morrison, Smith & Hancock's Addition to Minneapolis, extended to the southeast corner of Block 105, Town of Minneapolis, the southwesterly line of Block 95, Town of Minneapolis, extended to the most southerly corner of Block 119, Morrison, Smith & Hancock's Addition to Minneapolis, and southerly of the southwesterly line of 3rd Street South, dedicated in the plat of Town of Minneapolis;

MINNEAPOLIS.

Know all men by these presents that we the undersigned of the County of Hennepin, Territory of Minnesota owners and proprietors of the Town of Minneapolis in the County and Territory aforesaid do hereby and by these presents give consent and convey to the public use all the streets and Avenues (designated) in this plat of the several Towns together with all the lots, blocks or squares as herein marked (point and plot) for the public use and benefit of the individuals of said town. In witness whereof we have hereunto subscribed our names, and affixed our seals this second day of August A.D. One thousand Eight hundred and Ninety five (1895)

C.B. Russell	Lot 10, Sec. 23, T. 29 N. 24 W. 4th P.M. 1st
C.L. Chase	Part of SW 1/4 of NW 1/4 of SW 1/4 of Sec. 22, T. 29 N. 24 W. 4th P.M. 1st
Franklin Shamba	Lot 10, Sec. 23, T. 29 N. 24 W. 4th P.M. 1st
Alfred C. Coffey	Part of NW 1/4 of NW 1/4 of SW 1/4 of Sec. 22, T. 29 N. 24 W. 4th P.M. 1st
Edward Murphy	Lot 67 & 67 1/2 of NW 1/4 of SW 1/4, T. 29 N. 24 W. 4th P.M. 1st
Daniel M. Callaghan	Part of NW 1/4 of NW 1/4 of SW 1/4, T. 29 N. 24 W. 4th P.M. 1st
Walter D. Ames	Part of NW 1/4 of NW 1/4 of SW 1/4, T. 29 N. 24 W. 4th P.M. 1st
Isaac Alvinger	Lot 10, Sec. 23, T. 29 N. 24 W. 4th P.M. 1st
James J. Lewis	Part of NW 1/4 of NW 1/4 of SW 1/4, T. 29 N. 24 W. 4th P.M. 1st
David Rickford	Part of NW 1/4 of NW 1/4 of SW 1/4, T. 29 N. 24 W. 4th P.M. 1st
Domestic F. Hanson	Part of NW 1/4 of NW 1/4 of SW 1/4, T. 29 N. 24 W. 4th P.M. 1st
William S. Hassen	Part of NW 1/4 of NW 1/4 of SW 1/4, T. 29 N. 24 W. 4th P.M. 1st
William Hanson	Part of NW 1/4 of NW 1/4 of SW 1/4, T. 29 N. 24 W. 4th P.M. 1st
John Jenkins	Part of NW 1/4 of NW 1/4 of SW 1/4, T. 29 N. 24 W. 4th P.M. 1st
Robert Smith	Part of NW 1/4 of NW 1/4 of SW 1/4, T. 29 N. 24 W. 4th P.M. 1st
Joseph S. Elliot	Part of NW 1/4 of NW 1/4 of SW 1/4, T. 29 N. 24 W. 4th P.M. 1st
Leonard Day	Part of NW 1/4 of NW 1/4 of SW 1/4, T. 29 N. 24 W. 4th P.M. 1st
Geo. E. May	Part of NW 1/4 of NW 1/4 of SW 1/4, T. 29 N. 24 W. 4th P.M. 1st
B. Brown	Part of NW 1/4 of NW 1/4 of SW 1/4, T. 29 N. 24 W. 4th P.M. 1st
Isaac S. Newton	Part of NW 1/4 of NW 1/4 of SW 1/4, T. 29 N. 24 W. 4th P.M. 1st



Territory of Minnesota)
County of Hennepin)
I, Geo. E. May, Register of Deeds, do hereby certify that the above certificate, namely Daniel M. Callaghan, Alfred C. Coffey, J. Alvinger, E. Murphy, J. J. Lewis, D. Rickford, D. M. Hanson, G. S. Hassen, W. S. Hanson, Alfred Coffey, by this city, J. Alvinger, C. B. Russell, C. L. Chase, Franklin Shamba & Isaac Alvinger all citizens and proprietors of the Town of Minneapolis in the County of Hennepin, and acknowledged the annexed plat and the temporary streets or ways to have been made and executed for the use and purposes therein set forth, freely and voluntarily that the same may be filed for record in the office of the Register of Deeds in and for said County of Hennepin, Minnesota, August 2nd 1895.

Territory of Minnesota)
County of Hennepin)
Be it known that on this seventeenth day of May A.D. 1895 personally appeared before me Albert Smith, J. J. Alvinger, Leonard Day, Geo. E. May, C. B. Russell, B. F. Brown and J. S. Newton and acknowledged that they signed and created the annexed plat for the uses and purposes therein expressed.

Alfred L. Ames
Judge of probate. (Seal)

I do hereby certify that this plat is a true copy of the survey and plat of Minneapolis made by W. G. Marshall, including said part of the town plat as is represented to be East of Helen Street and west of Cedar Street and the line line dividing Sec. 22 & 23 Lot 10 in Sec. 23 and blocks 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, all which blocks I have abstracted from the original survey as represented upon this plat.

Herman C. Smith
Surveyor.

I hereby certify that the part of this map to the East of Cedar and South of Washington Streets is a true plat of a survey made by me.

G. B. Chapman.

Office of Register of Deeds
Hennepin County, Minn.
I hereby certify that the annexed plat is a true copy of the original plat filed in this office in room on the 2nd day of August A.D. 1895 at 5 o'clock p.m.

Geo. E. May
Register of Deeds

Office of Reg. of Deeds
Hennepin Co. Minn.
I hereby certify that the annexed plat of Minneapolis is a true copy of the original on file in this office. The information on recd. in the certificate has been conveyed to the large map where the map is filed.

G. M. Chapman
Register.

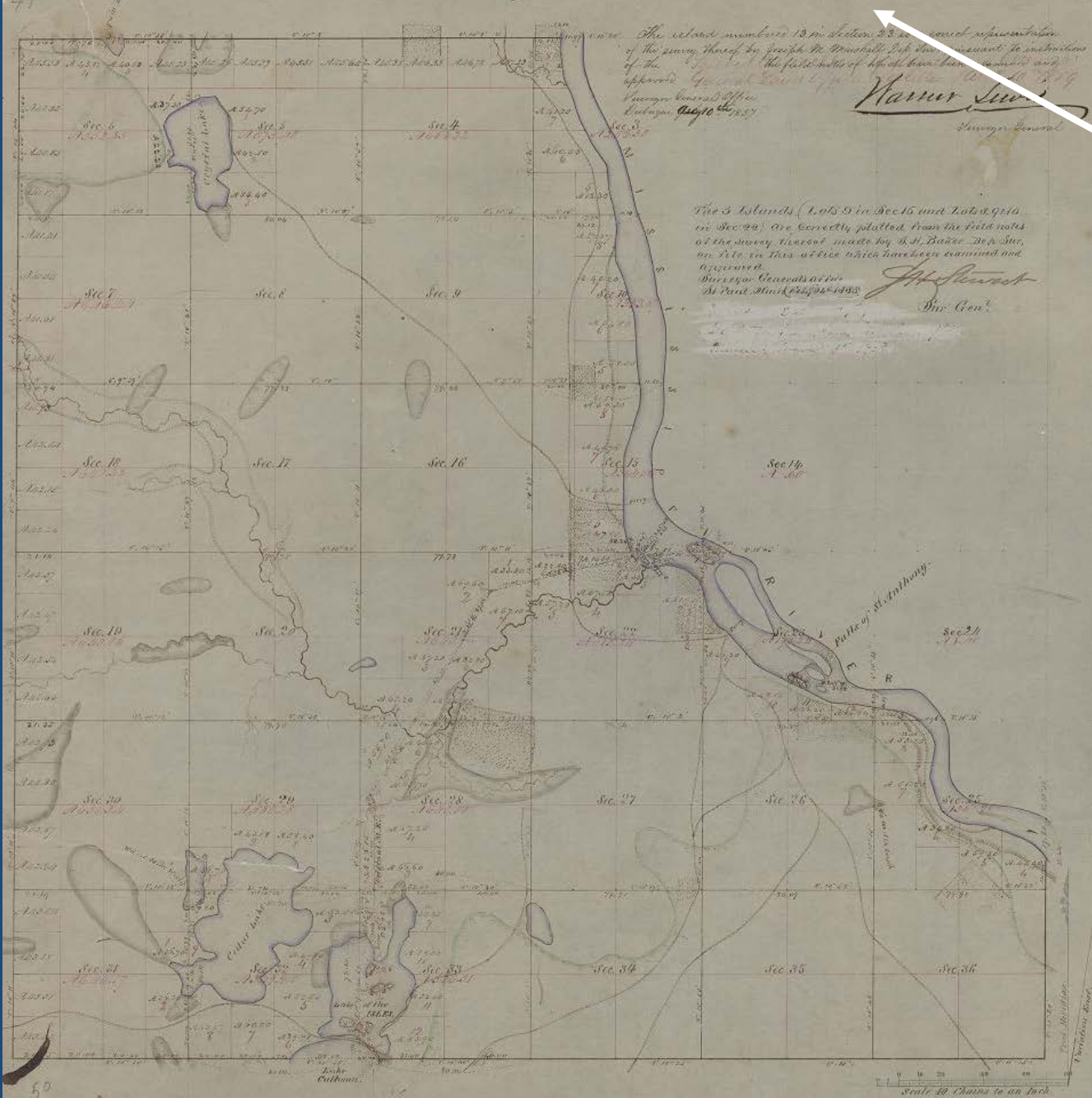
Office of Register of Deeds
Hennepin Co. Minnesota
I hereby certify that I have carefully compared the within plat of Minneapolis with the copy of said plat of Minneapolis in Book 71 of Public page 29 and find the same to be a true and correct copy of the same. The original copy of said plat is referred to in a certain Decree of Court recorded in Book 16 of Miscellaneous Records on page 127 of the records of this office.

Witness my hand and official seal this day of August A.D. 1895.

Register of Deeds
Hennepin Co. Minnesota.

For recd. of copy of plat of the City of Minneapolis in the City of Minneapolis, Minn. See Book 102 of Misc. page 222.
See original plat for Block 70.
For recd. of copy of plat of the City of Minneapolis in the City of Minneapolis, Minn. See Book 102 of Misc. page 222.
For recd. of copy of plat of the City of Minneapolis in the City of Minneapolis, Minn. See Book 102 of Misc. page 222.

Township N^o 29 N. Range N^o 24 West, 4th Mer.



Township 29 North 24 West of the 4th Principal Meridian

The above Map of Township N^o 29 North, of Range N^o 24 West, of the 4th Principal Meridian, is strictly conformable to the field notes of the survey thereof on file in this Office, which have been examined and approved.
Surveyor General's Office, *Harrison Lewis, Sur. Gen.*
Dubuque, July 27th 1854

February 27, 1854

Several landowners and several parcels of land – assembling land rather than subdividing



Multiple "cycles" of fragmentation and agglomeration over several decades and ultimately centuries

Residential
Industrial
Abandoned
Residential "Lofts"

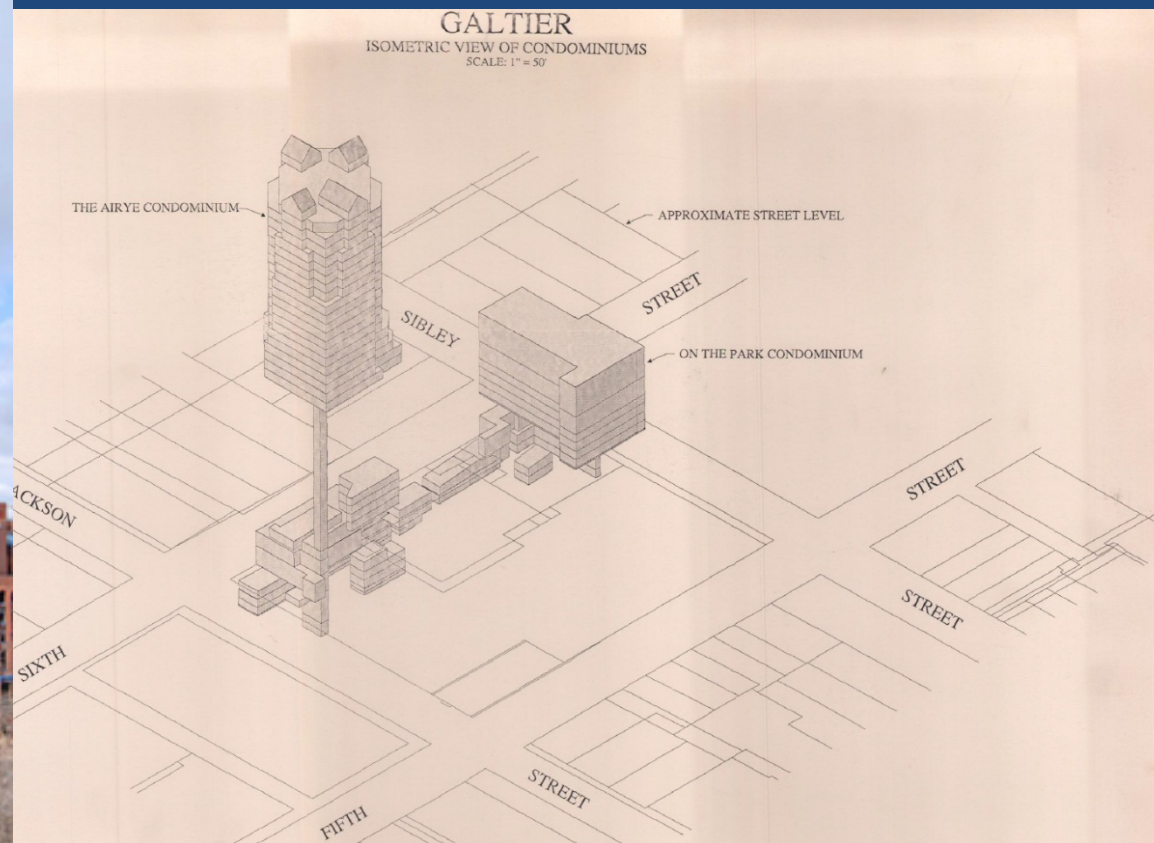


Complex Scenarios

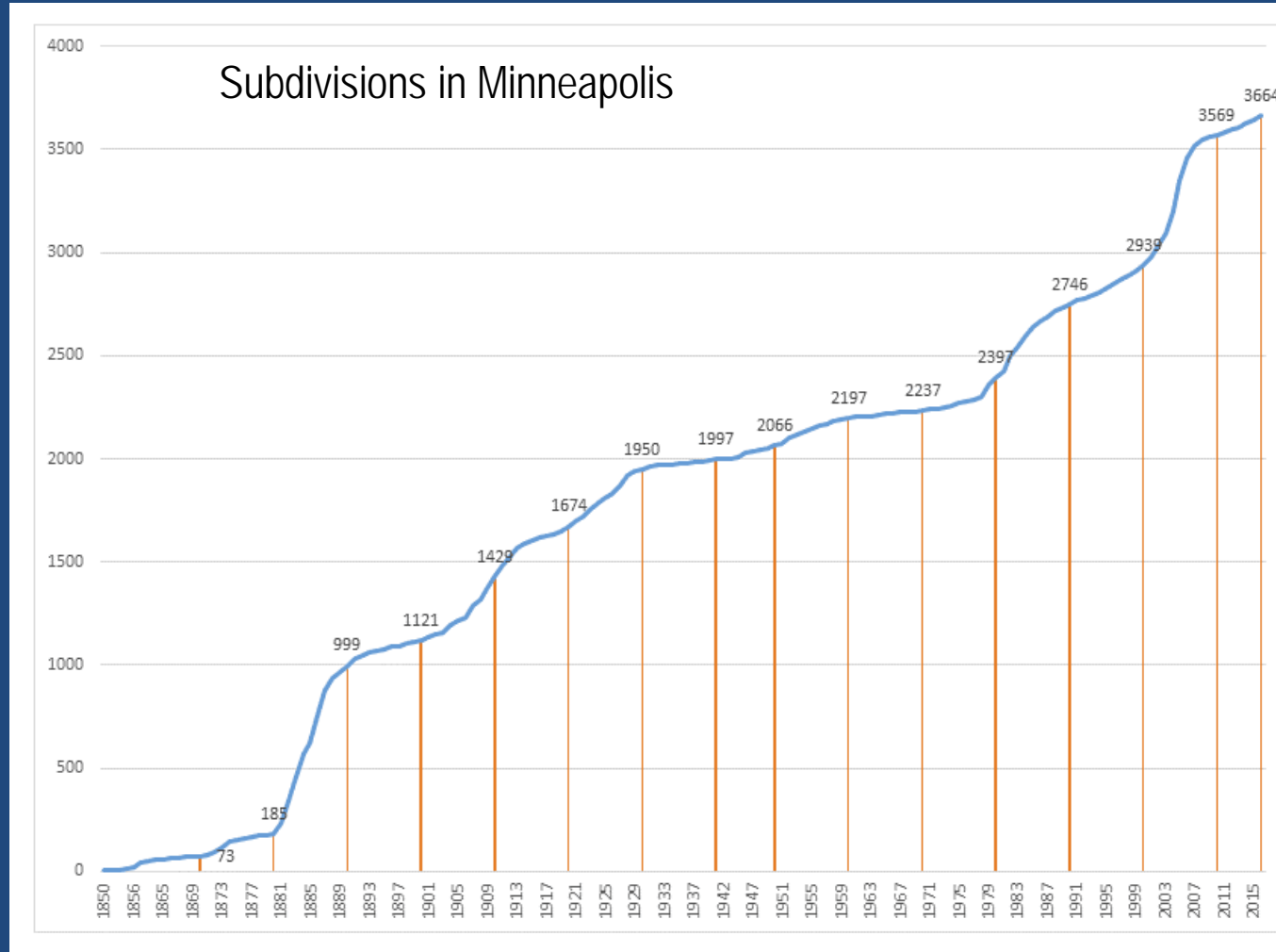
Multiple-family residential complexes – common interest communities – condominiums, cooperatives, townhouses



“Mapping the Vertical City”



The Growth of Minneapolis – can be described in terms of the way in which the land surface in the city boundaries has been fragmented and agglomerated



The physical or morphological evolution of any city can be described through recorded subdivision plats and its variants, the registered land surveys and the common interest community plats that comprise an urban jigsaw

Some cities, such as the first class cities of Minneapolis and St. Paul, contain several thousand subdivisions while others contain several hundred, and a few (fourth class cities with less than 1,000 residents) contain only one or two

All began as a single subdivision, however, evidenced by a recorded plat showing the layout and dimensions of the lots, blocks, and streets in a particular jurisdiction

The physical structure of each city, especially those with long histories, reflects both episodes of fragmentation and agglomeration as new subdivisions were created and existing subdivisions, or parts of them, replatted

The platting process is part of the developmental process through which physical changes in the city are made

The regulation of the subdivision process is one of the official controls given local governments by statute

History of Subdividing

Subdivision Plats

Minnesota Territorial Statutes (1851) [c.31 Of Recording Town Plots](#)

to lay out a town in this territory or an addition or subdivision of out lots, such person, shall cause the same to be surveyed and a plot thereof made, which shall particularly describe and set forth all the streets, alleys, commons or public grounds and all in and out lots or fractional lots, within adjoining or adjacent to said town, giving the names, width, courses, boundaries and extent of all' such streets and alleys.

Nov. 1, 1849 the Minnesota Territorial Legislature enacted, "An Act to incorporate the Town of St. Paul in the County of Ramsey"

"so much of the town of St. Paul as is contained in the original plat of said town made by Ira Brunson, together with Irvine and Rice's addition, be, and the same is hereby created a town corporate by the name of the town of St. Paul."

The first municipal boundaries were thus made coincidental with the boundaries of two subdivisions – conflated jurisdiction and real property boundaries



The Urban Jigsaw: the Early History of St. Paul, Minnesota
The Nichols Map and the Location of the Town of St. Paul

Town Council given broad powers “necessary for the good government and well being of said town”

- to regulate and improve the streets and alleys, and determine the widths of sidewalks ...
- to regulate the public grounds
- to erect a market house and regulate the markets
- to remove all nuisances and obstructions from the streets and commons of said town, and
- do all things which similar corporations have power to do, in order to provide fur and secure health cleanliness and good order

TOWN LOTS FOR SALE.

THE subscriber having the exclusive agency of that beautiful portion of the town of St. Paul, owned by VETAL GUERIN, adjacent to the Catholic church, and extending from the banks of the Mississippi, beyond the bluffs at the north of the town, offers for sale a number of eligible building lots for private residences or business purposes. The portion of this property beyond the town line is now being surveyed into *out lots* of convenient size for suburban residences.

DAVID LAMBERT.

May 5, 1849. *tf.*

Subdivision Plats

Minnesota Territorial Statutes (1851) c. 31 Of Recording Town Plots

to lay out a town in this territory or an addition or subdivision of out lots, such person, shall cause the same to be surveyed and a plot thereof made, which shall particularly describe and set forth all the streets, alleys, commons or public grounds and all in and out lots or fractional lots, within adjoining or adjacent to said town, giving the names, width, courses, boundaries and extent of all' such streets and alleys.

plant and fix at a corner of the public ground, or at the corner of a public lot, if any there be, and if there be none, then at the corner of some one of the in lots in the town, and at the corner of each out lot a good and sufficient stone of such size and dimensions, and in such manner as the surveyor shall direct for a corner, from which to make future surveys; and the point or points where the same may be found, shall be designated on the plot or map.

March 4, 1854 "An Act to incorporate the City of Saint Paul, Ramsey County, Territory of Minnesota"

All the country in the County of Ramsey contained within the limits and boundaries hereinafter described, shall be a city by the name of "Saint Paul," and the people now inhabiting, and those who shall hereafter inhabit within the district of country herein described, shall be a municipal corporation by the name of the "City of Saint Paul,"

Beginning at a point on the Mississippi river where the lines of Sections four (4) and (6) intersects said river,, to the place or point of beginning

c.3 City Officers

Sec. 16. There shall be elected by the Common Council, a City Surveyor, who shall be a practical surveyor.

- He shall keep his office at some convenient place within said city, and the Common Council shall prescribe his duties and fix the fees and compensation for any services performed by him
- All surveys, profiles, plans, or estimates, made by him for the city, or either of the Wards, shall be the property of said city, and carefully preserved in the office of the Surveyor, open to the inspection of the parties interested
- The same, together with all books and papers appertaining to said office, shall be delivered over by the Surveyor at the expiration of his term of office, to his successor, or the Common Council City

c. IV Powers of the Council

1. To license and regulate the exhibition of common showmen or shows of any kind, or the exhibition of caravans, circuses, or theatrical performances, billiard tables, bowling saloons, and to provide for the abatement and removal of all nuisances under the ordinances, or at common law; and to grant licenses and regulate groceries, taverns, victualling houses, and all persona vending or dealing in spirituous, vinous, or fermented liquors

Provided, That the license for dealing in, or vending spirituous or fermented liquors, shall be fifty dollars a year, and that no license shall be granted for a less term than one year

4. To compel the owner or occupant of any grocery, cellar, tallow chandler shop, soap factory, tannery, stable, barn, privy, sewer, or other unwholesome, nauseous house or place, to cleanse, remove or abate the same from time to time, as often as it may be deemed necessary for the health, comfort and convenience of the inhabitants of said city
5. To direct the location and management of slaughter houses and markets, and to establish rates for, and license venders of gunpowder, and regulate the storage, keeping and conveying of gunpowder or other combustible materials
11. To make and establish public pounds, pumps, wells, cisterns and reservoirs, and to provide for the erection of water-works for the supply of water to the inhabitants; to erect lamps and regulate and license hacks, cabs, drays, carts, and charges of hack men, cabmen, draymen, and cart men in the city: and to provide for lighting the streets, public grounds and public buildings, with gas or otherwise

c. VI Opening of streets, Alleys &C

To lay out public squares, grounds, streets, alleys, and to widen the same

Whenever ten or more freeholders residing in any Ward shall, by petition, represent to the common council that it is necessary to take certain lands within the Ward where they reside, for public use, for the purpose of laying out public squares, grounds, streets, or alleys, or the enlarging, or widening the same

c. VII City Improvements – street commissioners

To order and contract for grading, repairing and cleansing of streets, alleys, public grounds, reservoirs, gutters and sewers

Sewers may be ordered by the street commissioners, and built at the expense of the lots or parcels of land benefitted thereby, which shall be apportioned among said lots or parcels of land by the street commissioners, with the assistance of the street surveyor

To regulate and construct, alter and maintain, wharves, or grading and paving along the banks of the Mississippi river, and shall have and exercise the same power and control over the said river that they ... possess over streets and alleys

c. X Miscellaneous

Section 13.

... three commissioners, one from each ward, with the City Surveyor, or such other assistant surveyors as the Common Council may appoint, shall cause a new and accurate survey to be made of the lines and boundaries of all streets, alleys, sidewalks, public grounds, wharves or landing, and blocks, and shall cause to be established such permanent landmarks as they may deem necessary, and to cause an accurate plat or plats thereof to be made and certified to by the said surveyor and commissioners, which shall be filed in the office of the City Surveyor, and a copy thereof shall be recorded in the office of the Register of Deeds of Ramsey county.

Section 14

The survey and landmarks so made and established shall be prima facie evidence of the lines and boundaries of all streets, alloys, sidewalks, public grounds, wharves or landings, and blocks, in all cases in which they shall be drawn into controversy in all courts of this Territory

Section 15

after completing the survey, the Common Council shall cause to be established, under the direction of the City Surveyor, the grade of all streets, sidewalks and alleys in said city, and shall cause accurate profiles thereof to be made, one of which shall be filed in the office of the Register of Deeds of Ramsey county

The Public Statutes of the State of Minnesota (1849-1858 c. 26 Town Plots

Laws 1860 c. 68 "An Act to amend Sections twelve, thirteen and fourteen, of Chapter thirty-one, of the Revised Statute of the State of Minnesota"

General Statutes of the State of Minnesota (1863) c. 29 Town Plats

The General Statutes of the State of Minnesota (1866) c. 29 Town Plats

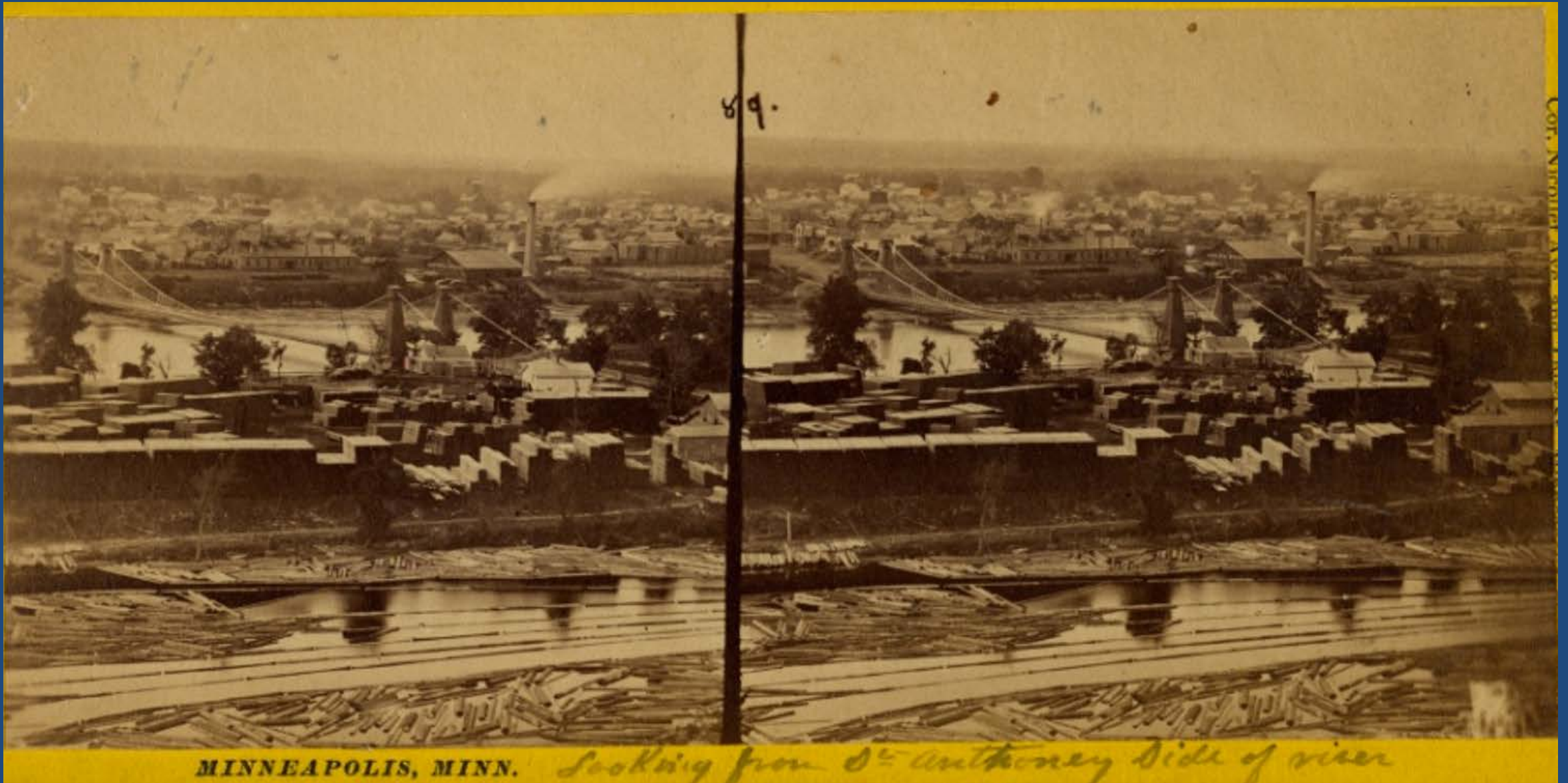
The Statutes at Large of the State of Minnesota comprising the General Statues of 1866 as amended by subsequent legislation to the close of 1873 c. 12. Of Township Organization and the Incorporation of Cities and of Town Plats

Title I. Townships

Title II. Incorporation of Cities sections 112-192

Title III. Town Plats sections 192-205

Upton's views of Minnesota and the Northwest; Minneapolis, Minn.; looking from St. Anthony side of river (1865)



MINNEAPOLIS, MINN. *Looking from St. Anthony side of river*

Comprehensive Planning

Minnesota Statutes (2019) 473.858. Comprehensive Plans; Local Government Units

A local government unit shall not adopt any ... official control which is in conflict with its comprehensive plan, including any amendments to the plan, or which permits activity in conflict with metropolitan system plans

The comprehensive plan shall provide guidelines for the timing and sequence of the adoption of official controls to ensure planned, orderly, and staged development and redevelopment

Minnesota Laws 1976 c.127. "An act relating to land planning in the metropolitan area; requiring local adoption of minimum plans and controls; providing for limited council review and acceptance prior to the adoption of such plans and controls; providing for an advisory metropolitan land planning committee; providing for the enforcement of adopted local plans and controls; including certain expenses in the definition of special levy; providing for interim zoning" The Metropolitan Land Use Planning Act

Official Controls

Local Government Police Powers – Official Controls

[Minnesota Statutes \(2018\) 462.357](#). Official Controls: Zoning Ordinance

To promote the public health, safety, morals, and general welfare, a municipality may

- regulate on the earth's surface, in the air space above the surface, and in subsurface areas,
- the location, height, width, bulk, type of foundation, number of stories, size of buildings and other structures, the percentage of lot which may be occupied, the size of yards and other open spaces, the density and distribution of population, the uses of buildings and structures ... and
- the uses of land for trade, industry, residence, recreation, agriculture, forestry, soil conservation, water supply conservation, conservation of shorelands, access to direct sunlight for solar energy systems ... , flood control or other purposes,

And may establish standards and procedures regulating such uses

Physical Structure of Cities

Land Use types (St. Paul)

- Primary Zoning Districts; residential, commercial-residential, congregate living, civic and institutional, public services and utilities, commercial, industrial, accessory, Ford district
- Overlay Zoning Districts; state fair parking and vending, tree preservation, White Bear Ave, Hillcrest Village, East Grand Ave, student housing neighborhood impact, river corridor

Local Government Police Powers – Official Controls

[Minnesota Statutes \(2018\) 394.361](#). Official Map – county

Land that is needed for future street and highway purposes, or for aviation purposes, and as sites for other necessary public facilities and services is frequently diverted to nonpublic uses that could have been located on other lands without hardship or inconvenience to the owners

When this happens, public uses of land may be denied or may be obtained later only at prohibitive cost or at the expense of dislocating the owners and occupants of the land. Identification on official maps of land needed for future public uses permits both the public and private property owners to adjust their building plans equitably and conveniently before investments are made that will make adjustments difficult to accomplish

After an official_map_has been adopted and filed, the issuance of land use or zoning permits or approvals by the county is subject to the provisions of this section

[Minnesota Laws 1965 c.670](#). “An act relating to municipal planning and development and providing for zoning, official maps, subdivision regulations and other official controls”

Local Government Police Powers – Official Controls

[Minnesota Statutes \(2018\) 462.358](#). Official Controls: Subdivision Regulations; Dedication

- To protect and promote the public health, safety, and general welfare
- To provide for the orderly, economic, and safe development of land
- To preserve agricultural lands
- To promote the availability of housing affordable to persons and families of all income levels
- To facilitate adequate provision for transportation, water, sewage, storm drainage, schools, parks, playgrounds, and other public services and facilities

A municipality may ... adopt subdivision regulations establishing standards, requirements, and procedures for the review and approval or disapproval of subdivisions

A municipality may ... extend the application of its subdivision regulations to unincorporated territory located within two miles of its limits in any direction but not in a town which has adopted subdivision regulations

Local Government Police Powers – Official Controls

The subdivision regulations

- may address ... the size, location, grading, and improvement of lots, structures, public areas, streets, roads, trails, walkways, curbs and gutters, water supply, storm drainage, lighting, sewers, electricity, gas, and other utilities; the planning and design of sites; access to solar energy; and the protection and conservation of floodplains, shore lands, soils, water, vegetation, energy, air quality, and geologic and ecologic features
- may require that a reasonable portion of the buildable land ... of any proposed subdivision be dedicated to the public or preserved for public use as streets, roads, sewers, electric, gas, and water facilities, storm water drainage and holding areas or ponds and similar utilities and improvements, parks, recreational facilities ..., playgrounds, trails, wetlands, or open space
- shall require that subdivisions be consistent with the municipality's official map if one exists and its zoning ordinance, and may require consistency with other official controls and the comprehensive plan

Local Government Police Powers – Official Controls

The subdivision regulations

- may require that any subdivision creating parcels, tracts, or lots, shall be platted. The regulations shall require that all subdivisions which create five or more lots or parcels which are 2-1/2 acres or less in size shall be platted
- shall include provisions regarding the content of applications for proposed subdivisions, the preliminary and final review and approval or disapproval of applications, and the coordination of such reviews with affected political subdivisions and state agencies
- shall not conflict with the provisions of [chapter 505](#) but may address subjects similar and additional to those in that chapter

Development in St. Paul

St. Paul - Code of Ordinances

- Part II LEGISLATIVE CODE
 - TITLE VIII - ZONING CODE
 - Chapter 69. - Zoning Code. Subdivision Regulations
 - Title IX - CITY PLANNING
 - Title X - SEWERS AND DRAINS
 - Title XI - WATER UTILITY
 - Title XIII - RESTRICTED USE OF CERTAIN STREETS
 - Title XXIII - PUBLIC HEALTH, SAFETY AND WELFARE

Comprehensive Plan

- Planning
- Housing
- Economic Development

Development in Minneapolis

Code of Ordinances

- Title 16 - PLANNING AND DEVELOPMENT
- Title 20 - ZONING CODE
- Title 22 - LAND SUBDIVISION

The Minneapolis Plan for Sustainable Growth (2009)
Minneapolis 2040

Community Planning & Economic Development
Development Services Customer Service Center
Planning and Zoning
Transit Oriented Development

Eagan

Code of Ordinances

- Chapter 11 - LAND USE REGULATIONS (ZONING)
- Sec. 12.06. - Interim use: Study of harboring carrier pigeons within the city.

Chapter 13 - SUBDIVISION REGULATIONS (PLATTING)

Eagan Community Development

2030 Comprehensive Guide Plan

2040 Comprehensive Guide Plan

Planning & Zoning

Development Application Checklists

Minneapolis and St. Paul are cities in which the physical structures – mainly buildings and roads – are arranged according to a plan implemented by controls on who constructs them, when they are constructed and how they are constructed

Planning

Local Government Police Powers – Official Controls

- Zoning codes
- Subdivision controls
- Official map

The Development Process – **which begins with a map of some kind**