

Subdivision Ordinance

Chisago County, Minnesota

ORDINANCE NO. 99-2

Amended: May 1999

INTRODUCTION

In 1995 Chisago County updated its Comprehensive Guide Plan. The original plan was completed in 1970 and amended in 1985. The revisions have been prompted by the population growth and development activity that has occurred. The new plan is more responsive to present trends of growth and development activity in the county.

The Subdivision Ordinance and the Zoning Ordinance are the means by which the county controls the land use outlined in the Comprehensive Guide Plan. The Subdivision Ordinance and the Zoning Ordinance need revisions and additions to be consistent with the goals of the updated Comprehensive Plan. The Zoning Ordinance was completely rewritten and adopted in 1997.

The following pages contain the 1999 amended Chisago County Subdivision Ordinance:

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NOTE:/DISCLAIMER:

The ordinance following is the restated version of the original ordinance. The ordinance may incorporate several amendments and/or changes to the original document into one restated document. Ordinances that have been repealed or that expired are not listed here. If the ordinance you want is not listed, please contact the Chisago County Department of Environmental Services & Zoning at 651/213-0447.

We do our utmost to make certain that the ordinances listed here are accurate and up to date; however, we do not guarantee the accuracy of the ordinance as restated in published form or listed on the web site. If you wish to view the official version of the ordinance, you may do so at the Chisago County Department of Environmental Services & Zoning. (Please view the disclaimer statement).

Every attempt has been made to ensure that the information contained in this document and on the web site is valid at the time of publication. Chisago County reserves the right to make additions, changes, or corrections at any time and without notice. Additionally, Chisago County disclaims any and all liability for damages incurred directly or indirectly as a result of errors, omissions, or discrepancies.

SUBDIVISION ORDINANCE

“AN ORDINANCE ESTABLISHING SUBDIVISION REGULATIONS FOR THE UNINCORPORATED AREAS WITHIN CHISAGO COUNTY, MINNESOTA.”

The Board of Commissioners of Chisago County ordains as follows:

SECTION 1 GENERAL PROVISIONS

1.01 Title

This ordinance shall be known as the “Chisago County Subdivision Ordinance,” except as referred to herein as “this Ordinance.”

1.02 Purpose

The purpose of this Ordinance is to:

- A. Protect the public health, safety and welfare.
- B. Protect the natural resources of the County.
- C. Encourage well-planned, efficient and attractive subdivisions with appropriate standards for design and construction.
- D. Establish minimum standards for right-of-way and park dedication.
- E. Provide for the health and safety of residents by requiring properly designed streets and environmentally sound sewer and water systems.
- F. Ensure that the costs of new development are borne by benefited properties and not the community at large.
- G. Protect existing and future investments and property values.
- H. Secure the rights of the public with respect to access to public lands and waters.
- I. Promote and protect the compatibility of land uses.
- J. Implement the Chisago County Comprehensive Guide Plan.

1.03 Interpretation

The provisions of this Ordinance shall be interpreted to be the minimum requirements necessary to promote and protect the public health, safety and general welfare.

1.04 Scope

This Ordinance shall apply to the subdivision or resubdivision of all land within the unincorporated areas of Chisago County, as permitted by law.

No land within this jurisdiction shall be subdivided in a manner inconsistent with this Ordinance. No permits for any improvements will be issued on any land which has been subdivided in a manner inconsistent with this Ordinance. In the event the provisions of this Ordinance conflict with any other ordinances or regulations having jurisdiction, the more restrictive provisions shall apply.

1.05 Conformance with Comprehensive Guide Plan and Zoning Ordinance

The subdivision or resubdivision of land shall not be inconsistent with the Chisago County Comprehensive Guide Plan or Chisago County Zoning Ordinance.

1.06 Platting Required

No conveyance of land shall be permitted by metes and bounds description or by reference to an unapproved registered land survey made after April 21, 1961 or to any unapproved plat, except if the land described:

1. was a separate parcel of record April 1, 1945 or the date of adoption of subdivision regulations under Laws 1945, Chapter 287, whichever is later, or of the adoption of subdivision regulations pursuant to a home rule charter;
2. was the subject of a written agreement to convey entered into prior to such time;
3. was a separate parcel of not less than 2-1/2 acres in area and 150 feet in width on January 1, 1966;
4. was a separate parcel of not less than five acres in area and 300 feet in width on July 1, 1980;
5. is a single parcel of commercial or industrial land of not less than five acres and having a width of not less than 300 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than five acres in area or 300 feet in width;
6. is a single parcel of residential or agricultural land of not less than 20 acres and having a width of not less than 500 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than 20 acres in area or 500 feet in width.

1.07 Deadline for Action

It is the intent of the County to comply with State requirements for timely review and actions requiring formal approval by the County. Information submissions and applications must be determined by the City to be complete before a timeline for action is initiated. A preliminary plat shall be approved or disapproved by the County Board

within 120 days of the date a completed application was received by the County, unless a written extension is granted by the applicant. A final plat shall be approved or disapproved by the County Board within 60 days of the date of a completed application, unless a written extension is granted by the applicant. A final plat shall be approved when conditions of the preliminary approval have been met. The timeframe for all other subdivisions shall not exceed the above timetable; however, the County may combine the preliminary and final review. In the event that multiple approvals are involved in any action, such as Zoning Ordinance amendment, Comprehensive Guide Plan amendment, environmental review, preliminary plat and final plat, each action shall require a separate, independent timeline for action.

1.08 Lot Reconfiguration

The Zoning Administrator is hereby authorized to approve a division of land where a portion of a lot of record is conveyed to the owners of the adjoining lot of record for the purpose of enlarging the latter provided the size of the remaining lot meets the minimum lot size and area requirements for the zoning district. The Zoning Administrator may require such restrictive language on the document of conveyance as is deemed appropriate to protect and maintain the provisions of this Ordinance or any other county ordinances. The Zoning Administrator shall verify approval of the conveyance by stating thereon: “Approved under Section 1.08 of Chisago County Subdivision Ordinance” and thereunder providing the date and signature. Upon approval, the document may be recorded with the County Recorder.

1.09 Exceptions for Single Lot Division

Upon recommendation of the Planning Commission, the County Board of Commissioners may waive some of the platting requirements for a single lot subdivided from a large parcel. This provision is not intended to allow piecemeal subdivision of land; rather, it is intended to allow one time exceptions to some of the requirements of this Ordinance for one time single lot divisions. Under these circumstances, the County may limit ordinance and platting requirements to the parcel being separated and exempt the larger remnant from surveying, topographic or wetland delineation, and other platting requirements.

SECTION 2 DEFINITIONS

For the purpose of this Ordinance, certain words contained in this Section shall have the following meaning. Other words not contained in this Section shall have the meaning defined in the Minnesota State Statutes. Other words not defined in this Ordinance shall have the meaning customarily associated with them.

Alley: A dedicated public right-of-way providing a secondary means of access to abutting property.

Applicant: The owner of land proposed to be subdivided or a representative. Consent shall be required from the legal owner of the premises.

Attorney: The County Attorney of Chisago County, Minnesota or an authorized representative.

Block: The enclosed area within the perimeter of roads, property lines or boundaries of the subdivision.

Bond: Any form of security including a cash deposit, collateral, property, or instrument or credit in an amount and form satisfactory to the Governing Body. All bonds shall be approved by the Governing Body wherever a bond is required by these regulations.

Boulevard: The portion of the street right-of-way between the traveled road surface and the property line.

Butt lot: A lot at the end of a block and located between two corner lots.

Certificate of Survey: A graphic representation of the boundary survey of a parcel of real property along with the description of the land and the signed certification of a Registered Minnesota Land Surveyor.

Cluster development: A subdivision development planned and constructed to group housing units into relatively tight patterns while preserving agriculture or providing a unified network of open space and wooded areas, and meeting the overall density regulations of this Ordinance and the Zoning Ordinance.

Collector street or road: A road intended to move traffic from local roads to secondary roads.

Comprehensive Guide Plan: The plan or plans for the orderly growth of Chisago County as adopted and amended from time to time by the Planning Advisory Commission and the County Board.

Condominium plats: The condominium law given in State Statutes Chapter 515 specific procedures for surveying condominium subdivisions.

Contour line: A line connecting points that are at the same elevation. Contour interval is the vertical height between contour lines.

Corner lot: A lot bordered on at least 2 adjacent sides by streets.

County: Chisago County, Minnesota

County Board: The Chisago County Board of Commissioners

Covenants: Legal restrictions, usually recorded, which govern uses and dimensional standard of land or structures or both.

Cul-De-Sac: A minor street with only one outlet and having a turnaround.

Design Standards: Minimum requirements for the preparation and layout of plats, planned unit developments, other subdivisions, and public improvements.

Developer: The owner of land proposed to be subdivided or his representative. Consent shall be required from the legal owner of the premises.

Double frontage lot: A lot which has a front line abutting on one street and a back or rear line abutting on another street.

Drainage course: A water course or indenture for the drainage of surface water. This includes natural waterways as well as man-made waterways.

Easement: A grant by an owner of land for the specific use by persons other than the owner, or the public.

Engineer: An engineer registered in the State of Minnesota.

Escrow: In lieu of an amount required and still in force on a letter of credit, performance bond or maintenance bond. Such escrow funds shall be deposited by the County Treasurer Inspector in a separate account.

Final plat: The map or plan or record of a subdivision and any accompanying material, as described in these regulations.

Frontage road: A local street parallel to and adjacent to a highway or major thoroughfare, designed to provide direct access to land in lieu of direct access from a highway or major thoroughfare.

Governing Body: The County Board and the Town Board.

Grade: The slope of a road, street, or other public way, specified in percentage (%) terms.

Land Survey: The process of determining boundaries and areas of tracts of land.

Lot: A single parcel of land within a subdivision marked as a numbered tract to be offered as a unit of land for sale, lease, or separate use thereof. Outlots are included, but are designated by alphabetical letters.

Major subdivision: All subdivisions not classified as minor subdivisions, including but not limited to subdivisions of 4 or more lots, or any size subdivision requiring any new street or extension of the local government facilities, or the creation of any public improvements.

Metes and bounds: A description of real property which is not described by reference to a lot or block shown on a map, but is described by starting at a known point and describing the bearings and distances of the lines forming the boundaries of the property, or a description which delineates a fractional portion of a section, lot or area by described lines or portions thereof.

Minimum subdivision design standards: The guides, principles, and specifications for the preparation of subdivision plans indicating among other things, the minimum and maximum dimensions of the various elements set forth in the preliminary plat.

Minor street: A street of limited continuity used primarily for access to the abutting properties.

Outlot: A lot remnant or any parcel of land included in a plat, which may be used as open space. Such outlot may be a large tract that could be subdivided in the future or may be too small to comply with the minimum size requirements of zoning and subdivision ordinances or otherwise unsuitable for development and therefore not usable as a building site as it currently exists.

Owner: An individual, firm, association, syndicate, partnership, corporation, trust, or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under these regulations.

Park: Public land utilized for active or passive recreational purposes or natural resource management.

Park dedication: Land or cash in lieu of land which is dedicated for public use through the platting process, in a size or amount commensurate with the magnitude of the subdivision.

Pedestrian Way or Trail: A public right-of-way across or within a block, to be used for non-motorized use and pedestrians.

Person: Any individual, firm, association, syndicate or partnership, corporation, trust or any other legal entity.

Plat: A map or drawing, conforming to State statutes, which graphically delineates the boundaries and dimensions of land parcels for the purpose of identification and record or title.

Planning Commission: The Planning Commission of Chisago County, Minnesota.

Preliminary plat: A preliminary map or drawing indicating the proposed layout of a subdivision of land.

Private street: A privately owned street not dedicated to the public which serves two or more parcels of land.

Protective covenants: Contracts entered into between private parties and constituting a restriction on the use of all private property within a subdivision for the benefit of the property owners, and to provide mutual protection against undesirable aspects of development which would tend to impair stability of values.

Registered Land Survey: A method of surveying Torrens (or Registered) land following the procedures in State Statutes Chapter 508.47, as amended.

Remnant parcel: An irregular tract of land, which serves no public purpose and is not in conformance with County Ordinances. Remnant parcels shall not be permitted.

Reserve Strip: A narrow strip of land placed between lot lines and streets to control access.

Resubdivision or Replat: A change in any parcel of an approved or recorded subdivision plat.

Right-of-way: Land dedicated for public use including, but not limited to, streets, pedestrian ways and authorized utilities.

Riparian: Pertains to lands connected with or adjacent to the banks of a stream, lake or other body of water.

Service lane: A frontage road or internal street, which provides access to abutting properties and protects through traffic.

Sketch plan: A drawing which shows the conceptual subdivision of property.

Street: A public way for vehicular movement, including bicycle and pedestrian movement when appropriately designed.

Street width: The distance between the lines delineating the traveled portion of a street.

Subdivider: The owner, agent, or person having control of such land as the term is used in this Ordinance.

Subdivision: The division of a parcel of land into two (2) or more lots or parcels, for the purpose of transfer of ownership or building development. The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

Surveyor: A land surveyor registered under Minnesota state laws.

Thoroughfare: A street primarily designated to carry large volumes of traffic and provide for vehicular movement between and among large areas.

Watercourse: A passage way in the surface of the earth so situated having such a topographical nature that surface water flows through it from other areas before reaching a final ponding area. The term includes both natural passage ways and drainage structures that have been constructed or placed for the purpose of conducting water from one place to another.

Vicinity map: Also known as a key map or location map. A map drawn to comparatively small scale which shows the area proposed to be platted in relation to known geographical features, i.e. town centers, lakes, roads.

Zoning Ordinance: The Chisago County Zoning Ordinance.

SECTION 3 PLATTING PROCEDURE

3.01 Sketch plan

In order to ensure that all applicants for subdivisions are informed of the platting procedure and the requirements of this Ordinance and related ordinances, the subdivider is encouraged to consult with the County Zoning Administrator and the County Surveyor. At the time of this initial conference, the subdivider should present a sketch plan for review. The plan need not be drawn to scale, but should show the proposed subdivision of the property, the street layout, significant topographical and physical features and adjacent land use. The developer should make use of quadrangle maps, air photo maps, half-section maps or other maps or plats to construct the sketch plan.

3.02 Preparing and Submitting the Preliminary Plat

- A. The owner or subdivider shall file with the Zoning Administrator:
 - 1. Completed application forms for the proposed subdivision.
 - 2. A cash platting fee and deposit to be determined by resolution of the County Board.
 - 3. A minimum of fourteen (14) copies of the preliminary plat.
 - 4. A copy of any protective covenants in the proposed subdivision.
- B. If the subdivider requests, or the county requires that any existing special assessments which have been levied against the premises described in the subdivision be divided and allocated to the respective lots in the subdivision plat, the Assessor shall estimate the clerical cost of preparing the revised assessment roll, filing the same with the county auditor, and making such division and allocation, and upon approval by the county of such estimated cost the same shall be paid to the county treasurer in addition to the fee mentioned in subparagraph 3.02 A above, to cover the cost of preparing and filing such revised assessment.

3.03 Preliminary Plat Requirements

- A. Identification and Description: The preliminary plat of the proposed subdivision shall contain and have attached thereto the following information:
 - 1. Proposed name of subdivision, which name shall not duplicate or be similar in pronunciation of the name of any other plat on record in the county.
 - 2. Legal description of property.

3. Names and addresses of the owners, and any agent having control of the lands, subdivider, surveyor, engineer and designer of the plat.
4. Graphic scale not less than one (1) inch to 100 feet, except for large subdivisions where a smaller scale may be acceptable.
5. North point and vicinity map of area showing well known geographical points for orientation within a one-half mile radius.
6. Date of preparation.

B. Existing Conditions: The preliminary plat shall have the following information concerning the property in and surrounding the proposed subdivision:

1. The outside boundary lines of the subdivision clearly shown.
2. Existing zoning classifications for land in and abutting the subdivision.
3. Approximate total acreage.
4. Location, right-of-way width and names of existing or platted streets or other public ways, parks and other public lands, permanent buildings and structures, easements and section and corporate lines within the preliminary plat and to a distance of 100 feet beyond shall also be indicated.
5. Location and size of existing sewers, water mains, culverts or other underground facilities within the preliminary plat area and to a distance of 100 feet beyond. Such data as grades, locations of catch basins, manholes, hydrants and street pavement width and type shall also be shown.
6. Boundary lines of adjoining unsubdivided or subdivided land, within 100 feet, identified by name and ownership, but including all contiguous land owned or controlled by the subdivider.
7. Topographic data, including contours at vertical intervals of not more than 2 feet except where the horizontal contour interval is 100 feet or more, a 1 foot vertical interval shall be shown. Water courses, marshes, wooded areas, rock outcrops, power transmission poles and lines, and other significant features shall also be shown.

National Geodetic Vertical Datum 1927 adjustment shall be used for elevations and topographic mapping, unless deemed unnecessary by the County. The source of the topographic contours shall be given,

whether done by survey crew methods, aerial photography, or using existing topographical maps and then only by identifying the source and date of such maps.

8. A copy of all proposed private restrictions (also known as Protective Covenants).
9. Description of the soils on the site and soil test results demonstrating the adequacy of the property for proposed development in terms of ground water level, load bearing quality and percolation rate.
10. On all lakes, ponds, wetlands (including delineation required in the Wetland Conservation Act), rivers and other waterways, present water surface elevations, water depth, natural ordinary high water elevations and proposed 100-year flood elevations (if available) shall be denoted.

C. Design features: The following design features of the proposed subdivision shall be shown on the preliminary plat as follows:

1. Layout of proposed streets, showing right-of-way widths and proposed names of streets. Street names shall conform to the Chisago County uniform street naming and property numbering system as applicable.
2. Locations and widths of proposed alleys, pedestrian ways and utility easements.
3. Lot and block numbers and preliminary dimensions of lots and blocks and area of each lot.
4. Minimum front, side and rear building setback lines, and including setback lines from lake shores and river fronts.
5. Bluff lines and the minimum setback lines from the bluff line.
6. Location and size of proposed sanitary sewer lines and water mains if applicable.
7. Gradients of proposed streets, sewer lines and water mains. Plans and profiles showing locations and typical cross-sections of street pavement including curbs, gutters, sidewalks, drainage easements, servitude right-of-ways, manholes and catch basins.
8. Areas, other than streets, alleys, pedestrian ways and utility easements, intended to be dedicated or reserved for public use, including the size of such areas.

9. Grading and drainage plan for entire subdivision. The grading plan shall identify existing vegetation and woodlands on the site and clearly delineate areas where vegetation will be removed. If any fill or excavation is proposed in a wetland or lake, approval must be obtained from the Minnesota Department of Natural Resources, the Army Corps of Engineers and the County, if applicable. The drainage plan shall include the current rate storm water is conveyed from the site and the receiving water for the runoff. The plan shall reveal that there will be no net increase in the rate or quantity of runoff leaving the site as a result of development.
10. Erosion and sediment control plan, incorporating Minnesota Pollution Control Agency “best management practices.”
11. In subdivisions where public water and sewer services are not presently available, the County may require the developer to submit a preliminary resubdivision plan showing a potential and feasible way in which the lot or lots may be re-subdivided in future years when public facilities may be provided. The undeveloped lots may be conveyed to other persons or entities and building development may be permitted on the previously undeveloped lots at the setbacks described in the district in which it is located.

D. Other information: The following additional information shall be provided concerning the proposed subdivision:

1. A statement of the proposed use of lots stating type of residential buildings with number of proposed dwelling units; type of business or industry so as to reveal the effect of the development on traffic, fire hazards and congestion of population.
2. Source of water supply.
3. Provisions for sewage disposal, surface water, drainage and flood control.
4. If any zoning changes are contemplated, the proposed zoning plan for the areas including dimensions.
5. Such other information as may be requested by the Zoning Administrator, Engineer, Surveyor or Planning Commission.
6. Where the subdivider owns property adjacent to that which is being proposed for the subdivision, the Planning Commission may require that the subdivider submit a preliminary plat of the remainder of the property so as to show the possible relationships between the proposed

subdivision and future subdivision. In any event, all subdivisions must be shown to relate well with existing or potential adjacent subdivisions and land use.

E. Environmental Review:

1. An environmental review may be required for projects that may have the potential for significant environmental effects. The Minnesota Environmental Policy Act of 1973 and 6 MCAR 3.021 allows for the preparation of Environmental Impact Systems (EIS) and Environmental Assessment Worksheets (EAW) for mandatory development thresholds or discretionary environmental reviews ordered by the responsible government unit (RGU).
2. No preliminary plat may be approved, nor may any land disturbance activity be allowed, until such EAW or EIS, whether mandated by the State or ordered by the RGU, has been prepared, referred for review and acted upon.
3. The County or RGU shall prepare, at the developer's expense, any state mandated EAW or EIS for the project. The County or RGU shall prepare, with the developer's input and assistance, any discretionary EAW or EIS.

3.04 County Plat Review Committee

- A. Prior to a public hearing on the preliminary plat the subdivider shall meet with the County Plat Review Committee.
- B. The purpose of the Plat Review Committee is to protect the general welfare of the citizens of Chisago County by reviewing proposed plats for conformance with County Ordinances and for checking the accuracy and completeness of the technical data.
- C. The members of the committee are:
 1. County Zoning Administrator
 2. County Engineer
 3. County Surveyor
 4. And/or their designated representatives
- D. Additional technical advisors may be:
 1. County attorney
 2. County recorder
 3. County Auditor
 4. Soil and Water Conservation District, Minnesota Department of Natural Resources
 6. Minnesota Department of Transportation

7. Lake or watershed district representatives
8. Utility companies
9. And such other advisors deemed necessary

3.05 Review of Preliminary Plat

- A. Upon receipt of the preliminary plat, completed application form and application fee, the Zoning Administrator shall refer copies of the preliminary plat as follows:
 1. Seven (7) copies to the Planning Commission
 2. One (1) copy to the County Engineer
 3. Two (2) copies to the County Surveyor
 4. One (1) copy to the Town Board in the Township where the property is located
 5. One (1) copy retained by the Zoning Administrator
 6. If the proposed subdivision abuts any federal or state trunk highway, one (1) copy to the Minnesota Department of Transportation.
 7. If the proposed subdivision is located in any shore land district or any flood plan district as defined in Minnesota Statutes, Sections 105.485 and 104.02 respectively, one (1) copy to the Commissioner of Natural Resources.
 8. The Chisago County plat review committee may need additional copies for review by those members not listed above.
- B. The Zoning Administrator shall set a date for a public hearing on the plat, preferably within 60 days of a completed application. The Planning Commission shall conduct the hearing and report upon the findings. The Zoning Administrator shall cause notice of said hearing to be published in the official newspaper at least 10 days prior to the hearing.
- C. Prior to the public hearing date, the Zoning Administrator will ascertain that the Town Board involved has reviewed the proposed plat and returned the required signed form.
- D. The Plat Review Committee shall prepare its report before the public hearing.
- E. The Planning Commission shall have the preliminary plat on its agenda at a regular meeting following referral. This meeting date may serve as the public hearing date.

- F. After the public hearing, the Planning Commission shall determine whether the preliminary plat conforms to design standards set forth in this Ordinance and conforms to the adopted County Comprehensive Guide Plan and the Zoning Ordinance. The commission shall recommend approval or denial of the preliminary plat, or may recommend approval, subject to certain conditions, and forward its findings to the County Board.
- G. The County Board shall act on the preliminary plat within 120 days of the date on which the completed application was received, unless a delay is consented to by the applicant in writing. If the report of the Planning Commission has not been received in time to meet these requirements, the County Board may act on the preliminary plat without such a report.
- H. If the preliminary plat is not approved, the reasons for such action shall be recorded in the proceedings. If the preliminary plat is approved, such approval shall not constitute final acceptance of the subdivision. Final approval is not granted until all conditions of preliminary plat approval have been met and the final plat is approved and recorded.
- I. Should the subdivider desire to amend the preliminary plat as approved, the amended plan must be resubmitted and shall repeat the same procedure. If in the opinion of the Planning Commission, the modifications are incidental to the original plat, the requirements for a public hearing and fees may be waived.

3.06 Preparing and Filing the Final Plat

- A. After the approval and endorsement of a preliminary plat, the procedures set forth in 3.06A to 3.06G shall be followed. The final plat shall be prepared by a land surveyor who is registered in the State of Minnesota and shall conform to all the requirements of state and county law.
- B. Unless an extension of time is requested by the subdivider and granted by the County Board upon recommendation of the Planning Commission, the subdivider shall within one (1) year, following approval of the preliminary plat, submit to the Zoning Administrator twenty-five (25) copies of the final plat, together with an up-to-date abstract of title or Certificate of Title, title opinion by the subdivider's attorney and the surveyor's worksheet or computation sheet for the subdivision. If the subdivider fails to submit the final plat to the Zoning Administrator within the designated period without requesting and receiving an extension of time, the approval and endorsement of the preliminary plat, including any rezoning necessitated by the preliminary plat, will be deemed void, and the subdivider shall initiate a new proceeding in the manner provided in Section 3.02.

- C. Extensions of the period in which to file the final plat may be granted where the preliminary plat, because of its size, is to be developed in stages. The subdivider must submit an estimated time schedule for future staging of the platting and recording of each stage of the development. Final plats for the portion of the approved plan which is proposed for immediate development, conforming to all requirements of this Ordinance, must be filed within the required time, and the final plat for each succeeding stage of the development must be filed in accordance with the extensions granted by the County Board. Each final plat shall incorporate all changes, modifications and revisions of the preliminary plat as recommended by the Planning Commission and approved by the County Board. Except as so modified, the final plats shall conform to the preliminary plat. Where the subdivision is to be developed in stages, the final plat may constitute only that portion of the preliminary plat which the subdivider proposes to record and develop at that time.
- D. The final plat shall comply with the provisions of Chapter 505 of Minnesota Statutes.
- E. The taxes on the parcels of land being platted must be paid in full in the year the plat is recorded. Along with submission of the final plat, the subdivider shall furnish proof of payment of these taxes.
- F. The land surveyor shall certify on the plat that the plat is a correct representation of the survey, that all the distances are correctly shown on the plat, that all monuments have been correctly placed on the ground as shown, that the outside boundary lines are correctly designated on the plat. The surveyor shall also state on the plat if there are no wetlands or public highways to be designated in accordance with Minnesota Statutes, Section 505.02.

3.07 Review of the Final Plat

- A. The Zoning Administrator shall refer copies of the final plat to the Surveyor, the Engineer, the Planning Commission and the Attorney. The County Attorney shall also receive an up-to-date abstract of title or a Certificate of Title and the opinion of title prepared by the subdivider's attorney and addressed to the Chisago County Board.
- B. The following reports shall be submitted to the County Board within 45 days after the submission of the final plat to the Zoning Administrator:
 - 1. Before a final plat is filed, a letter must be submitted from the County Surveyor or from another acceptable Registered Minnesota Land Surveyor stating the final plat was checked for mathematical accuracy, conforms with Minnesota State Statutes, Chapter 505, and conforms to the provisions of the County Ordinances. A fee shall be paid by the

developer to cover public expenses in checking of the final plat, when done by the County Surveyor;

2. The Engineer shall state whether the final plat and the proposed improvements conform to all engineering standards, including requirements of the Minnesota Department of Transportation, if applicable;
 3. The Attorney shall state whether the fee simple title to the platted property is in the names of the subdividers;
 4. The Zoning Administrator shall confirm that the final plat substantially conforms to the preliminary plat as modified and approved by the County Board.
- C. If any of the reports required by Section 3.07B cannot be made within the prescribed period because of the non-conformity of the final plat to the preliminary plat or the non-compliance with any applicable statute or county ordinance, the County Board shall refer the final plat to the Planning Commission. Within 45 days after the final plat is received by the Planning Commission from the County Board, the Planning Commission shall report its recommendations to the County Board.
- D. The County Board shall act on the final plat within 60 days of the date on which it was accepted by the Zoning Administrator, except that if the final plat is referred back to the Planning Commission pursuant to Section 3.07C, final action must be taken within 60 days after the date on which it was referred to the Planning Commission.
- E. Prior to the approval of the final plat, the subdivider shall either have installed all required improvements or executed an agreement with the County for their installation. Required improvements shall conform to standards set forth in this Ordinance or other applicable standards. When the final plat is approved by the County Board, the subdivider shall submit hard copies of the final plat for recording and plat data in an electronic format, as specified by the County Surveyor. In addition to one of the full size reproducible copies, a transparent reproducible copy of a scale of 1 inch to 200 feet shall be filed with the office of the County Surveyor. Other reproducibles may be required by local governments.
- F. The predetermined park fee shall be paid prior to recording the final plat.
- G. The subdivider shall record the final plat in the office of the County Recorder within 120 days of its approval by the County Board. Any plat not recorded within the prescribed period shall be void.

SECTION 4 MINIMUM DESIGN STANDARDS

4.01 Land Requirements

- A. Land shall be suited to the purpose for which it is to be subdivided. No preliminary plat shall be approved if the site is not suitable for the proposed purposes. Reasons for rejecting a preliminary plat include, but are not limited to, potential flooding, protected waters and wetlands, adverse earth or rock formations, poor soil suitability, excessive slopes and inaccessibility.
- B. Land subject to hazards to life, health or property shall not be subdivided for residential purposes until all such hazards have been eliminated or unless adequate safeguards against such hazards are provided by the subdivision plan.
- C. Proposed subdivisions shall be compatible with existing land uses and consistent with the Chisago County Comprehensive Guide Plan.
- D. Proposed land uses shall conform to the Chisago County Zoning Ordinance or Township Zoning Ordinance in effect.
- E. All development activities shall be constructed and maintained in a manner consistent with area surface water management plans. The County may refer all construction plans to the local watershed management agency for review and approval. Drainage and ponding requirements shall be consistent with the Nationwide Urban Runoff Program (NURP) standards and the Minnesota Pollution Control Agency's "Best Management Practices."
- F. All construction plans shall include erosion control and sedimentation control plan, which are consistent with the Minnesota Pollution Control Agency's "Best Management Practices." Plans shall identify locations of temporary construction and earthen material stockpiles and the beginning and ending dates of all construction and land disturbance activities.
- G. All development activities involving wetlands shall be conducted in a manner consistent with the Wetland Conservation Act of 1991, as amended.

4.02 Block Requirements

Blocks shall meet the following standards:

- A. Block size and dimensions within bounding streets shall accommodate the size of residential lots required in the area by the Zoning Ordinance and shall provide for convenient access, circulation control and safety of street traffic.
- B. In residential areas, other than water frontage, blocks longer than 1,320 feet in length measured along the greatest dimension of the enclosed block area may

be required to include future street easements or rights-of-way to reduce excessive block length and accommodate future access provisions, unless minor exceptions are necessitated by topography or conformance with an adjoining plat.

- C. 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. Extensions of right-of-way for road, railroads, and utilities shall be provided as necessary.
- D. Blocks shall be wide enough to allow two tiers of lots with a minimum depth as required by County or Township Zoning except when adjoining a lake, stream, railroad or thoroughfare or where one tier of lots is necessary because of topographic conditions.

4.03 Lot Requirements

- A. Side lot lines shall be substantially at right angles to straight road lines or radial to curved road lines or radial to lake or stream shores unless topographic conditions necessitate a different arrangement.
- B. Each lot shall front upon a public street for the minimum lot width required, except as otherwise provided in this Ordinance.
- C. The minimum lot area requirements, dimensional criteria and street frontage requirements specified in the Chisago County Zoning Ordinance shall apply to all lots subdivided, with the following exceptions:
 - 1. Public road easements and public road rights-of-way in existence at the time the subdivision of land is proposed may be credited against the minimum lot area requirements. The total area of such public easements or rights-of-way may be deducted from the minimum area requirements of the proposed lots abutting the existing public roadways, or may be deducted evenly from all proposed lots in the subdivision. No land area credits are allowed for new easements or rights-of-way required as a condition of subdivision approval.
 - 2. Lot area requirements, dimensional criteria and street frontage requirements may be modified in cluster developments or Planned Unit Developments approved by the County.

~~No lot shall have less area or width than is required by zoning regulations applying to the area in which it is located, except as herein provided. In~~

~~Planned Unit Developments and Residential Clustering in the A zone, the lot area requirements may be calculated to include the land areas to the centerline of the platted road.~~

- D. Lots designed for commercial or industrial purposes shall provide adequate off-the-street service, loading and parking facilities.
- E. Lots abutting upon a water course, drainage way, channel or stream shall have an additional depth or width, as required to obtain the height necessary to assure building sites that are not subject to flooding.
- F. Lots with lakeshore frontage shall be designed so that the lot lines extended shall maintain the closest approximation to riparian rights.
- G. Natural or cultural features, such as tree growth, water courses, historic spots or similar conditions shall be preserved to the maximum extent practicable in the subdividing of any land.

~~In the subdividing of any land, amenities such as tree growth, water courses, historic spots or similar conditions, shall be preserved to the maximum extent practicable.~~
- H. No remnants of lots shall be permitted, unless a plan identifying a legitimate future use of the remnant is approved by the County.
- I. In the case where a proposed plat is adjacent to a limited access highway, other major highway or thoroughfare, there shall be no direct vehicular access from individual lots to such streets and roads. In the platting of small tracts of land fronting on limited access highways or thoroughfares where there is no other alternative, a temporary entrance may be granted. As neighboring land becomes subdivided and more preferable access arrangements become possible, such temporary access permits shall become void.
- J. Lots extending over political subdivision boundaries shall be prohibited.
- K. The lot size, width, shape and orientation shall be appropriate for the proposed type of development and shall meet the minimum requirements of the zoning district according to the County Zoning Ordinance in effect on approval of the final plat, except as herein provided.
- L. The depth of a lot shall not be greater than five (5) times the width.

4.04 Park Land Dedication

- A. In all new subdivisions, the subdivider shall make a park land dedication prior to final approval of the subdivision. A park land dedication shall be considered adequate if at least five (5) percent of the total land area in the subdivision is dedicated for public park or recreation purposes.
- B. The County shall determine, whether a land dedication or cash in lieu of land is appropriate. Only buildable land shall qualify for dedication purposes. The County shall determine the location of any park land dedication as a condition of subdivision approval. All land transfers shall be by warranty deed.
- C. If a cash contribution is made in lieu of land dedication, the contribution shall be based upon the market value of the acreage (five percent of gross acreage) at the time of final subdivision approval. The payment for park land dedication shall be made prior to final subdivision approval.
- D. All park land dedications, whether land or cash, shall be used for park, trail and recreation purposes.

4.05 Street Plan

- A. Proposed streets shall conform to State, County, City and Township street plans as have been prepared, adopted and/or filed as prescribed by law.
- B. Streets shall be logically related to the topography to produce usable lots and reasonable grades.
- C. Access shall be given to all lots and portions of the tract in the subdivision, and to adjacent unsubdivided territory unless the topography clearly indicates that such connection is not feasible. Reserved strips and land-locked areas shall not be created.
- D. Minor streets shall be laid out to discourage their use by through traffic, and where possible, thoroughfares shall be protected for use by through traffic by marginal access streets, lots served by an interior street or other means.
- E. Half or partial streets will not be permitted, except where essential to reasonable subdivision of a tract in conformance with the other requirements and standards of these regulations and, in addition, satisfactory assurance for dedication of the remaining part of the street can be secured.
- F. Wherever a tract to be subdivided borders an existing half, or partial street, the other part of the street shall be platted within such tract.
- G. Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as cul-de-sac roads.

- H. Private streets and reserve strips shall be prohibited and no public improvements shall be approved for any private street. All streets shall be dedicated for public use except where otherwise exempted in this Ordinance.
- I. The arrangement of streets in new subdivisions shall make provision for the appropriate continuation of the existing streets in adjoining areas.
- J. Where adjoining areas are not subdivided, but are suitable for future subdivision, the arrangements of streets shall make provision for the proper projection of streets into adjoining areas by carrying the new streets to the boundaries of the new subdivision at appropriate locations.
- K. Where a subdivision abuts or contains an existing or planned right-of-way of a major thoroughfare or railroad, the proposed new streets which parallel the right-of-way may be required to be designed with adequate separation from such thoroughfare or railroad. The service streets shall be located at a distance suitable for appropriate use of the intervening land for park purposes or for commercial or industrial purposes if in appropriate districts. The distances shall be determined considering the requirements of approach grades.
- L. Street arrangements shall not cause hardship to owners of adjoining property in platting their own land and providing convenient access to it.

4.06 Cul-De-Sac Streets

- A. Permanently designed cul-de-sac streets shall not exceed 1320 feet in length, except as referenced in Section 4.02B.
- B. Unless future extension is clearly impractical or undesirable, the street right-of-way shall be continued with the same right-of-way width to the property line to permit future extension of the street into the adjoining tract. A temporary turnaround right-of-way shall be provided at an appropriate location near the property line.
- C. Lots with frontage at the end of the cul-de-sac shall have a minimum of sixty (60) feet of road frontage and meet the lot width requirement at the building setback line for the zoning district in which the property is located.

4.07 Street Design

- A. Minimum widths for each type of public street or road shall be as follows:

Type of Street	ROW Width	Roadway Width
Thoroughfare (County)	100-200 feet	As determined by Traffic Needs
Collector street	80 feet	As determined by Traffic Needs
Minor street	66 feet	As determined by Traffic Needs
Marginal Access Street	50 feet	As determined by Traffic Needs
Cul-de-sac (circular)	60 foot radius	As determined by Traffic Needs
Cul-de-sac (optional) varies	A design as preferred by the governmental body responsible for the maintenance of the road	As determined by Traffic Needs

- B. Where a subdivision abuts or contains an existing street of inadequate width, sufficient additional width shall be provided to meet the above standards.
- C. 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.
- D. Extensions of existing roads with lesser right-of-way than prescribed above may be permitted exceptions in special cases.

4.08 Restriction of Access

- A. Access of minor streets onto State and County State Aid Highways shall not be allowed at intervals of less than 500 feet.
- B. The Planning Commission may recommend and the County Board may require that the right of access from any portion or lot of platted land to any property in which the public has or will have an interest, including, but not limited to public roads, be dedicated to the county. Where required, the plat shall contain a full and accurate description of the dedication of the right of access, and indicate thereon that said right of access has been dedicated to the county. The dedication shall thereafter become a condition of any transfer or conveyance of a parcel or lot affected by the dedication.

4.09 Street Jogs

Street jogs with center line offsets of less than 500 feet shall be discouraged.

4.10 Deflections

When connecting street lines deflect from each other at any point by more than 10 degrees, they shall be connected by a curve with a center line radius of not less than 100 feet.

4.11 Grades

Centerline gradients shall not exceed the follows:

Thoroughfares and collector streets	5% gradient
Minor streets, marginal access streets	8% gradient

4.12 Vertical Curves

Different connecting street gradients shall be connected with vertical curves. Minimum length, in feet, of these curves shall be 20 times the algebraic difference in the percent of grade of the two adjacent slopes.

4.13 Intersections

- A. Angle of intersection: The angle formed by the intersection of streets shall not be less than 90 degrees.
- B. Intersections of more than four corners shall be prohibited.
- C. Constructed roadways of street intersections shall be rounded by a radius of not less than 15 feet. Corners at the entrances to the turnaround portions of cul-de-sacs shall be rounded by a radius of not less than 15 feet.
- D. Curb and Gutter on Urban Design Streets: Curb and gutter may be required as a part of the required street surface improvement under certain conditions.

4.14 Public Utilities

- A. When available, extensions of the public water supply system shall be designed so as to provide public water service to each lot.
- B. When available, extensions of the public sanitary sewer system shall be designed to provide public sewer service to each lot.

4.15 Drainage

A complete and adequate drainage system shall be required for the subdivision and may include a storm sewer system or system of open ditches, culverts, pipes and catch basins, or both systems. The subdivision should be designed to utilize existing natural flows and drainage routes. Storm water ponds and conveyance systems shall be sized to ensure there is no net increase in the rate of storm water runoff from the development. Where existing storm water from adjacent areas naturally pass through a subdivision, adequate provision shall be included in the subdivision to route the storm water through the subdivision.

4.16 Ditch Crossings

Special culverts and permits are required through the Chisago County Highway Department for all streets or driveways which cross a county ditch.

4.17 Easements

- A. Easements shall be provided for utilities where necessary.
 - 1. Where underground utilities are being installed, a 10 foot wide front or side or rear yard easement may be required.
 - 2. On residential streets a 10-foot wide front yard easement may be required.
 - 3. On State and County Highways additional right-of-way width shall be dedicated as deemed necessary by Minnesota Department of Transportation and/or the Chisago County Engineer and no utility easement will be given adjacent to the highway (whether on front, side or rear yard of any lot), unless approved by the above-described agencies.

- B. Easements shall be provided along each side of the center line of any water course or drainage channel to a sufficient width to provide proper maintenance and protection and to provide for storm water run-off and installation and maintenance of storm sewers.

- C. Utility and drainage easements shall be dedicated on the final plat for the required use.

4.18 Street Names

Names of new streets shall conform to the Chisago County Street Naming and Property Numbering System.

SECTION 5 IMPROVEMENTS

5.01 Required Improvements

Prior to the approval of a plat by the governing body, the subdivider shall agree to install, in conformity with all applicable standards and ordinances, the following improvements on the site:

- A. **Survey Monuments:** All subdivision boundary corners, block and lot corners, road intersection corners and points of tangency and curvature shall be marked with survey monuments meeting the minimum requirements of state law. All U.S., State, County and other official benchmarks, monuments or triangulation stations in or adjacent to the property shall be preserved in their precise position unless a relocation is approved by the controlling agency.
- B. **Grading:** Streets shall be graded to secure proper drainage, prevent erosion and prevent hazardous access to the public right-of-way. In the case of an urban street design the grading shall include the entire width of the right-of-way and shall provide a boulevard section, in addition to the minimum pavement width.
- C. **Storm Water Drainage:** A drainage system design shall be required, and may include a storm sewer system or a system of open ditches, culverts, pipes, catch basins and ponding areas, or both systems. Such facilities and easements shall be installed so as to adequately provide for the drainage of surface waters, as needed in the public interest for the purposes of flood plain management, property drainage, prevention of erosion, pedestrian access to water bodies, or other public purposes.
- D. **Street System:** Streets must meet the minimum requirements set forth in Section 4 of this Ordinance. Streets shall not be accepted until they have been inspected and approved by the governing body.
- E. **Trunk Facilities:** Where a larger size water main, sanitary sewer, storm drain or similar facility is required to serve areas outside the subdivision, the larger facility must be constructed. Additional cost is to be borne by the owners of benefiting properties, and the assessments are determined by the governing body.

5.02 Sewer and Water in Areas with Municipal Sewer/Water Availability

- A. **Sewer Lines:** No public sanitary sewer facilities shall be extended which are not in conformance with the existing sewer lines or with the Comprehensive Guide Plan or Zoning Ordinance.

- B. Where trunk line sanitary sewer facilities are available, the subdivider shall install sanitary sewers and connect such sanitary sewers to trunk line sewers. Extensions of the public sewer system shall be designed to provide public sewer service to each lot.
- C. Water Mains: Where mains from a public water system are available, the subdivider shall install water mains in the plat and connect such mains to the public water system. Extensions of the public water supply system shall be designed to provide public water service to each lot.
- D. Where 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 at intervals in accordance with recommendations of the Fire Insurance Underwriters Bureau.
- E. When pipelines and buried transmission services exist within a subdivision, plat easements, field monuments and signage shall be provided according to state law or County requirements.

5.03 Rural Sewer and Water Systems

- A. Where lots cannot be connected with a public sewage system, provisions must be made for sanitary sewage facilities, consisting of a central treatment plant or individual sewage treatment systems for each lot. This does not mean that the installation of individual sewage treatment systems shall be at the expense of the subdivider.
- B. Any subdivision or lot not provided with off-site water and off-site sewer facilities shall be subject to soil and percolation tests to determine whether or not the proposed lot size will meet minimum standards of health and sanitation due to limitations of soils. Such tests shall be made at the expense of the subdivider after consultation with the Zoning Administrator. The preliminary plat or a sketch map shall identify the specific locations where tests were made. All individual sewage treatment systems shall comply with the standards of Chisago County, the Minnesota Department of Health, and the Minnesota Pollution Control Agency.
- C. A water supply system for all areas shall be designed to meet the regulations and standards of the County and the Minnesota Department of Health. Where connection with a public water system is feasible, the public water facilities shall be utilized.
- D. Individual wells shall be constructed according to Minnesota Department of Health and Chisago County standards.

5.04 Street Signs

All street signs shall be provided and installed by the community at the expense of the subdivider.

5.05 Miscellaneous Facilities

Tree planting, traffic control signs, over-sized utility trunk lines, pedestrian ways, and other improvements may be required.

5.06 Payment for Installation of Improvements

The required improvements as listed elsewhere are to be furnished and installed at the sole expense of the subdivider.

5.07 Development Contract Providing for the Installation of Improvements

Prior to the installation of any required improvements and prior to approval of the plat, the subdivider shall enter into a contract in writing with the local unit of government requiring the subdivider to furnish and construct said improvements as his sole cost and in accordance with plans and specifications and usual contract conditions. This shall include provisions for supervision of details of construction by the engineer and shall grant to the engineer authority to correlate the work to be done under said contract by any subcontractor authorized to proceed thereunder and with any work being done or contracted by the local unit of government in the vicinity. The agreement shall require the subdivider to make a cash escrow deposit or a letter of credit in an amount and form determined by the County Attorney. In general, the surety shall represent no less than 125 percent of the cost of the improvements, including all inspections.

5.08 Special Approval Required for Subdividers Who Have Previously Defaulted

No subdivider shall be permitted to start work on any other subdivision without special approval of the governing body if that subdivider has previously defaulted on work or commitments.

5.09 Construction Plans and Inspection

Construction plans for the required improvements shall conform in all respects with the standards and ordinances of the local unit of government and shall be prepared at the subdivider's expense by the appropriate professional engineer, architect, land surveyor or landscape architect who is registered in the State of Minnesota, and said plans shall contain such certificate. Such plans together with the quantities of construction items shall be submitted to the community engineer for approval and for an estimate of the total costs of the required improvement. Upon approval, such plans shall become a part of the required contract. Two prints of approval plans shall be furnished to the County to be filed as a public record and an additional print shall be given to the local governing body.

- A. All required improvements on the site that are to be installed under the provisions of this regulation shall be inspected during the course of construction by the local engineer.

5.10 Improvements Completed Prior to Approval of the Plat

Improvements within a subdivision which have been completed prior to application for approval of the plat or execution of the development contract may be accepted as the required improvements, subject to the inspection, approval and acceptance by the local engineer.

5.11 Alternate Installation and Incomplete Improvements

- A. The governing body may elect to install any or all of the required improvements pursuant to a cash escrow agreement or other financial arrangements with the subdivider.

- B. It is the policy of the County that full and complete public improvements be installed prior to the issuance of any occupancy permits or according to the terms of the development contract. In the event of default, the local unit of government may elect to commence assessment proceedings, utilize funds of a cash escrow or letter of credit, or otherwise move to finance and install improvements when the subdivision is developed to the point of warranting the improvements. Such improvements and procedures may be required in order to protect the public health, safety, convenience and general welfare.

5.12 Responsibility for Costs

The subdivider shall be responsible to pay all reasonable costs incurred by the County or its agents in the review and inspection of the subdivision and enforcement of this Ordinance, including but not limited to administrative, planning, engineering and legal fees.

SECTION 6 OTHER TYPES OF DEVELOPMENT

6.01 Planned Unit Developments (PUD) and Cluster Developments

Upon receiving a report from the Planning Commission, the County may accommodate planned unit developments or cluster development, as defined in the Zoning Ordinance, provided that the County shall find that the proposed development is fully consistent with the purpose and intent of these regulations. This provision is intended to provide the necessary flexibility for new land planning and land development trends and techniques.

- A. A detailed plan must be submitted for any proposed cluster or planned unit development, showing all proposed structures, uses, trafficway, sidewalks, landscaping, off-street parking, common open spaces and other features and facilities prior to approval by the county. PUD and cluster developments shall include preliminary and final plats and follow the subdivision platting process contained in this Ordinance. The Planning Commission and County Board may waive certain dimensional standards in approving a PUD or cluster development when consistent with the Comprehensive Guide Plan, Zoning Ordinance and general County policies.

6.02 Condominium Plats

In Chisago County condominium plats shall conform to Minnesota Statutes 515A Uniform Condominium Act.

SECTION 7 ADMINISTRATION AND ENFORCEMENT

7.01 Authority

The Zoning Administrator or designee shall administer and enforce the provisions of this Ordinance and for the purpose of this Ordinance shall have the power of a police officer.

7.02 Building Permits

No occupancy permit shall be issued by any governmental official for the construction of any building, structure or improvement on any land required to be subdivided by this Ordinance until final subdivision approval has been granted and required improvements have been completed and accepted by the County or local community.

7.03 Violations and Penalties

Any person who violates or fails to comply with any provisions of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, may be punished to the maximum extent allowed by law. For each day the violation continues, a separate offense shall be declared.

7.04 Variances

The Board of Appeals and Adjustments shall have the authority to grant variances from the requirements of this Ordinance, subject to the same procedures, conditions and findings required by the Chisago County Zoning Ordinance.

7.05 Amendments

The County Board may amend, supplement or repeal the provisions of this Ordinance after a public hearing has been held by the Planning Commission. Such amendment may be initiated by the Board, Planning Commission, or by petition. A notice of time, place and purpose of hearing shall be posted and published in the official newspaper of the County at least ten (10) days prior to the day of the hearing.

7.06 Repeals

The Chisago County Subdivision Ordinance, dated November 2, 1987, and any other ordinances or parts of ordinances in conflict with this Ordinance, to the extent of such conflict and no further, are hereby repealed.

7.07 Validity

Should any section, subdivision, or provision of this Ordinance be declared by the courts to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof than the part so declared to be invalid.

7.08 Date of Effect

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

Passed and approved this 19th day of May, 1999, by the Chisago County Board of Commissioners.

Thomas J. Delaney, III, Chairman

ATTEST: James Thoreen, County Administrator

**AN AMENDMENT
TO THE
CHISAGO COUNTY SUBDIVISION ORDINANCE 99-2
ADOPTED BY THE BOARD OF COMMISSIONERS
May 19, 1999
Reference Documents #011214 and #327199**

**CHISAGO COUNTY BOARD OF COMMISSIONERS
OFFICIAL PROCEEDINGS
October 4, 2000**

**RESOLUTION NO. 001004-5
AMENDING THE CHISAGO COUNTY SUBDIVISION ORDINANCE**

BE IT RESOLVED, by the Board of Commissioners of Chisago County, Minnesota, that SECTION I. Section 4.03, subsections C, G and K of the Chisago County Subdivision Ordinance are amended in their entirety to read:

- C. The minimum lot area requirements, dimensional criteria and street frontage requirements specified in the Chisago County Zoning Ordinance shall apply to all lots subdivided, with the following exceptions:
 - 1. Public road easements and public road rights-of-way in existence at the time the subdivision of land is proposed may be credited against the minimum lot area requirements. The total area of such public easements or rights-of-way may be deducted from the minimum area requirements of the proposed lots abutting the existing public roadways, or may be deducted evenly from all proposed lots in the subdivision. No land area credits are allowed for new easements or rights-of-way required as a condition of subdivision approval.
 - 2. Lot area requirements, dimensional criteria and street frontage requirements may be modified in cluster developments or Planned Unit Developments approved by the County.

- G. Natural or cultural features, such as tree growth, water courses, historic spots or similar conditions shall be preserved to the maximum extent practicable in the subdividing of any land.

- K. The lot size, width, shape and orientation shall be appropriate for the proposed type of development and shall meet the minimum requirements of the zoning district according to the Chisago County Zoning Ordinance in effect on approval of the final plat, except as herein provided.

Attest: _____
James Thoreen, Administrator

04/05/01
Date

Notary Seal
{copy on file in the Zoning office }

**Recorded as document number: A-354599

Signed and acknowledged before me this 5th Day of April, 2001

Tara M. Delaney, Notary Public