

CHAPTER 152
SUBDIVISION REGULATIONS
SECTION 1
INTRODUCTION

SECTION:

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1.1: Title:

This ordinance has been adopted as Chapter 152 of the City Code of the City of Holdingford, and shall be known and may be cited as the Holdingford Subdivision Ordinance.

1.2: Purpose:

These regulations are adopted for the following purposes:

- A. To assist the orderly, efficient and integrated development of the City in compliance with the Holdingford Comprehensive Plan.
- B. To promote the health, safety, morals and general welfare of the residents of the city.
- C. To secure equitable handling of all subdivision plans by providing uniform minimum standards and procedures.

1.3: Compliance:

Hereafter, no lot in a subdivision may be sold, no grading shall commence, no permit to erect or alter any building upon land in a subdivision may be issued, and no building may be erected in a subdivision, unless and until a subdivision plat has been approved and recorded, and until the improvements required by the Council in connection therewith have either been constructed or guaranteed, as herein provided.

1.4: Interpretation of Standards:

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements. Where this Ordinance imposes a greater restriction than is imposed or required by other provisions of law or by other rules, regulations or ordinances, the provisions of this Ordinance shall control.

1.5: Severability:

If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect the remainder of this Ordinance.

1.6: Amendments:

The City Council may introduce and consider amendments to the Ordinance as proposed by a Council member, or by a petition of a person residing or owning property within the City.

1.7: Violations and Penalties:

- A. **Sale of Lots From Unrecorded Plats.**
It is unlawful for any person to sell, trade or otherwise convey or offer to sell, trade or otherwise convey any lot or parcel of land as a part of, or in conformity with, any plan, plat or replat of any subdivision or area located within the jurisdiction of this Chapter unless said plan, plat or replat shall have first been recorded in the Office of the County Recorder or waived as provided for in this Ordinance.
- B. **Receiving or Recording Unapproved Plats.**
It is unlawful for any person to receive or record in any public office any plans, plats or replats of land laid out in building lots and street rights-of-way, alleys or other portions of the same intended to be dedicated to public or private use, or for the use of purchasers or owners of lots fronting on or adjacent thereto, and located within the City, unless the same shall bear thereon, by endorsement or otherwise, the review and the approval of the City Council.
- C. **Misrepresentation as to Construction, Supervision or Inspection of Improvements.**
It is unlawful for any person, owning an addition or subdivision of land within the City, to represent that any improvements upon any of the street rights-of-way, alley or avenues of said addition or subdivision, or any utility in said addition or subdivision have been constructed according to the plans and specifications approved by the City Council, or have been supervised or inspected by the City, when such improvements have not been so constructed, supervised, or inspected.
- D. **Violation A Misdemeanor.**
Every person who violates a section, subdivision, paragraph or provision of this ordinance when he/she performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as for a misdemeanor except as otherwise stated in specific provisions hereof.

1.8 Administrative Subdivision Requirements:

- A. **Application:** The following applications shall be Administrative Subdivisions:
 - 1. Divisions of land where the division is to permit the adding of a parcel of land to an abutting lot or to create two (2) lots and the newly created property line will not cause the land or any structure to be in violation of this Chapter, the Comprehensive Plan or the Zoning Ordinance.
- B. **Data Required.**
 - 1. **Certificate of Survey:** Administrative subdivisions shall be prepared and signed by a Minnesota licensed land surveyor in the form of a Certificate of Survey. Said survey shall contain a legal description for the parcels to be created. Ten (10) copies of the survey shall be submitted to the City Clerk not less than two weeks prior to the next City Council meeting.
 - 2. Completed application form and fee.
- C. **Requirements.** The following requirements must be met prior to approval:
 - 1. A drainage and utility easement shall be provided as required by the City Council and as recommended by the City Engineer. Corner lots shall be defined as having two front yards

for this provision. Dedication of roadway easements consistent with the City's Comprehensive Plan or Transportation Plan may also be required.

2. The subdivision must comply with the design and dedication requirements of this Chapter.
3. All public improvements required by this Chapter must be installed in accordance with this Chapter.
4. All lots must have direct access onto an improved public street.

D. Processing

1. The City Clerk shall, within fifteen (15) days of receipt of the application, certify that the platting requirements of this Chapter do not apply to the requested land division.

1.9: Premature Subdivisions:

A. Any preliminary plat of a proposed subdivision deemed premature for development shall be denied by the City Council.

B. Conditions Establishing Premature Subdivisions.

A Subdivision may be deemed premature should any of the conditions set forth in the provisions which follow exist.

1. Lack of Adequate Drainage.

A condition of inadequate drainage shall be deemed to exist if

- (a) Surface or subsurface water retention and runoff is such that it constitutes a danger to the structural security of the proposed structures.
- (b) The proposed subdivision will cause pollution of water sources or damage from erosion and siltation on downhill or downstream land.
- (c) The proposed site grading and development will cause harmful and irreparable damage from erosion and siltation on downhill or downstream land.
- (d) Factors to be considered in making these determinations may include, but not limited to:
 - a. Average rainfall for the area.
 - b. The relation of the land to floodplains.
 - c. The nature of soils and subsoils and their ability to adequately support surface water runoff and waste disposal systems.
 - d. The slope of the land and its effect on effluents.
 - e. The presence of streams as related to effluent disposal.

2. Lack of Adequate Water Supply.

A proposed subdivision shall be deemed to lack an adequate water supply if the proposed subdivision, if developed to its maximum permissible density, does not have adequate sources of water to serve the proposed subdivision without causing an unreasonable depreciation of existing water supplies for surrounding areas.

3. Lack of Adequate Streets or Highways to Serve the Subdivision.

A proposed subdivision shall be deemed to lack adequate streets or highways to serve the subdivision when:

- a. Streets which currently serve the proposed subdivision and/or that are proposed to serve the subdivision are of such a width, grade, stability, site distance and surface condition that an increase in traffic volume generated by the proposed subdivision would create a hazard to public safety and general welfare and, when with due regard to the advice of the county or state and their respective design standards, said roads are inadequate for the intended use.
- b. The traffic volume generated by the proposed subdivision as calculated by the City Engineer and subject to generally accepted generation computation formulas and design standards would create unreasonable highway congestion at the time of the application or proposed for completion within the next two (2) years.

4. Lack of Adequate Waste Disposal Systems.

A proposed subdivision shall be deemed to lack adequate waste disposal systems if there is inadequate sewer capacity in the present system to support the subdivision if developed to its maximum permissible density after reasonable sewer capacity is reserved for schools, planned public facilities, and commercial and industrial development projected for the next five (5) years. Expected wastewater generation rates applicable to a proposed subdivision shall be based on generally accepted generation computation formulas as assigned by the City Engineer.

5. Lack of Adequate City Support Facilities.

A proposed subdivision shall be deemed to lack adequate public support facilities such as parks and recreational facilities, schools, and police, fire and ambulance protection and services when said support facilities are reasonably expected to be necessitated by the subdivision and can not be reasonably provided for within the next five (5) fiscal years.

6. Inconsistency with Comprehensive Plan.

A subdivision shall be deemed premature if it is found to be inconsistent with the purposes, objectives and recommendations of the duly adopted Comprehensive Plan of the City of Holdingford, as may be amended from time to time.

7. Inconsistency with Environmental Protection Policies.

A proposed subdivision shall be deemed premature if it is found to be inconsistent with environmental protection policies set forth within city, county, state, and federal rules and regulations, as may be amended.

C. Burden of Establishing.

The burden shall be upon the applicant to show that the proposed subdivision is not premature.

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SECTION 2

PRE-APPLICATION REQUIREMENTS

SECTION:

2.1: Pre-Application Conference

2.2: Sketch Plan

2.1: Pre-Application Conference:

A person or corporation desiring approval of a plat of a subdivision shall appear before the City Council to discuss the proposal before filing an application for preliminary plat approval. A person or corporation desiring approval of a plat of a subdivision of land within orderly annexation areas may also be required to appear before the Joint Planning Board to discuss the proposal before filing an application for preliminary plat approval with the City. No fee or formal application is required for this meeting. The subdivider shall be prepared to discuss the details of his proposed subdivision, including such items as the proposed use, existing features of the area, existing covenants, land characteristics, availability of community facilities and utilities, size of development, play areas or public areas, proposed protective covenants, proposed utilities and street improvements. The subdivider shall submit a sketch plan as outlined in Section 2.2. The City Council will respond to questions from the subdivider, will review procedures and requirements for platting and may suggest changes to the plan. The City Engineer and City Attorney may be included as part of this review process.

2.2: Sketch Plan:

The subdivider shall prepare a sketch plan to present to the City Council at the Pre-Application Conference. This plan may be drawn as a freehand sketch and does not require precise dimensions or any special sheet size. This sketch plan may be used to show the City Council the location, proposed street and lot layout and any other significant features of the proposed subdivision.

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SECTION 3

PRELIMINARY PLAT

SECTION:

3.1: Procedure

3.2: Preliminary Plat

3.3: Duration of Approval

3.1: Procedure:

After the Pre-Application Conference, the subdivider shall submit an application for approval of a preliminary plat to the Clerk.

- A. The application shall be accompanied by the following:
 - 1. Ten (10) 11 x 17 copies of all maps and data set forth in Section 4.2 of this Ordinance, and 3 copies at a scale of 1:100 (or as practical). The City may request design documents in a digital format for review by the City Engineer.
 - 2. An application fee and escrow deposit as established by the City Council.
- B. The applicant shall supply documents directly to other units of government as applicable to the proposed plat. Said documents shall include a cover letter indicating that a preliminary plat is being considered by the City of Holdingford and that said units of government should provide their respective comments regarding the plat to the City Clerk prior to the public hearing. The Clerk shall send one (1) copy each of the maps and data sheets submitted with the application to the Engineer, Attorney, and the City Council members. The Engineer shall report any findings to the City Council within 15 days.
- C. The Clerk shall set a public hearing on the preliminary plat, the time and place to be published once in the official newspaper at least ten (10) days before the day of its hearing. The subdivider shall provide mailing labels for all property owners located within 350 feet of the proposed subdivision.
- D. The City Council shall conduct the hearing, review the application and Engineer's report and shall, within 60 days of application submittal, approve or disapprove the plat proposed in the application subject to receipt of an acceptable final plat as set forth in this Ordinance, or shall, conditionally approve or disapprove the plat setting forth the reasons and providing the subdivider with a copy. If the plat is disapproved, the subdivider shall submit a new preliminary plat. If action is not taken by the City Council within the prescribed 60 day period, the plat shall be deemed preliminarily approved unless an extension of the 60 day review period is otherwise provided.

3.2: Preliminary Plat:

The following maps and data shall be submitted with the application for preliminary plat approval. These maps and data may be on separate sheets or combined on one sheet, depending on the size and complexity of the proposed subdivision.

- A. A location map of the proposed subdivision showing:
 - 1. Location within the City;
 - 2. Zoning of the tract and adjacent properties;
 - 3. Existing related streets including the distance therefrom.

- B. A preliminary plat of the proposed subdivision and all lands within three hundred feet (300) of its boundaries drawn at a scale no smaller than one hundred feet (100) to each inch (1") showing:
1. Subdivision name;
 2. Names and addresses of owner and subdivider and the names of the city planner, land planning consultant, engineer or surveyor who prepared the plan;
 3. Contours of the site at vertical intervals of two feet (2') if the general slope is less than ten (10) percent and at intervals of five feet (5) if the general slope is greater than ten (10) percent;
 4. Character and location of natural or artificial features existing on the land which would affect the design of the subdivision, such as wooded areas, streams, direction and gradient of ground slope, embankments, retaining walls, buildings, or non-residential usage of land;
 5. Mailing labels for owners of properties within three hundred fifty feet (350') of the proposed subdivision;
 6. Existing structures in and adjacent to the area to be subdivided;
 7. Street pattern, including the names (which shall not duplicate existing streets in the County unless, it is an extension of an existing street), widths of rights-of-way of streets, widths of easements for alleys;
 8. Existing and proposed streets and rights-of-way, including dedicated widths, roadway widths, appropriate gradients; types and widths of pavements, curbs and sidewalks;
 9. Layouts of lots, including dimensions, numbers, building set back lines or front yard lines;
 10. Utilities, including the size, capacity and location of sanitary sewers, storm sewers, drainage facilities, water lines, gas mains, and power lines;
 11. Existing and proposed easements, including widths and purposes;
 12. Tract boundary lines by calculated distances and bearings;
 13. Parcels of land to be dedicated or served for schools, parks, playgrounds or other public or community use;
 14. Areas subject to periodic overflow of flood or storm water,
 15. Areas subject to shoreland regulations,
 16. Title, key plan, legend, notes graphic scale, north point and date.
- C. Engineering plans for the proposed subdivision showing:
1. Profiles, cross-sections and specifications for proposed street improvements including a plan for street lighting;
 2. Profiles and other explanatory data concerning installations of water distribution systems, storm sewers, and sanitary sewers;
 3. A report on the feasibility of connection to an existing sewage system, including distances to the nearest public sewer, service load of the subdivision, and capacity of treatment plant;
 4. If connection to a public sewage system is not feasible a report on the feasibility of a separate sewage system and treatment works, including the design population, type and location of the treatment, and receiving stream;
 5. If connection to a public or private sewage system is not feasible, a report on the feasibility of on-site sewage disposal, including a detailed map of the physical conditions of the site contours, finished grades, water courses, ground water table elevations, and the results of soil absorption tests for each individual lot.
- D. Restrictions
A draft of the protective covenants, association documents, or private restrictions to be incorporated in the final subdivision plat.

3.3: Duration of Approval:

Preliminary plat approval shall exist for a period of one (1) year from the date of approval by the Council. If final plat requirements are not met within that time and approval granted by the Council, the preliminary plat approval shall be vacated and the Developer must recommence the preliminary plat process and obtain all necessary approvals before any final plat will be considered.

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SECTION 4

FINAL PLAT

SECTION:

- 4.1: Procedure
- 4.2: Final Plat
- 4.3: Recording
- 4.4 Supplementary Documents
- 4.5 Subdivision Contract
- 4.6 Participation by the City

4.1 Procedure:

After preliminary plat approval is obtained the subdivider shall submit a final plat application to the City Clerk.

- A. The final plat application shall be accompanied by:
 - 1. Ten (10) prints and one (1) reproducible print of the plat.
 - 2. A certificate that all improvements required by these Regulations and all other applicable City ordinances have been installed in strict accordance with the standards of Construction of the City, or a guarantee that the improvements will subsequently be installed by the owner, in the form of a letter of credit or deposit of funds or securities in escrow that will cover the cost of improvements as estimated by the Engineer or Council.
 - 3. A filing fee as established by the City Council.
- B. The Clerk shall send copies of the plat to the City Council for review. If the City Council finds that the final plat is in accordance with the requirements of these Regulations, the Mayor or other authorized member shall endorse the plat and submit it to the Council within thirty (30) days.
- C. If the Council approves the plat, the Mayor or other authorized member shall endorse the plat and return it to the subdivider. If disapproved, the Council shall attach to the original of the final plan a statement of the reasons for such action and return it to the subdivider. Failure of the Council to act on the Final Plat within sixty (60) days of its acceptance by the Clerk will be recorded as approved.

4.2: Final Plat:

The final plat shall be drawn at a scale no smaller than one hundred feet (100') to one inch (1"). The overall size of the sheets shall be as required by the County Recorder. An eleven-inch by seventeen inch- (11" x 17") reduced print of each plat sheet shall also be submitted.

The final plat shall show:

- A. Subdivision name, name and address of owner and subdivider, source of title of land as shown by the books of the County Recorder, graphic scale, north point, date, certificate of approval of the City Council.

- B. Survey data with certification by a registered professional engineer or land surveyor, showing:
 - 1. Calculated distances and bearings of the subdivision boundaries, lots, utility easements, streets, alleys, building set back lines, and parcels of reserved or dedicated land for community purposes.
 - 2. Location and distances to the nearest established street comers or official monuments, and of the street intersecting the boundaries of the subdivision.
 - 3. Location, type, material and size of monuments.
 - 4. Complete curve data.
 - 5. Lot numbers and street names.
- C. Street tree planting plan.
- D. Limitations of easements, and restrictions which will run with the land and become covenants in the deeds for lots.
- E. Certificate of dedication of streets and other public property.
- F. The final plat submitted to the City shall be accompanied by a certified check or money order in an amount as established by the City Council in the City's fee schedule.

4.3: Recording:

The subdivider shall present a copy of the approved final plat to the County Recorder. Unless the plat is duly recorded and a certified copy of the recorded plat is presented to the Clerk within sixty (60) days from the date of final plat approval, City approval of the plat is void.

4.4 Supplementary Documents:

The following shall also be provided to the City:

- A. A recorded mylar copy of the subdivision as approved by the City.
- B. A complete set of subdivision development plans containing plans and specifications to construct the required public improvements and to make the subdivision suitable for development, which conform to the City requirements.
- C. A certified copy of the plat evidencing filing of the plat with the County within sixty (60) days after approval by the City. No building permits shall be approved for construction of any structure on any lot in said plat until the City has received evidence of the plat being recorded by Stearns County.
- D. A complete set of as-built construction drawings for any public improvements constructed in the subdivision shall be furnished to the City as soon as the construction is complete and approved by the City.
- E. Copies of any protective or restrictive covenants or association documents affecting the subdivision or any part thereof.
- F. Upon adoption and filing of a final plat, the City shall prepare a street address map and distribute it to the applicant, utility companies, police department and County.
- G. A letter of credit as outlined in sections 4.5 or 4.6 below shall be placed with the City. The City may release a portion of the letter of credit in proportion to the amount of public utility and street projects that are completed as approved by the City Engineer.

4.5 Subdivision Contract:

Before the Council approves a final plat the subdivider/owner/developer shall enter into a contract for development for the new subdivision which contains satisfactory assurance that he/she will provide the following improvements at his/her expense. The owner or subdivider, if privately financing the project shall provide an irrevocable letter of credit, in a form satisfactory to the City, in an amount equal to at least 30% of the proposed project cost. The Council may determine that additional security is required based on the scope of the proposed project, uncertainties or risks associated with construction, experience of parties involved, or other factors that may come to light during the review process.

4.6 Participation by the City:

The City may elect to install any, all, or none of the required improvements subject to a cash escrow agreement or other financial arrangement with the subdivider. The terms of these arrangements shall be specified in the subdivision contract. Should the subdivider request, and the City determine that it is appropriate, to finance the proposed improvements through the use of special assessments, the subdivider shall be required to provide security in the form of an irrevocable letter of credit, in a form satisfactory to the City, that shall be equal to at least 50% of the proposed project cost.

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SECTION 5

SUBDIVISION DESIGN STANDARDS

SECTION:

- 5.1: Parks, Open Space and Public Use**
- 5.2: Natural Features**
- 5.3: Streets, Sidewalks, and/or Trails**
- 5.4: Blocks**
- 5.5: Lots**
- 5.6: Easements**
- 5.7: Water and Sewer Systems**
- 5.8: Variances**

5.1: Parks, Open Space and Public Use:

- A. Where a proposed park, playground, school site or other public site shown on an adopted Comprehensive Plan or official map is encompassed in part or in whole by a boundary of a proposed subdivision, such public ground shall be shown as reserved land on the preliminary plat to allow the Council, Board of Education or County or State agency the opportunity to consider and take action toward acquisition of such public ground or park or school site by dedications, purchase or other means prior to approval of the final plat.
- B. It is declared general policy that in all new subdivisions, five (5) percent of the gross area of all property subdivided, or ten (10) percent of the net developed area (net of delineated wetlands only), whichever is greater, shall be dedicated for parks, playgrounds or other public use. Such dedicated area shall be in addition to the property dedicated for streets, alleys, waterways, pedestrian ways or other public ways.

No areas may be dedicated as parks, playgrounds or public lands until such areas have been approved for the purpose to which they are to be dedicated. The park land shall be graded to the contours set forth in the preliminary plat.

The developer- shall provide a minimum of three (3) inches of topsoil over the entire park area and the area shall be seeded with a type of seed approved by the City. The financial guarantees by the developer to the city shall be in effect at least until such time that the park land is graded and seeded.

- C. Those areas to be used for organized playground activities shall have a slope of less than two (2) percent grade and be largely clear of forest vegetation. Other areas to be dedicated may be forested and may have steeper slopes.
- D. When the subdivision is small or does not include a park or public area shown on the Comprehensive Plan, or if in the judgment of the Council the area proposed to be dedicated is not suitable or desirable for park/playground purposes because of location, size or other reason, the Council may require, in lieu of land dedication, a payment to the municipality of a sum equal to the current market value of the raw land that would otherwise be dedicated for park purposes. The current land value shall be the value of the land at its highest and best use when ready to be platted but not including utility costs. The City Council and/or its agents shall have the authority to make the final

determination of the value of the land for purposes of park dedication. If requested, the City Council shall provide the developer or landowner with the methodology used to calculate the value of the land.

- E. Such dedication of land for public use shall be without restrictions or reservations and shall be transferred to the City by deed or by plat. Money given to the City in lieu of land shall be used by the City only for park purposes.

5.2: Natural Features:

Existing, natural features which would add value to the subdivision and the City such as trees, steep slopes, watercourses, historic spots and similar irreplaceable assets shall be preserved, insofar as possible, through harmonious design of the subdivision.

5.3: Streets, Sidewalks and/or Trails:

The City Council shall not approve any plat unless all streets shown thereon shall be of sufficient width and shall be so located as to accommodate the probable volume of traffic thereon, afford adequate light and air, facilitate fire protection, provide access of fire fighting equipment to buildings, provide ease of maintenance, and provide a coordinated system of streets conforming to the City street plan.

- A. In the case of subdivision for commercial, industrial and public purposes, no street giving access upon a state or federal highway shall be located closer than five hundred (500) feet along the same side of such highway, to any other driveway, public or private street in the same or another subdivision.
- B. Unless otherwise specified by the City, on all paved streets surmountable curb shall be installed as part any new street construction.
- C. Wherever there exists a dedicated or platted portion of a street or alley along a boundary of the tract being subdivided, the remainder of said street or alley, to the prescribed width, shall be platted within the proposed subdivision,
- D. Half streets shall not be provided, except where it is essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations, or where it becomes necessary to acquire the remaining half by condemnation so it may be approved in the public interest.
- E. Dead end streets shall be prohibited unless provided with a turnaround or cul-de-sac arrangement.
- F. Cul-de-sacs shall be discouraged; however, when necessary, cul-de-sacs shall normally not be longer than six hundred (600) feet including a turnaround which shall be provided at the closed end with an outside curb radius of not less than sixty (60) feet. The maximum grade of the turnaround portion of the cul-de-sac shall be five (5) percent.
- G. Alleys shall not be provided in residential districts but shall be included in commercial and industrial areas where needed for loading and unloading or access purposes.
- H. The minimum distance between center lines of parallel or approximately parallel streets intersecting a cross street from opposite directions shall be two hundred fifty (250) feet,
- I. Intersections of more than two streets at one point shall not be permitted.
- J. Right-of-way requirements may be increased for specific 'thoroughfares if existing or anticipated traffic flow warrants it, or if drainage casements parallel such thoroughfares. Such increased width will be set by the City Council under the advisement of the City Engineer.

- K. Minimum right-of-way widths, paving widths, angle of intersections, curb radius, distances along sides of sight triangles, horizontal alignments, vertical alignments as well as maximum grades shall be in accordance with the following, table:

	Arterial	Collector	Local	Cul-de	
	Streets	Streets	Streets	Sacs	Alleys
Right-of Way Width	100	70	60	60	33
Paving Width	52	42	32	45R	20
Maximum Grade	8%	12%	12%	12%	12%
Minimum Angle					
for Intersection	90 deg.	90 deg.	80 deg.	80 deg.	80 deg.
Minimum Curb Radius	35'	25'	15'	15'	5'
Grades for 25' Before					
Intersection	3%	3%	3%	3%	3%
Horizontal Alignment					
(minimum radii of					
center line)	600	400	200	100	100
Vertical Curves					
(minimum sight					
distance)	500	350	200	100	100

- L. Sidewalk/Trail minimum standards:

Class of	Sidewalk	Trail Width
Street	Width (Ft)	ROW/Paved
Arterial	6	20/8
Collector	6	15/8
Local/Minor	4	15/8

5.4: Blocks:

Blocks shall ordinarily not exceed one thousand (1,000) feet in length. Where it is necessary for blocks to exceed the length, pedestrian ways and/or easements, at least eight (8) feet in width may be required near the center of the block.

5.5: Lots:

Lot sizes shall conform with the requirements of the City Zoning Ordinance and the lots shall be designed in accordance with the following design standards:

- A. Every lot shall be provided with access adequate for the use of public safety vehicles and other public and private purposes and shall be served by a public or private street system, improved in accordance with this ordinance and connected to the general street system.
- B. Side lines of lots shall be approximately right angles to straight streets and on radial lines on curved streets. Some variation from this rule is permissible, but pointed or very irregular lots shall be avoided unless they enhance overall neighborhood design.
- C. Double frontage lots shall be avoided.

- D. When a tract is subdivided into larger than required building lots and there is no covenant preventing resubdivision of the lots, such lots or parcels shall be so arranged as to permit a logical location and opening of future streets and resubdividing, with provision for adequate utility connections for each subdivision.

5.6: Easements:

- A. Drainage: Where a subdivision is traversed by a watercourse, there shall be provided a drainage way, channel or drainage right-of-way conforming substantially with the lines of such watercourse, together with such further width of construction of both, as will be adequate for storm water run off. All drainage easements shall be so identified on the plat and shall be graded and sodded in accordance with City standards.
- B. Public Trails/Walkways: In addition to other open space, dedication of easement to provide connections to public trails will be required where shown on a Comprehensive Plan. Where deemed essential to provide circulation, or access to schools, playgrounds, shopping centers, transportation and other community facilities, pedestrian easements with rights-of-way widths of not less than ten (10) feet shall be required.
- C. Utilities : Easements at least twenty (20) feet wide, centered on rear lot lines and easements at least 10 feet wide centered on side lot lines, shall be provided for all utilities. They shall have continuity of alignment from block to block. At deflection points, easements for pole-line anchors shall be provided where necessary.

5.7: Water and Sewer Systems:

- A. The water supply and sewage disposal systems for the subdivision shall meet the design standards and requirements of the Minnesota Department of Health and the City of Holdingford.

5.8: Variances:

- A. The Council may grant a variance in any particular case where the subdivider can show that by reason of exceptional topography or other physical conditions, the strict compliance with these regulations could cause unnecessary hardship. Application for such a variance shall be made in writing by the subdivider at the time the preliminary plat is filed with the Clerk. A variance thus granted shall be recorded in resolution form entered in the minutes of the Council setting forth the reasons which justified the action.

CHAPTER 152

SECTION 6

IMPROVEMENTS

SECTION:

- 6.1: General Improvements**
- 6.2: Monuments and Markers**
- 6.3: Streets**
- 6.4: Storm Drainage**
- 6.5: Water Supply**
- 6.6: Sewers**
- 6.7: Utilities**
- 6.8: Trees**
- 6.9: Street Signs**
- 6.10: Inspection**
- 6.11: Maintenance**
- 6.12: Acceptance**

6.1: General Improvements:

- A. All of the required improvements specified in this Article shall be constructed in accordance with the City Standards for Construction and all other applicable City, County and State regulations.

6.2: Monuments and Markers:

- A. Concrete monuments shall be set at the intersection of all lines forming angles in the boundary of the subdivision. Iron or steel markers shall be set at the beginning and ending of all curves along street property lines; at all points where lot lines intersect curves, either front or rear; at all angles-in property lines of lots and at all other lot comers,

6.3: Streets:

- A. The streets shall be graded to the grades and dimensions shown on plans and profiles and approved by the Council and shall include the following improvements.
- B. Suitable drainage structures, culverts, storm sewers, ditches and related ' installations shall be provided to ensure adequate drainage of all points along the streets.
- C. Surmountable concrete curbs and gutters shall be required on all paved streets.
- D. The base course shall consist of latest Minnesota Department of Highways approved material, having a thickness of not less than eight (8) inches. The Council shall have the right to determine whether this thickness is adequate for the type of street that has been proposed. Sub-base material thickness shall be determined by the Engineer.

- E. Pavement shall be required on all new residential streets in accordance with the requirements of the City Engineer,
- F. Street shoulders shall be constructed which are uniformly and thoroughly compacted by rolling and level with the tops of curbs.

6.4: Storm Drainage:

The construction of a storm drainage system shall conform to the following requirements:

- A. Drainage ditches or channels shall have a minimum gradient of one (1) percent where terrain permits.
- B. Open watercourses shall have adequate capacity and erosion control to ensure safe and healthful disposal of storm water.
- C. When top soil has been removed from the surface of a lot on a slope where erosion will cause a displacement of loose material, the subdivider shall be required to seed, silt fencing, or provide other means to prevent the wash from damaging adjacent property or accumulating on street surfaces.
- D. The subdivider will be required to conform to all local, state, and federal storm water regulations.

6.5: Water Supply:

- A. The subdivider shall connect to the public water supply and construct a system of water mains with a connection for each lot.
- B. Water distribution facilities including pipe fittings, hydrants, valves, etc., shall be installed to serve all properties within the subdivision. Water mains shall be a minimum of six inches (6") in diameter and where larger mains are required to serve future growth, the City may elect to participate in the cost of such water mains. Looping of all water mains shall be required and shall conform to the City's Water Plan.

6.6: Sewers:

- A. The subdivider shall connect to the municipal sanitary sewer system and construct a system of mains with a connection for each lot.
- B. The sanitary sewer collection system including pipe fittings, valves, etc., shall be installed to serve all properties within the subdivision. Where larger mains are required to serve future growth, the City may elect to participate in the cost of such sanitary sewer mains. The location and sizing of all sanitary sewer mains shall conform to the City's Wastewater Plan.

6.7: Utilities:

- A. Where sewer and water systems are installed, the mains shall be of adequate size to accommodate future growth and utilization. Stubs shall be provided to each lot from the utility main to the lot line for future connection. Wherever practical, similar utilities shall be placed in the same general location on streets of the same direction.
- B. Every lot in a subdivision shall be capable of being served by utilities, and easements acceptable to the utility companies shall be provided. Electric, gas and other utility distribution lines shall be installed within public rights-of-way or within properly

designated easements. To the fullest extent possible, underground utilities lines located in street rights-of-way shall not be installed beneath existing or proposed paved areas and in any case shall be installed prior to the placement of any paving.

6.8: Trees:

- A. Trees shall not be planted within sidewalk or utility easements.

6.9: Street Signs:

- A. Street name signs of a type adopted or approved by the Council shall be installed at each street intersection by the subdivider on a location specified by the Engineer.

6.10: Inspection:

- A. All required improvements shall be inspected by the City Engineer during construction at the expense of the subdivider. The contract shall contain a provision for supervision of details of construction by the City Engineer and shall grant to the Engineer the authority to correlate the work to be done under such contract by any subcontractor authorized to proceed thereunder with an other work being done or contracted by the City in the vicinity.
- B. When the plans of streets and other improvements have been approved as provided in this Ordinance, the subdivider shall first notify the Clerk of its intention to proceed with the construction or installation of said streets and improvements. Notification shall be made at least forty-eight (48) hours before any such construction or installation shall commence so as to give the City an opportunity to inspect the site prior to commencement of work and to inspect installation or construction of said streets and improvements during the course of work being performed.


6.11: Maintenance:

- A. Prior to any street, or other improvement being accepted by the City as hereinafter provided, the subdivider shall provide a letter of credit and/or other security naming the City as Obligee in an amount deemed adequate by the Council to ensure maintenance of said improvements for a period of at least twelve (12) months from the date of acceptance by the City.

6.12: Acceptance:

- A. After streets and improvements have been installed and constructed, pursuant to the requirements contained in this Ordinance, and in the event that the subdivider desires to have the City accept said streets or improvements, the subdivider shall notify the Council that the construction or installation has been completed, and shall supply the City with a minimum, of four (4) copies of the as-built plan on which the street or improvement in question has been constructed or installed. The four (4) copies of the plan shall show thereon the signatures of all agencies and individuals who are required to review such plans. At the appropriate time, the subdivider shall submit a written request, and the improvements shall not be accepted until the Council has taken action in the form of a resolution providing for final acceptance.

APPROVED:



Mayor

ATTEST:



City Clerk

Adopted: Monday, August 13, 2007
Published: Tuesday, August 28, 2007