

**SUBDIVISION PLATTING REGULATIONS
CITY OF CARLTON, MINNESOTA**

AN ORDINANCE ESTABLISHING COMPREHENSIVE PLATTING REGULATIONS FOR THE LAYING OUT OF STREETS, ALLEYS AND OTHER PUBLIC GROUNDS AND THE SUBDIVISION OF LAND ESTABLISHING THE REQUIREMENTS FOR THE APPROVAL OF SUBDIVISION PLATS WITHIN THE CORPORATE LIMITS OF CARLTON, MINNESOTA, AND WITHIN THE UNINCORPORATED AREA TWO MILES FROM THE CORPORATE LIMITS, IN PURSUANCE OF THE AUTHORITY GRANTED BY STATE LAW.

WHEREAS, The City of Carlton, Minnesota has entered into a comprehensive planning and zoning program under provisions of Chapter 670, Laws of 1965, and

WHEREAS, the following regulations have been recommended by the Carlton Planning Commission after a public hearing for the purpose stated below,

NOW, THEREFORE, BE IT RESOLVED, that the following regulations be adopted:

ARTICLE I - GENERAL PROVISIONS

- 101 Short Title. This resolution shall be known as the "Subdivision Platting Regulations of Carlton, Minnesota".
- 102 Purpose: Each new subdivision becomes a permanent unit in basic physical structure of the City, a unit to which the future community will of necessity be forced to adhere. In order that new subdivisions will contribute toward an attractive, orderly, stable and wholesome community environment, adequate public services, and safe streets, all subdivisions hereafter platted within the City shall fully comply with the regulations hereinafter set forth in this ordinance.
- 103 Interpretation. In the interpretation and application, the provisions of this ordinance shall be the minimum requirements adopted for the protection of the public health, safety and general welfare.
- 104 Scope. This ordinance shall apply and be binding upon all of the area within the corporate limits of Carlton, Minnesota, and within the unincorporated area two miles from the corporate limits of Carlton, Minnesota, except if another city lies within 2 mi. of Carlton, the scope shall be $\frac{1}{2}$ the distance between the two. Except in the case of resubdivision, this ordinance shall not apply to any lot or lots forming a part of a subdivision recorded in the office of the Register of Deeds prior to the effective date of this ordinance, nor is it intended by this ordinance to repeal, annul or in any way impair or interfere with existing provisions of other laws or ordinances except those specifically repealed by, or in conflict with, this ordinance, or with private restrictions placed upon property by deed, covenant, or other private agreement, or with restrictive covenants running with the land. Where this ordinance imposes a greater restriction upon the land than in imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this ordinance shall control.
- 105 Repeal of Existing Ordinances. All ordinances or parts of ordinances of the City in conflict with the provisions of this ordinance are hereby repealed.

ARTICLE II - DEFINITIONS

Unless the context indicates a different meaning, for the purpose of this ordinance certain words, phrases and terms shall be construed as follows:

- 201 **PERSON** Any individual, firm, association, syndicate or partnership, corporation, trust, or any other legal entity.

202	SUBDIVISION OF LAND AND SUBDIVIDE	The division of a tract of land into two (2) or more lots or parcels for the purpose of transfer of ownership or building development, or, if a new street is involved, any division of a parcel of land; provided that the following shall not be deemed a subdivision: <ul style="list-style-type: none"> a. The division of a tract of land into lots or parcels of five (5) acres or more with a minimum width of 165 feet and not involving a new street. b. One (1) division of a tract of land into two (2) lots or parcels in any twelve month period of time provided that the resulting descriptions are approved by the Auditor. c. Transfers of interests in land by will or pursuant to court order.
203	SUBDIVIDER	The owner, agent, or person having control of such land as the term is used in this ordinance.
204	COMMISSION	The Planning Commission of Carlton, Minnesota.
205	CITY	Carlton, Minnesota.
206	CITY COUNCIL	The City Council of Carlton, Minnesota.
207	OFFICIAL PLAN OR CITY PLAN	The Plan or plans for the orderly growth of Carlton as adopted and amended from time to time by the Planning Commission and the City Council.
208	STREET	A public way which affords primary means of access by pedestrians and vehicles to abutting properties, whether designated as a street, avenue, highway, road, boulevard, lane, or however otherwise designated.
209	THOROUGH- FARE	A street of considerable length that carries, or that planning evidence indicates will carry, a large volume of traffic.
210	COLLECTOR STREET OR ROAD	A street of relatively short length that serves as a connection between a thoroughfare and several minor streets. The term includes the principal entrance streets of a residential development and streets for major circulation within such a development.
211	MINOR STREET	A street of relatively short length that provides direct access to a limited number of abutting properties.
212	CUL-DE-SAC	A permanent street terminating at one end without connecting with another street and designed so that it cannot be further extended without condemnation or taking property not dedicated as a street.
213	MARGINAL ACCESS STREET	A street or service road parallel to and adjacent to a thoroughfare which provides access from the thoroughfare to abutting properties.
214	ALLEY	A public way used primarily as a service access to the rear or side of a property which abuts on a street.
215	PRIVATE STREET OR RESERVE STRIP	A purported street, way or strip of land reserved for the use of a limited number of persons or purposes as distinguished from a publicly dedicated street.
216	BLOCK	The distance as measured along a street between intersecting streets from center line to center line; and where the context requires, it also means the enclosed area within the perimeter of the streets or property lines enclosing it.

- 217 PUBLIC WALKWAY A public way designed for the use of pedestrian traffic.
- 218 LOT Any tract, including outlots, within a subdivision marked by the subdivider as a numbered tract.
- 219 LOT WIDTH The dimension of a lot measured on the building set back line.
- 220 SET BACK The building set back line or distance as measured from the nearest street, road or water shoreline.
- 221 DRAINAGE COURSE A water course or indenture for the drainage of surface waters.
- 222 SANITARY SEWER A constructed conduit connected with a sewer system for the carrying of liquids and solids other than storm waters to a sanitary treatment plant.
- 223 STORM SEWER A constructed conduit for carrying surface or ground waters to a drainage course.
- 224 PRELIMINARY PLAN A drawing of a proposed subdivision or greater area prepared in the manner and containing the data, documents and information required by Article III of this resolution.
- 225 FINAL PLAT The drawing of a subdivision prepared in the manner and containing the data, documents, and information required by Article IV of this resolution.
- 226 ATTORNEY The City Attorney of Carlton, Minnesota, or his authorized representative.
- 227 CLERK-TREASURER The City Clerk-Treasurer of Carlton, Minnesota, or his authorized representative.
- 228 ENGINEER ^(Sept. 15, 1924) _{WALKWAY} The City Engineer of Carlton, Minnesota, or his authorized representative.
- 229 CLUSTER DEVELOPMENT A subdivision development planned and constructed so as to group housing units into relatively tight patterns while providing a unified network of open space and wooded areas.
- 230 GROUP HOUSING A housing project consisting of a group of five or more buildings constructed on a plot of ground three acres or more in size.

ARTICLE III - PRELIMINARY PLAN

- 301 Procedure for Preliminary Plan. In order to familiarize himself with this resolution and related laws and to avoid costly revisions of plans and plats, the subdivider may have a preliminary discussion with the Engineer.
- 301-01 The subdivider shall submit to the Clerk-Treasurer:
- 301-01-01 Three copies of the preliminary plan.
- 301-01-02 A fee of \$20.00 payable to the City shall accompany the plan to help defray the expenses of the City in connection with the review of said preliminary plan.
- 301-01-03 Application for approval of a plat, made in writing by the owner or his authorized agent. The application shall specify the location and size of the tract to be platted, the intent as to the character, type and use of the subdivided property and structures to be developed, the deed restrictions proposed, statement of mineral rights, and the extent and character of improvements to be made by the subdivider.

- 301-02 The Clerk-Treasurer shall, upon receipt of preliminary plan, refer two copies to the Planning Commission and one copy to the Engineer.
- 301-03 The Engineer shall within 30 days submit a report to the Commission.
- 301-04 *X* At the first regular meeting following receipt of the above report and application, the Commission shall determine whether such plan conforms to design standards set forth in this ordinance and conforms to adopted City plans. The commission may approve a preliminary plan subject to certain revisions.
- 301-05 Approval of a preliminary plan by the Commission is tentative only; involving merely the general acceptability of the layout. Subsequent approval will be required of the engineering proposals outlined in Article IV.
- 301-06 The action taken by the Commission shall be recorded in the proceedings of the Commission and transmitted to the applicant within ten days.
- 302 DATA REQUIRED FOR PRELIMINARY PLAN
- 302-01 Scale: 1 inch equals 100 feet
- 302-02 Identification and Description:
- 302-02-01 Proposed name of subdivision, which name shall not duplicate or be alike in pronunciation of the name of any plat theretofore recorded in the City. Short names are preferable.
- 302-02-02 Location by section, town, range, or by other legal description together with small-scale sketch showing location within the section.
- 302-02-03 Names and addresses of the owner, subdivider, surveyor and designer of the plan.
- 302-02-04 Graphic scale.
- 302-02-05 North-Point.
- 302-02-06 Date of Preparation.
- 302-03 Existing conditions in the tract and in a reasonable area surrounding the tract.
- 302-03-01 Property lines.
- 302-03-02 Districts proposed for non-residential use.
- 302-03-03 Total acreage of proposed plat.
- 302-03-04 Platted streets, railroad right-of-way and utility easements.
- 302-03-05 Permanent buildings or other structures.
- 302-03-06 Location of existing sewers, water mains, culverts or other underground facilities.
- 302-04 Topography of platted area, showing lakes, water courses, swamp areas, and contours at vertical intervals of not more than two feet unless steep terrain enables five foot contours to adequately portray the land form conditions. Contour lines shall be shown by means of dashed lines on the preliminary plan and where practical shall be numbered to acceptable Federal government datum.
- 302-05 Wood areas in outline only.
- 302-06 Other reasonable information, such as soil tests, if requested by the Engineer in order to make a proper review of the site.
- 302-07 Subdivision Design Features:

- 302-07-01 Layout of proposed streets, showing right-of-way widths and names of streets.
- 302-07-02 Location and widths of proposed pedestrian ways and utility easements.
- 302-07-03 Layout, numbers and minimum dimensions of lots.
- 302-07-04 Areas, other than streets, pedestrian ways and utility easements, intended to be dedicated or reserved for public use, including the size of such area or areas in acres.
- 302-07-05 Minimum front and side-street building set back lines indicating dimensions.
- 302-08 Stage Development: Whenever a portion of a tract is proposed for platting and is intended or of a size for future enlargements of such platted portion, from time to time, a tentative plan for the future subdivision of the entire tract shall be submitted.

ARTICLE IV - FINAL PLAT

- 401 Procedure for Final Plat. After the approval and endorsement of a preliminary plan, the following procedure shall be followed:
- 401-01 Unless an extension of time is requested by the subdivider and granted by the Commission, the subdivider shall within one year following approval of the preliminary plan, submit to the Clerk-Treasurer:

Two cloth on cloth prints and three paper prints of the Final Plat, together with an up-to-date Abstract of Title or a Certificate of Title together with a registered Property Certificate. The Final Plat shall be of uniform size 20" in width and 30" in length and shall conform to Minnesota Platting Regulations, Chapter 505, Section 505-08. This Final Plat shall incorporate all changes required by the Commission. Otherwise, it shall conform to the preliminary plan. The Final Plat may constitute only that portion of the preliminary plan which the subdivider proposes to record and develop at the time. The boundary of the land so platted shall be indicated by a heavy, solid, black line. If the Final Plat is not submitted within one year, the approval of the preliminary plan shall be considered void.
- 401-02 An inspection fee of \$25.00 plus \$5.00 per lot up to a maximum total of \$100.00. This fee will be used to help defray the expenses of the City in connection with the review of the Final Plat and the inspection of improvements.

New fee sched.
- 401-03 The Clerk-Treasurer shall refer one paper print of the Final Plat to the Engineer, one to the Planning Commission, and one to the Attorney, together with an up-to-date Abstract of Title or a Certificate of Title together with a Registered Property Certificate and Opinion of Title by the applicant's attorney.
- 401-04 A report of the Engineer, the Planning Commission, and the Attorney shall be submitted to the City Council within thirty days after the submission of the Final Plat. The Engineer shall state whether the Final Plat and the proposed improvements conform to the Engineering Standards and specifications established by state law and this ordinance. The Planning Commission shall state whether the Final Plat conforms to the preliminary plan approved by the Commission. The Attorney shall state whether the fee simple title to the platted property is in the names of the plattors.
- 401-05 The Council shall act on the Final Plat within 60 days of the date on which it was submitted to the Clerk-Treasurer. It shall not approve a Final Plat unless it:

- 401-05-01 Conforms to a preliminary plan approved by the Commission.
- 401-05-02 Meets the design standatds and engineering specifications set forth in this ordinance.
- 401-05-03 Conforms to all Plans as adopted by the Commission and the Council.
- 401-05-04 Meets all requirements and laws of the State of Minnesota.
- 401-06 When the Final Plat is approved by the Council and certified by the Clerk,Treasurer, the subdivider shall record it with the Register of Deeds.
- 402 Data Required for Final Plat
- 402-01 If applicable, supplementary engineering data may be required on the following:
- 402-01-01 Water supply
- 402-01-02 Sewage disposal
- 402-01-03 Drainage
- 402-01-04 Flood control
- 402-01-05 Soil and percolation tests
- 402-02 Data required under regulation of state laws including accurate angular and lineal dimensions for all lines, angles and curvatures used to describe boundaries, streets, easements, areas to be reserved for public use, and other legal requirements.
- 402-03 An identification system for all lots and blocks.
- 402-04 The dimensions of all lots and building set back lines.
- 402-05 A diagram, drawn to suitable scale, showing that part of the section subdivision necessary to properly determine the boundaries of the platted area. The diagram shall show all survey corners found or restored and used in making said subdivision. All U.S. Government survey corners shown on the Final Plat shall be recorded in the office of the Register of Deeds.
- 402-06 Complete curve data, including radii, central angles, tangent bearings, and lengths of all arcs.
- 402-07 Accurate location of all monuments.
- 402-08 Certification by a registered land surveyor to the effect that the plat represents a survey made by him and that monuments and markers shown thereon exist as located and that all dimensional and topographic details are correct.
- 402-09 Notarized certification by owner, and by any mortgage holder of record of the adoption of the plat and the dedication of streets and other public areas in the form approved by the Attorney.
- 402-10 Form for endorsement:

Approved by the City Council of Carlton, Minnesota, at their regular meeting held this _____ day of _____, 19____.

Mayor

ATTEST:

City Clerk-Treasurer

- 503-06 Wherever a tract to be subdivided borders an existing half or partial street, the other part of the street shall be plotted within such tract.
- 503-07 Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as cul-de-sac streets.
- 503-08 Private streets and reserve strips shall be prohibited.
- 504 Cul-De-Sac Streets
- 504-01 Cul-de-sac streets, permanently designed as such, shall not exceed 500 feet in length, except as variances are permitted by the Commission, upon petition presented by the subdivider, which petition may be granted if it can be clearly shown that by reason of unfavorable contours, or the irregular shape of the plat from which the subdivision is being made, that a normal street pattern cannot be established, or that land would be wasted by not granting such a variance.
- 504-02 Cul-de-sac streets shall be provided at the closed end with a turn-around having a minimum radius to the outside edge of the finished street or curb line of not less than fifty (50) feet.
- 504-03 Unless future extension is clearly impractical or undesirable, the turn-around right-of-way shall be placed adjacent to a property line and a right-of-way of the same width as the street shall be carried to the property line in such a way as to permit future extension of the street into the adjoining tract. At such time as such a street is extended, the overage created by the turn-around outside the boundaries of the extended street shall revert in ownership to the property owner fronting on the temporary cul-de-sac turn-around.
- 505 Street Design
- 505-01 Widths: Minimum widths for each type of public street or road shall be as follows:
- | <u>Type of Street</u> | <u>Right-of-way Width</u> |
|--------------------------------------|---------------------------|
| Major Thoroughfare | 150 ft. |
| Secondary Thoroughfare | 100 ft. |
| Collector Street or Road | 80 ft. |
| Minor Street | 60 ft. |
| Marginal Access Street or Cul-de-sac | 50 ft. |
| Alley | 20 ft. |
- 505-02 Where a subdivision abuts or contains an existing street or road of inadequate width, sufficient additional width shall be required to meet the above standards.
- 505-03 Additional right-of-way and roadway widths may be required to promote public safety and convenience when special conditions require it or to provide parking space in areas of intensive use.
- 506 Street Grades. Shall not exceed six (6) per cent on thoroughfares, eight (8) per cent on collector streets or ten (10) per cent on other streets. Street profiles shall be required if grades exceed eight (8) per cent.
- 507 Restriction of Access: When a subdivision or portion thereof adjoins a thoroughfare, no lot shall have direct access thereto. Said lots shall be provided with frontage on a marginal access street or street other than a thoroughfare with adequate depth for screen planting of the portion of any such lot contiguous with said major thoroughfare.

- 508 Horizontal Curves: Where a deflection angle of more than five (5) degrees in the alignment of a street occurs, a curve of reasonably long radius shall be introduced, to-wit: on streets sixty-six (66) feet or more in width, the center line radius of a curvature shall be not less than three hundred (300) feet.
- 509 Vertical Curves: All changes in grade shall be connected by vertical curves of minimum length in feet equal to fifteen times the algebraic difference in rates of grade for thoroughfares and one-half this minimum length for other streets. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one inch equals one hundred (100) feet horizontal, and one inch equals twenty (20) feet vertical, may be required by the Engineer if topographic conditions warrant. A 300 foot minimum sight distance shall be provided.
- 510 Intersections: Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than seventy (70) degrees.
- 511 Street Jogs: Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall not be allowed.
- 512 Street Names: A proposed street which is in alignment with and joins an existing and named street shall bear the name of the existing street.
- 513 Alleys: Alleys shall be provided to the rear or side of all lots to be used for commercial or industrial use.
- 514 Blocks: Blocks shall meet the following standards:
- 514-01 In residential areas, blocks shall not be less than six hundred (600) nor more than thirteen hundred twenty (1320) feet in length measured along the greatest dimension of the enclosed block area unless minor variations are necessitated by topography or conformance with adjoining plat.
- 514-02 Blocks for commercial and industrial areas may vary from the elements of design contained in this section if the nature of the use requires other treatment. In such cases, off-street parking for employees and customers shall be provided along with safe and convenient limited access to the street system. Space for off-street loading shall also be provided with similar access. Extension of streets, railroad access right-of-way, and utilities shall be provided as necessary.
- 514-03 In blocks over eight hundred (800) feet in length, the Commission may require one or more public walkways within an easement not less than ten (10) feet in width to extend entirely across the block and at locations deemed necessary at intervals not closer than four hundred (400) feet.
- 514-04 Blocks shall be wide enough to allow two tiers of lots with a minimum depth of one hundred (100) feet except adjoining a lake, stream, railroad or thoroughfare or where one tier of lots is necessary because of topographic conditions.
- 515 Arrangement of Lots
- 515-01 Side lot lines shall be substantially at right angles to straight street lines or radial to curved street lines or radial to lake or stream shores unless topographic conditions necessitate a variation.
- 515-02 Each lot must front upon a public street and said public street shall not be less than fifty (50) feet in width.
- 515-03 Through lots or double-frontage lots shall be avoided when possible. Residential lots shall be separated from thoroughfares and railroad rights-of-way by a landscape buffer strip not less than twenty-five (25) feet in width.

- 516 Size of Lots: No lot shall have less area or width than is required by zoning ordinance regulations applying to the area in which it is located; unless provided for otherwise by zoning regulations, the provisions of paragraph 518 shall apply.
- 516-01 To minimize the danger of the building site being flooded, the Engineer may require that lots abutting a drainage course, channel, stream or lake have additional depth or width.
- 516-02 Lots designed for commercial or industrial purposes shall be adequate for off-the-street service, loading and parking facilities.
- 517 Public Use and Service Areas: Due consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds and parks for local or neighborhood use as well as public service areas.
- 517-01 Public Open Spaces. Where a proposed highway, school, park, recreation area or public access to water frontage shown on an official City plan is located in whole or in part in the applicant's subdivision, the Council shall require as a condition of final approval that such space within the subdivision be dedicated or reserved. Such land shall not be developed for a period of one year from the date of such final approval so that within said period the appropriate public agency may acquire said land in the manner provided by law and before it is developed for some purpose not conforming to the official plan. If it is not so acquired and no legal action is filed by such public agency within such period, said reservation shall be of no further effect and such lands then may be used for other purposes.
- 517-02 Easements for Utilities. Except where alleys are provided for the purpose, utility easements not less than twenty (20) feet in width across lots or centered on rear or side lot lines shall be provided for use in erecting, constructing and maintaining poles, wires, conduits, storm sewers, sanitary sewers, surface drainage, water mains, electrical lines and other public utilities reasonably required. Such easements shall be placed along rear lot lines wherever possible.
- 517-03 Drainage Courses. Where storm water from adjacent areas naturally passes through a subdivision, adequate provision shall be included in the subdivision for facilities to route the storm water through the subdivision to its natural outlet to maintain or replace the natural water course.

518 MINIMUM LOT STANDARDS, STREET AND SANITATION IMPROVEMENTS

	<u>Private Water Supply</u>	<u>Community Water Supply</u>	<u>Community Water Supply and Public Sewage System</u>
Lot Area	21,780 sq. ft. (one-half acre) or more if required as a result of soil percolation tests as provided in paragraph 605-03	14,520 sq. ft. (one-third acre) or more if required as a result of soil percolation tests as 605-03	8,800 sq. ft.
Lot Width	100 ft.	100 ft.	80 ft.
Set back (lake or stream shoreline)	50 ft. or 100 ft. if individual sewage disposal system is to be used	50 ft. or 100 ft. if individual sewage disposal system is to be used	50 ft.
Set back (minor street)	35 ft. from ROW line	35 ft. from ROW line	25 ft. from ROW line

Set back (major thoroughfare)	110 ft. from centerline	110 ft. from centerline	110 ft. from centerline
(secondary thoroughfare)	85 ft. from centerline	85 ft. from centerline	85 ft. from centerline
Street Driving Surface Width	26 ft.	26 ft.	26 ft.
Street Pavement	3" stabilized gravel	3" stabilized gravel	see paragraphs 603-01 and 604-01
Sanitation	Community or Individual disposal system	Community or Individual disposal system	Community system
Erosion Pro- tection within Construction Limits	Sod or seed	Sod or seed	Sod or seed

Note: All work and improvements of streets to be done in accordance with County Highway Department specifications and shall be subject to the recommendations supervision and approval of the Engineer.

ARTICLE VI - IMPROVEMENTS

Before the City Council shall approve a final plat of a subdivision, the subdivider shall provide at his own expense or shall give bond in an amount equal to the Engineer's estimate, or make other financial arrangements acceptable to the City Council to cover the cost of the following public improvements:

- 601 Survey Monuments. All subdivision boundary corners, block and lot corners, street intersection corners and points of tangency and curvature monuments of at least 5/8" diameter. All U.S., state, county and other official bench marks, monuments or triangular stations in or adjacent to the property shall be preserved in precise position.
- 602 Grading. All street grading between the property lines shall be completed to the lines and grades as shown on the grading plans, but in no case less than forty (40) feet in width. Blocks and lots shall be graded to secure proper drainage and to prevent the collection of storm water in pools. The Engineer may require the redistribution of top soil and the stabilization of the same by seeding or planting wherever this shall be necessary as an element of drainage control.
- 603 Surface Water Drainage. Surface water drainage shall be provided by storm sewers or drainage course adequate to drain surface water from the subdivision and protect roadway pavements.
- 603-01 Curbs and Gutters. Within subdivisions served by community water supply and public sewage system, a suitable curb and gutter shall be constructed along the outside lines of all street pavements. The type of curb and gutter shall be subject to the approval of the Engineer.
- 604 Minimum Pavement Width and Roadway Surfacing: Shall meet the standards set forth in paragraph 518 and shall be approved after inspection by the Engineer.
- 604-01 Within subdivisions served by community water supply and public sewage system, all streets shall be improved with a durable hard surface. The pavement shall be equal to or superior to a pavement consisting of a base course of thoroughly compacted gravel or crushed stone not less than six inches thick, with a bituminous surface not less than two inches thick. Seal coating and final coating shall meet the City specifications. The surfacing shall be such that it will safely support a seven ton axel load.

- 605 Sanitation. When located within the service area of a public sanitary sewerage system, sanitary sewers shall be constructed throughout the entire subdivision in such manner as to serve adequately all lots with connection to such public system.
- 605-01 Storm water drainage shall not be permitted to combine with sanitary sewers nor shall sanitary sewerage be permitted in storm water sewers.
- 605-02 Where lots cannot be connected with a public sewerage system, provisions must be made for sanitary sewerage facilities, consisting of a central treatment plant or individual disposal devices for each lot. This does not mean that the subdivider must provide such devices.
- 605-03 Any subdivision or lot not provided with off-site water and off-site sewer facilities shall be subject to soil and percolation tests being made to determine whether or not the lot size proposed will meet minimum standards of health and sanitation. Such tests shall be made at the expense of the subdivider.
- 605-04 All proposed sewage disposal systems shall comply with the regulations of the Minnesota Department of Health.
- 606 Water Supply. Water supply for all areas shall be designed to meet the regulations of the Minnesota Department of Health.
- 606-01 When the subdivision is located within the service area of a public water supply system, water mains not less than 6 inches in diameter shall be constructed throughout the entire subdivision in such a manner as to serve adequately all lots and tracts with connection to such public system together with shut-off valves and fire hydrants.
- 606-02 Fire hydrants shall be installed throughout the entire system at intervals of not more than six hundred (600) feet if within the service area of a public water supply system.
- 607 Sidewalks. Concrete sidewalks at least four feet wide and four inches thick shall be constructed on both sides of each street; provided, however, that the Planning Commission may recommend to the Council waiver or reduction of this requirement if it is established that the reasonably anticipated growth of the area and the probable nature of its development, its distance from concentrated development and developments creating pedestrian travel, and the estimated volume of vehicular travel on the streets make such sidewalks unnecessary for the protection of the public safety and welfare.
- 608 Street Signs. A four-way metal street sign shall be installed at each street intersection. Street signs shall meet the City specifications.

ARTICLE VII - VARIATIONS FROM REQUIREMENTS

- 701 The Planning Commission may recommend a variation to the City Council from the requirements of subdivision planning procedure or public improvements in specific cases when the tract to be subdivided is of such unusual size, shape or character or is surrounded by such development or unusual conditions that the strict compliance with the requirements of this article would result in substantial hardship or injustice or when a group housing or cluster development is proposed.
- 702 The standards and requirements of these regulations may be modified by the City Council in the case of plans which, in the judgment of the Commission, achieve substantially the objectives of this resolution and which are further protected by such covenants or other legal provisions as will assure conformity to and achievement of the plan.
- 703 Policy. In recommending any variation, the Commission shall take into account the following:

- 703-01 The location of the proposed subdivision, proposed land use, and existing use of land in the vicinity.
- 703-02 The number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity.
- 703-03 Those variations that will allow the subdivider to develop his property in a reasonable manner and at the same time preserve the general intent and spirit of this ordinance and protect the public welfare and interests of the City.
- 703-04 In granting variances and modifications, the Commission may impose such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.
- 704 Procedure for Variation. Application for any variation shall be submitted in writing by the subdivider at the time the preliminary plan is filed and shall state fully the grounds for the application and the fact relied upon by the petitioner. The Commission shall consider such application at the meeting on the preliminary plan and give its written recommendations thereon, with the reasons therefor, at the time of its approval or disapproval of said plan. If the Commission refuses to recommend a variation, the subdivider may at once, without preparing a Final Plat, petition the City Council for a review of the decision of application for variation and render final judgment.

ARTICLE VIII - SEPARABILITY

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

ARTICLE IX - PENALTY

Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor. Each day that a violation of this ordinance continues shall constitute a separate and distinct offense and may be punishable as such.

ARTICLE X - AMENDMENTS

Amendments may be made to this ordinance by the City Council after recommendations of the Commission following the holding of a public hearing with notice given in the official newspaper of the City at least ten (10) days in advance of the hearing.

ARTICLE XI - EFFECTIVE DATE: PUBLICATION

This ordinance is urgently needed for the immediate preservation of the public health and safety, and it shall, therefore, be effective immediately after its passage and publication. The Clerk-Treasurer is hereby authorized and directed to publish this resolution in pamphlet form.

Ordinance # 121

CERTIFIED: Janyu Beckaton
City-Treasurer

ATTEST:

Francis N. Roy
MAYOR