

## CHAPTER 54. SUBDIVISIONS

### ARTICLE II. Plats.

-----

\*State law reference--Platting procedures, Minn. Stats. § 462.358, subd. 3b.

-----

### Division 1. Generally

#### **Section 54-31. Required generally.**

- (a) *Form.* Every proposed subdivision, excluding lot splits, must be submitted in the form of a preliminary plat to the City Planner who will transmit it to the planning commission for review and recommendation to the City Council. The preliminary plat is not intended to be a final plat. The purpose of a preliminary plat is to graphically show all of the facts to determine whether the proposed plat meets the requirements of this chapter. The preliminary plat shall be signed by a registered land surveyor. Inaccurate or insufficient information supplied by the applicant may be cause for disapproval of a preliminary plat.
- (b) *Filing.* The subdivider must, at least three weeks prior to the appropriate Planning Commission meeting, submit five prints and a 8½-inch by 11-inch reduction of the proposed preliminary plat and any other required plans to the City Planner with an application for approval. A fee, as determined by the City Council, must be submitted at the time of application.

#### **Section 54-32. Contents of preliminary plat.**

The following information must be included on the preliminary plat:

- (1) Plat identification and description.
  - a. Proposed name of the subdivision. The name cannot duplicate the name of any plat previously recorded in the County.
  - b. Location by section, township and range or by other legal description.
  - c. Names and addresses of the owner and subdivider having control of the land included in the preliminary plat, the designer of the plat and the surveyor.
  - d. Graphic scale, of a size not less than one inch equals 200 feet.
  - e. North point.
  - f. Date of preparation.
- (2) Existing conditions.
  - a. Boundary line survey. The survey shall show the location of any buildings, fences, existing public or private utilities, or other substantial structures on or within the boundary lines of the plat.
  - b. Total acreage in the preliminary plat computed to one one-hundredth of an acre.

- c. Location and names of existing or platted streets or rights-of-way, parks and other public open spaces, permanent buildings or structures, easements and section and corporate lines within the preliminary plat and 100 feet beyond the plat boundaries.
- d. If the plat is a replat of any former plat, the lot and block arrangement of the original plat, along with its original name, must be indicated by dotted or dashed lines. Any revised or vacated roadways, railroad rights-of-way, walkways, parklands and easements of the original plat must be indicated.
- e. Location and size of existing paved streets, railroads, sewers, water mains, quarries, gravel pits, culverts or any underground facilities within the tract and 100 feet beyond the plat boundaries.
- f. Boundary lines of adjoining platted or unplatted land within 100 feet of the plat as shown on the County records and the owner's name and address indicated.
- g. The preliminary plat and a reproducible copy, superimposed on a contour map compiled to the national map accuracy standards with a contour interval not greater than two feet. The following must also be depicted: watercourses, wetlands and marshes, including their acreage; rock outcrops; floodplain, floodway and flood fringe areas; and other significant features. United States Geodetic Survey datum must be used for all topographic mapping. High water elevations and the date thereof must be indicated if applicable.
- h. Sufficient soil borings to determine soil classifications and water table elevations, including the depth of proposed utilities.
- i. A copy of restrictive covenants, if any, and that of all adjoining subdivisions.

(3) Design features.

- a. Layout of streets, showing right-of-way widths and names of streets.
- b. Location and width of alleys, pedestrian ways and utility easements.
- c. Proposed street and alley grades, if any, and a complete set of profiles showing both existing and proposed grade lines.
- d. Location and size of storm and sanitary sewer lines, water mains and approximate gradient of sewer lines.
- e. Layout, lot and block numbers, and typical lot dimensions scaled to the nearest foot.
- f. Areas other than those mentioned above intended to be conveyed for public use, including the size of such areas.
- g. A separate draft of proposed restrictive covenants, if they are to be used, for the preliminary plat and restrictive deed covenants covering plats within floodplain areas for the purpose of insuring that the areas will be left essentially in the state shown on the plat.

**Section 54-33. Review.**

The preliminary plat submission shall be reviewed by the planning commission to determine its conformity to all regulations which affect subdivisions. Copies of the preliminary plat will be transmitted by the city planner, to the director of public works, the park and recreation director, and other appropriate officials for their recommendations concerning matters within their jurisdiction.

**Section 54-34. Approval.**

- (a) *Planning Commission approval.* The Planning Commission shall conduct a public hearing according to the procedure set forth in Chapter 74 on the proposed plat at which interested persons shall be given an opportunity to be heard. The planning commission shall recommend approval, disapproval or approval of the plat with specified modifications to the City Council.
- (b) *City Council action.* The City Council will take action on the preliminary plat within 120 days of the date of filing the application with the City Planner. If the recommendation from the Planning Commission has not been received within the 120-day period, the City Council may act without such recommendation. The City Council may require such revisions in the preliminary plat as it deems necessary for the health, safety and general welfare of the City. Approval of a preliminary plat shall not constitute final approval. Approval of the preliminary plat by the City Council shall give the applicant the following rights for a 12-month period from the date of approval:
  - (1) That the general terms and conditions under which the approval was granted will not be changed by the City;
  - (2) That the applicant may submit on or before such expiration date, the whole or any part of the approved plat for final approval; and
  - (3) The City Council may extend the time period of preliminary approval, upon written application by the developer and for good cause shown. Such extension shall not exceed a 12-month period.

**Section. 54-35--54-50. Reserved.**