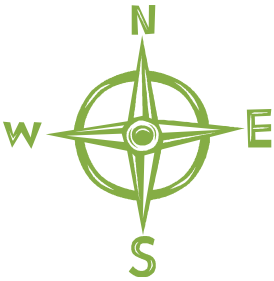
Goodhue County

Subdivision Controls Ordinance



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Goodhue County, Minnesota

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This Ordinance shall be known, cited and referred to as the "Goodhue County Subdivision Controls Ordinance", when referred to herein it shall be known as "this Ordinance".

SECTION 1. INTENT AND PURPOSE

The purpose of this Ordinance is to regulate the subdividing of land in Goodhue County, referred hereinafter as the County, lying outside the incorporated limits of any City, Village or Borough and the limits of towns having the powers of villages pursuant to law, so that new subdivisions will be integrated with the development objectives of Goodhue County, as outlined in the Comprehensive Plan, and contribute to an attractive, stable and wholesome environment, adequate public services and an integrated and safe road and highway system.

SECTION 2. SCOPE AND LEGAL AUTHORITY

Subd. 1 Applicability

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of public health, safety, comfort, convenience and general welfare. Where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this Ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Ordinance, the provisions of each statute, other ordinance, or regulation shall be controlling.

Subd. 2 Amendments

The County Board may amend the procedures, standards, requirements and other provisions of this Ordinance upon recommendation of the Planning Advisory Commission. The Planning Advisory Commission shall hold a public hearing on the proposed amendment prior to recommending action to the County Board as specified in MS 394.26 and 394.30.

Subd. 3 Enforcement and Penalties

A. This Ordinance shall be administered and enforced by the Land Use Management Department who is hereby designated the enforcing officer.

B. Any person who violates any of the terms or provisions of this Ordinance shall be charged with a misdemeanor, punishable by a fine or by imprisonment as defined by Minnesota State Statute. All fines for violation shall be paid to the County Auditor.

C. In the event of a violation or threatened violation of this Ordinance, the County Board may in addition to other remedies, institute appropriate actions or proceedings to prevent, restrain, correct, or abate such violations or threatened violations, and it shall be the duty of the County Attorney to institute such action.

D. Each day that a violation is permitted to exist shall constitute a separate offense. The imposition of any fine or sentence shall not exempt the offender from compliance with the requirements of this Ordinance.

Subd. 4. Severability

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

SECTION 3. RULES

Subd. 1 Rules

A. Words used in the present tense include the past and future tense; the singular number includes the plural and the plural includes the singular; the word “shall” is mandatory, and the words "should" and "may" are permissive.

B. In the event of conflicting provisions in the text of these regulations, the more restrictive shall apply.

SECTION 4. DEFINITIONS

For the purpose of these regulations, certain terms and words are hereby defined as follows:

BLOCK: A tract of land consisting of one of more lots, as identified by a number, and bounded by plat boundaries, dedicated public ways, outlots, parks, or bodies of water.

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, and meeting the overall density requirements of these regulations and the Zoning Ordinance.

CONTOUR: A line connecting all points of which are at the same elevation above a specified datum surface.

CONTOUR INTERVAL:
The difference in elevation between adjacent contours on a map.

CONTOUR MAP:
A map depicting contour lines.

COPY: A print or reproduction made from an original.

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.

CUL-DE-SAC:
A road having but one end open to traffic; not a through road.

DEVELOPMENT GOALS:

Those goals determined from time to time in plan or policy form as part of the County's Comprehensive Plan which indicate how the County wishes to develop itself in line with an orderly and logical direction.

DOUBLE FRONTAGE LOTS:
Lots which have a front line abutting on one road and a back or rear line abutting on another road.

DRAINAGE COURSE :
A water course or indenture for the drainage or surface water.

EASEMENT: A grant by an owner of land for the specific use of said land by the public, or to a person or persons.

FINAL PLAT: The final drawing, which is in compliance with MS 505 or 515B and County Ordinances and rules, of the Subdivider's plan as presented to the County Board for approval and which, if approved, will be submitted to the County Recorder to be recorded. A Final Plat is also considered the Recorded plat.

LOT: A parcel of land intended for building development or as a unit for transfer of ownership. All, or part of a Block, as identified by a number on a plat.

METES AND BOUNDS DESCRIPTION:
A description of a parcel of land by references to course and distances around the tract or by reference to natural or record monuments; most common method is to recite direction and length of each line as one would walk around the perimeter.

NATURAL WATERWAY:
A natural passageway on the surface of the earth so situated and having such a topographical nature that surface water flows through it from other areas before reaching a final ponding area.

OWNER: Any individual, firm, association, syndicate, co-partnership, corporation, estate, trust, or any other legal entity having legal title in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this ordinance.

TAX PARCEL: Land which is described by a recorded legal description and referenced by an individual and unique parcel identification number assigned by the County.

PLAT MONUMENT:
A durable magnetic marker placed at all angle and curve points on the outside boundary lines of the plat and also at all block and lot corners and at all intermediate points on the block and lot lines indicating changes of direction in the lines and any witness corners (MS 505.02 subd. 1). All plat monuments placed shall have the license number of the Minnesota licensed Land Surveyor responsible for the preparation of the Final Plat inscribed thereon.

PRELIMINARY PLAT:

A map or drawing indicating the proposed layout of the subdivision to be submitted to the Planning Commission and County Board for their consideration.

RIGHT-OF-WAY:

The land covered by a public road or other land dedicated for public use or for certain private use.

ROAD AND HIGHWAYS:

a. Alley - A narrow road dedicated to the public. Commonly, a way through the middle of a block giving access to the rear of properties.

b. Collector Roads – Public roads which carry traffic from minor public roads to major public roads and highways; usually a county road.

c. Local Road (tertiary) - A public road designed for access to abutting property and not intended to facilitate through traffic; usually a township road.

d. Marginal Access Road - A minor public road which is parallel and adjacent to an Arterial Road or Highway and which provided access to abutting properties and protection from through traffic.

d. Pedestrian Way - Public or private land designed as a trail, path or walkway to be used for pedestrian traffic only.

SKETCH PLAN:

A concept drawing indicating a proposed subdivision of property, drawn in sufficient detail and accuracy to meet the requirements of Section 4, Subdivision 2, of this Ordinance.

SUBDIVIDER: Any person commencing proceedings under the Ordinance to effect a subdivision of land hereunder for themselves or as an agent of the land owner.

SUBDIVISION: The division of any parcel or land into two (2) or more lots, blocks and/or sites and includes the re-subdivision of land.

SECTION 3. LAND SUBDIVISIONS AND COMBINATIONS

Subd. 1 Plats

A. A Minnesota Statue Chapter 505 plat **is required** under the following circumstances:
   1) The creation of three or more tax parcels from one tax parcel, except those tax parcels that meet the conditions of Subd. 2 (1).
   2) Any residual tax parcel created by a split, or not included in the platting process, which is less than 2 (two) acres in area.

B. If a subdivision of a platted lot or outlot can result in one or more potential building sites, the subdivision must be platted.

C. All plats shall be reviewed by the Planning Advisory Commission and approved by the County Board.

Subd. 2 Metes and Bounds Subdivision

A. A Minnesota Statute Chapter 505 plat **is not required** under the following circumstances:

1) The tax parcels created can be described by an aliquot part of the Public Land Survey. The minimum division shall be a Quarter Quarter of the Section (i.e. SE ¼ of the NW ¼).

2) Any tax parcel created that is 40 acres or more, and the residual is over 2 (two) acres.

B. Land divisions outlined in Subd. 2, A 2) require a survey.

1) If the parcel is not within a recorded plat, and a Certificate of Location for each of the pertinent Public Land Survey corners has been filed with the County Surveyor, a Certificate of Survey depicting information listed in Section 5, subdivision 1 (B), items 1 through 6, items 8, 11, and 12 shall accompany the subdivision and conveyance of land. The survey must be of the parcel being split and conveyed. If the split parcel is composed of more than one tax parcel, the acreages of those portions of each tax parcel contributing to the split parcel must be indicated on the survey.

2) If the parcel is within a recorded plat, a Certificate of Survey depicting information listed in Section 5, subdivision 1 (B), items 1 through 6, items 8 and 11 shall accompany the subdivision and conveyance of land. The survey shall show distance and direction reference ties to each of the pertinent Lot or Block corner monuments. If the pertinent Lot or Block corner monuments do not exist, sufficient mathematical information shall be shown to enable reference of the parcel description to the plat or to the pertinent Public Land Survey corner monuments. The survey must be of the parcel being split and conveyed. If the split parcel is composed of more than one tax parcel, the acreages of those portions of each tax parcel contributing to the split parcel must be indicated on the survey.

3) If a Certificate of Location for the pertinent Public Land Survey corners has not been filed with the County Surveyor, then a Certificate of Survey is not required, but in its stead, a Certificate of Description prepared and executed by a Minnesota Licensed Land Surveyor shall be required.

C. No further subdivisions will be approved for tax parcels subdivided or combined within six months of their creation.

D. Property divisions outlined in Section 3, Subd. 2, within the unincorporated areas of Goodhue County must be submitted, together with evidence that all zoning fees have been paid, to the Goodhue County Zoning Administrator or their designee. Written approval shall appear on the face of the conveyance instrument indicating that the conveyance complies with Goodhue County zoning and subdivision regulations. If a conveyance instrument is recorded without the written approval of the Zoning Administrator or their designee, the

parties of the conveyance will be given written notice of the violation and be subject to misdemeanor prosecution.

Subd.3 Torrens Properties

A. In the instance in which a plat or metes and bounds description subdivides Torrens property, the Land Surveyor preparing the proposed plat or parcel description will provide to the Registrar of Titles the new descriptions for the Torrens parcels and any residual parcel(s). These descriptions must accompany the filing of the Certificate of Survey, Certificate of Description, plat, or Registered Land Survey.

B. Common Interest Communities in which ownership is characterized as real property cannot contain both Torrens and Abstract title.

SECTION 4. GENERAL PROCEDURES FOR PLATTING

Subd. 1 Procedures

The following procedures shall be followed in the administration of this Ordinance and no real property within the jurisdiction of this Ordinance shall be subdivided and offered for sale or a plat recorded until a pre-application meeting has been held and a preliminary plat has been reviewed by the Planning Advisory Commission, and until the Final Plat has been approved by the County Board as set forth in the procedures provided herein. Plans of group developments for housing, commercial, industrial or other uses, or any combination of uses designed for rental purposes, shall be presented in the same manner as other plats for the review of the Planning Advisory Commission and the approval of the County Board.

A. All Preliminary and Final Plats of any subdivision, as required by this Ordinance, shall be subject to review and approval by the appropriate Board and staff.

B. No lots, tracts, or parcels within any proposed subdivision may be sold prior to recording the plat with the County Recorder.

C. The County shall not issue any building permits for building development on any lot, parcel, or tract within a subdivision that has not received final approval pursuant to this Ordinance.

Subd. 2 Pre-application Meeting - Sketch Plan

Prior to the preparation of any preliminary plat for consideration by the appropriate Planning Board, the Subdivider shall meet with the County Land Use Management department and other officials in order to be made fully aware of all applicable ordinances, regulations, and plans in the area to be subdivided. At this time, or at subsequent informal meetings, the Subdivider shall submit a general sketch plan of the proposed subdivision and preliminary proposals for water supply, waste treatment, storm water management, and road layout. The sketch plan may be presented in simple form but should show that consideration has been given to the relationship of the proposed subdivision to existing community facilities that would serve it, to neighboring subdivisions and development, and to the topography of the site, to the appropriate Comprehensive Plan for the area, and to any other requirements as stipulated in this Ordinance. The sketch plan will be considered as the basis for discussion between the

Subdivider and staff. Submission of such sketch plan shall not constitute formal filing of a Preliminary Plat.

The Subdivider is urged to avail themselves of the advice and assistance of the County staff at this point in order to save time and effort, and to facilitate the approval of the preliminary plat.

Subd. 3 Preliminary Plat

After the pre-application meeting, the Subdividers shall apply for a platting permit with the Zoning Administrator. At the time of submission of the Preliminary Plat, the required fees shall be paid by the Subdivider.

A. The applicant shall be responsible to submit copies of the Preliminary Plat to the following entities:
   - 15 copies to the Zoning Administrator
   - 1 copy to any city within two miles of the proposed plat (if applying for a change of zone)
   - 1 copy to the Township Board in which the proposed plat is located
   - 1 copy to the Soil and Water Conservation District
   - 1 copy to the Minnesota Dept. of Transportation (District 6) if the proposed plat abuts or is adjacent to a state or federal highway

B. The Subdivider shall send the above copies with a letter directing all comments concerning the Preliminary plat to the Zoning Administrator, and submitting such comments to the Zoning Administrator one week prior to the Planning Advisory Commission meeting regarding the request. The Subdivider shall provide proof of submittal of the required letters to the Zoning Administrator.

C. The Preliminary plat shall show the data requirements as listed in Section 5 of this ordinance.

D. A public hearing will be conducted at a specified Planning Advisory Commission meeting after all the appropriate notifications have been submitted. If approved, the Planning Advisory Commission shall express its recommended approval or conditional approval and state the conditions of such recommended approval, if any; or if disapproved, shall express its disapproval and its reasons therefore. Such approval or disapproval shall be transmitted to the County Board.

E. At the time of filing the Preliminary Plat, the owner or owners of the land covered by such plat shall submit to the County Zoning Administrator a petition for rezoning to the precise proposed future use of said land if the land is not already so zoned. The Planning Commission and County Board may approve a zoning change contingent upon approval of the Final Plat.

F. Based on the information provided, the Planning Commission and the County Board shall review all subdivisions which require their approval, for the following:

   1) That the physical characteristics of the site, including but not limited to topography, vegetation, susceptibility to flooding, water storage, drainage and

retention, are such that the site is physically suitable for the proposed density of development;
2) That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage;

3) That the design of the subdivision or the type of improvements is not likely to cause serious health problems;

4) Comments gathered as a part of the public hearing process;

5) Requirements and comments of pertinent governmental bodies;

6) That the proposed subdivision adequately addresses road arrangement, location, width, and connections with the current and future plans as outlined in the Goodhue County Transportation plan and Official Maps;

7) That the proposed subdivision adequately addresses all the Elements as outlined in the Goodhue Comprehensive Plan, and requirements outlined in the Goodhue County Zoning Ordinance.

G. The approval of a Preliminary Plat is an acceptance of the general layout as submitted, and indicates to the Subdivider that they may proceed toward preparation of a Final Plat in accordance with the terms of approval and provisions of this Ordinance.

H. If significant changes occur in the layout design, or other supporting information from an approved Preliminary Plat, the Subdivider must rescind their initial submittal and re-submit the proposal to the Planning Advisory Commission and pay any re-submittal fees. Any statutory timelines for review and approval shall terminate upon the rescission request and shall recommence upon re-submittal of the proposal.

Subd. 4 Final Plat

A. If a change of zone request is proposed, the change of zone request, Preliminary Plat, and Final Plat shall be submitted by the Subdivider for County Board approval within 120 days of the submission of the initial request.

B. If a change of zone request is not proposed, the Subdivider shall submit the Final Plat to the Zoning Administrator at least two (2) weeks before the regularly scheduled County Board meeting hearing the request, and within one hundred eighty (180) days of the date of approval of the Preliminary Plat.

C. The County Zoning Administrator, Attorney, Engineer, and Surveyor shall check the Final Plat to see that it is in substantial agreement with the Preliminary Plat as approved by the Planning Advisory Commission and that it meets all ordinances and regulations of the county.

D. The Subdivider shall submit:

- Eleven copies to the Zoning Administrator
- One copy to the County Engineer
- Two copies to the County Surveyor

- One copy to the County Attorney
- A current title opinion or commitment to the County Attorney and County Surveyor, covering the area to be subdivided.

E. Following Final Plat approval or disapproval by the County Board, the Zoning Administrator shall notify the Subdivider of the Board's action within thirty (30) days thereafter. The Final Plat, if approved, shall be submitted by the Subdivider for filing with the County Recorder within one hundred eighty (180) days after the date of County Board approval.

F. Final Plat approval shall be null and void if the Final Plat is not filed for recording within the timeframe herein specified. The County Board may grant an extension, for good cause, if the extension request is in writing and presented for decision before the one hundred eighty (180) days terminates.

SECTION 5. DATA REQUIRED

Subd. 1 Data for Preliminary Plat

This section pertains to proposed plats in which the County is the platting authority; or a plat that adjoins or is adjacent to any County Road, County State Aid Highway, or Municipal State Aid Highway.

The Subdivider shall engage a Minnesota Licensed Land Surveyor, Engineer, or Landscape Architect to prepare a Preliminary Plat of the area to be subdivided. The Preliminary Plat shall contain:

A. Identification and Description

1) Proof of ownership: A copy of a current Title Commitment, Title Opinion, or Certificate of Title (Torrens property) that covers the property of the proposed plat shall be submitted with the proposed plat.

2) The proposed name of the proposed plat, which shall not duplicate or be similar in pronunciation or spelling to the name of any plat heretofore recorded in the County.

B. Existing conditions: (Item (5)) must be prepared by a Minnesota Licensed Land Surveyor). A current Certificate of Survey, which shall be used as the basis for the proposed plat, shall be prepared and executed by a Minnesota Licensed Land Surveyor, depicting the following information:

1) Scale of drawing; one (1) inch equals one hundred (100) feet or one (1) inch equals two hundred (200) feet;
2) North arrow;
3) Date of Survey;
4) Legal description of the boundary of the subject parcel(s);
5) Sufficient boundary survey data and mathematical information (bearings to the nearest one second of a degree and dimensions to the nearest one hundredth of a foot) to locate and retrace the boundary;
6) Total area in square feet or acres of the proposed plat (or tax parcel);
7) Existing site improvements within the proposed plat and any existing improvements within 10 feet of the proposed plat boundary, or a notation indicating no site improvements exist;
8) All encroachments along the boundary of the proposed plat (or tax parcel), or a notation indicating no evidence of encroachment was found;

9) All easements of record, or a notation indicating the there are no easements of record;

10) Ponds, lakes, rivers, streams, creeks, wet lands, and other waterways within or adjacent to the proposed plat, or a notation indicating none of these features are within or adjacent to the proposed subdivsion. The ordinary high water elevation and 100 year flood elevations shall be shown where applicable. Elevations shall be referenced to an established bench mark with a mean sea level elevation and noted on the proposed plat;

11) Location, right of way widths, and names of public roads, other public ways, or railroads within or adjacent to the proposed plat boundary;

12) Distance and direction reference ties from the boundary of the proposed plat to a minimum of 2 Public Land Survey corner monuments.

C. The names and addresses of the fee owner, Contract for Deed purchasers, or any agent having control of the land; the Subdivider; the Minnesota Licensed professional preparing the plan.

D. Two foot contours extending throughout the proposed plat location and within a 300 foot buffer surrounding the proposed plat.

E. Existing and proposed zoning classifications for the land within and adjacent to the proposed plat.

F. A tabulation of the approximated square footage/acreage and dimensions of each lot, outlot, or park.

G. Adjoining parcel information to include (within 300 feet of proposed boundary): General location of adjoining parcels; right of way widths; names of existing roads, platted roads, or other public ways; parks; other public lands; public utility easements; Public Land Survey lines; and corporate limits.

H. Adjoining owner's names.

I. Vicinity map depicting and labeling the Section, Township, and Range

J . Soils analysis and depth to groundwater and bedrock from finished grade must be established. A plan for solving site ground water problems may be required if conditions warrant.

K. Any other such information that is deemed necessary for review and as may be requested by the Planning Advisory Commission or County Board of Commissioners.

L. Layout of proposed roads indicating the right- of-way widths, centerline gradients, and typical cross sections.

M. Preliminary road grades and drainage plan, including drainage structure size and location shall be shown on a copy of the contour map.

N. A drainage plan and flood control which includes structure size and location based upon hydraulics of a 100 year flood event.

O. Source of water. Connection to municipal water is required, if available. Wells with less than 15 service connections and serving fewer than 25 people must be installed according to the Goodhue County Water Quality Ordinance.

P. Provisions for sewage treatment. Connection to municipal sewage treatment is required, if available.
   1) Community sewage treatment systems must be designed and installed according to Minnesota Pollution Control Agency Standards.

   2) All lots served by an individual sewage treatment system must be evaluated and be able to support two standard systems.

Q. A plan for soil erosion and sediment control both during construction and after development has been completed.

R. If the Minnesota Environmental Quality Board regulations require an EAW or EIS, such documentation shall be submitted as part of the Preliminary Plat information.

S. A landscape plan shall accompany the application. The plan shall indicate the location of existing trees, proposed new trees and vegetative plantings, and existing trees proposed to be removed.

T. Any other additional information as may be requested by the County or Planning Advisory Commission.

Subd. 2 Data for Final Plat (Planning Commission)

A. Special conditions and or restrictions pertaining to the approval of the Final Plat by the County Board shall be recorded as covenants. Recording of the special conditions or restrictions shall be the obligation of the developer.

Subd. 3 Data for Final Plat (Recording)

A. The proposed plat shall follow the requirements of Minnesota Statute 505.

B. All plat monuments shall be placed in the ground prior to recording of the plat with the County Recorder.

C. Refer to Section 3, Subd. 3 Torrens Properties, for plats that include Torrens parcels.

Subd. 4 Cluster Developments in Shoreland areas.

Small lot sizes (lot sizes smaller than outlined in the Goodhue County Zoning Ordinance), may be allowed for planned cluster developments provided:

A. Preliminary plans are first approved by the Commissioner of the Department of Natural Resources;

B. Community sewage treatment systems must be designed and installed according to the Minnesota Pollution Control Agency Standards.

C. Open space is preserved;

D. There is not more than one centralized boat launching facility for each cluster;

E. Any attached conditions are met, such as limits on overall density, minimum size of the cluster development, restriction to residential uses, or minimum length of water frontage.

SECTION 6. SUBDIVISION DESIGN STANDARDS

Subd. 1 General

Generally, design standards assure that the layout of the subdivision harmonizes with existing plans affecting the development and its surroundings and shall be in conformity with the development objectives of the County.

Subd. 2 Roads

A. The design of all roads shall be considered in their relation to existing and planned roads, to reasonable circulation of traffic, to topographic conditions, to runoff of storm waters and to the proposed uses of the area to be served.

B. Where new roads extend existing adjoined roads, their projections shall be at the same or greater width, but in no case less than the minimum required width. Where adjoining areas are not subdivided, the arrangement of roads in new subdivisions shall make provisions for the proper projection of roads. When a new subdivision adjoins unsubdivided land susceptible to being subdivided, then the new roads shall be carried to the boundaries of such unsubdivided land. Until the adjoining property is developed, a temporary cul-de-sac shall be constructed.

C. Road Standards:

	Collector Roads	**Local Road**	**Alley**	**Pedestrian Way**	**Bike Path**
Rights of way	100’	66’	30’	10’	12’
Surface width	24’	24’	20’		8’
Minimum horizontal curve radii	400’	200’	200’		
Minimum tangent between curves	150’	100’	100’		
Minimum grade	0.5%	0.5%	0.5%		
Maximum grade	8%	8%	8%		
Structural Design Strength (Ton)	9	7	5	5	5
Shoulder	3	1			1
Inslope (V to H)	1:4	1:3			1:2
Curb & gutter	If proposed, they shall meet Mndot Standards				

Subd. 3 Subdivision road cross section requirements.

A. Width

All roads shall be subgraded to the minimum width to accommodated the above lane widths, shoulder width, inslopes, and the road’s base and pavement thickness to meet the structural design strength as shown in the above table.

B. Structure of Roads.

1. All subdivision roads and bike paths shall be paved. Alley and Pedestrian ways do not need to be paved.

2. The developer shall design the pavement sections for all roads per MnDot standards. All bituminous pavements shall have a minimum bituminous secion of three (3) inches.

3. There shall be a minimum of six (6) inches of gravel (class 4 or 5 based on the pavement design) constructed with the initial road grading project.

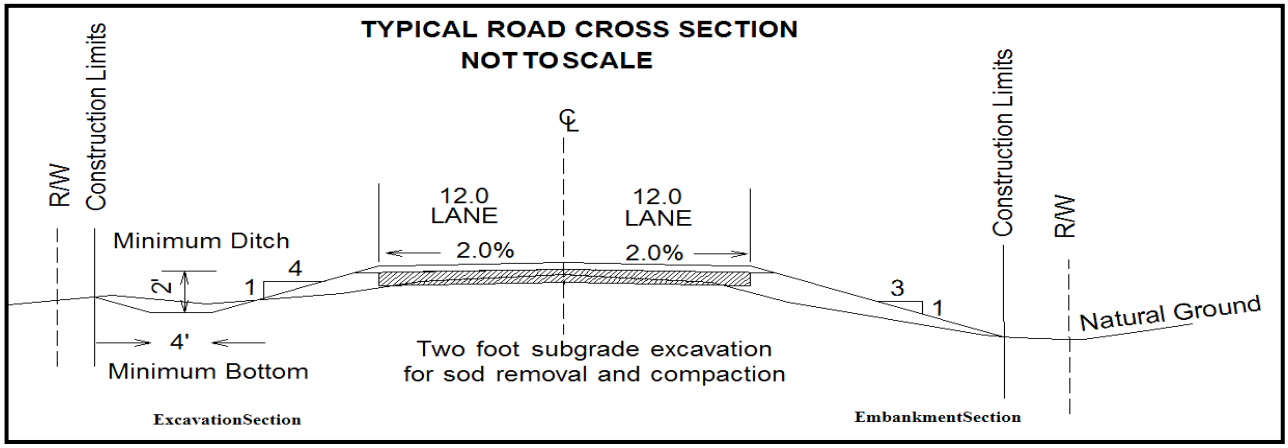
4. The full pavement design section shall be constructed when 65% of the individual lots in the subdivision are sold.

5. The road base shall be at standard design immediately prior to blacktopping and approved by a licensed Professional Engineer. Written proof must be submitted to the County Engineer within five (5) working days of the blacktopping completion.

6. All roads shall have a cross slope of 2%.

7. Refer to Section 7, Subdivision 2, Financing, for bonding requirements.

C. Ditches
1. Ditch bottoms shall have a minimum width of four (4) feet.
2. Ditch bottoms shall be at least two (2) feet lower than the shoulder elevation.



The preceding sketch is to be used as a typical cross section through embankment and excavation sections for all normal road construction. Wherever side roads and branch roads lead off of the main road, such roads shall have the crown of the branch road meeting the shoulder elevation of the main road. Side slopes shall retain a 1:3 or a 1:4 slope depending on the functional classification of the road.

D. Road Jogs. Road jogs with center line offset of less than one hundred fifty (150) feet shall be avoided.

E. Road Intersections. All intersections shall be at an angle of 90 degrees (but vary by 10 degrees if necessary).

F. Reverse Curves. Tangents of at least one-hundred (100) feet in length shall be introduced between reverse curves on collector roads and fifty (50) feet on lesser roads.

G. Cul-de-sacs. Maximum length of permanent cul-de-sac roads shall be five hundred (500) feet measured along the center line from the intersection of origin to end of right of-way. Each cul-de-sac shall be provided at the closed end with a turn-around having a minimum outside roadway diameter of eighty (80) feet and a minimum road property line diameter of one-hundred (100) feet.

H. Half roads. Half roads shall be prohibited.

I. Road Names. Proposed roads obviously in alignment with existing and named roads shall bear the names of such existing roads. In no case shall the name for the proposed road duplicate existing road names, phonetically or literally.

J. Private Roads. Private roads shall not be approved nor shall public improvements be approved for any previously existing private roads.

K. Local Service Drives. Where a proposed plat is adjacent to a major thoroughfare the County may require the developer to provide a marginal access road along the right-of-way of such facilities or they may require that lots back on the thoroughfare in which case vehicular and pedestrian access between the lots and thoroughfare shall be prohibited.

L. Hardship to Owners of Adjoining Property. The road arrangements shall not be such as to cause hardship to owners of adjoining property in platting their own land and providing convenient access to it.

M. Corners. Road intersections shall be rounded at a radius of not less than twenty (20) feet.

N. Sight triangles with tangent distances of thirty (30) feet shall be provided at road intersections within the subdivision or the County may permit property lines at road intersections to be rounded with a radius deemed necessary. Site distance triangles for roads tying into existing public roads shall meet the County's access control criteria.

O. Access control and road right of way dedication may be required.

P. New intersections tying into existing roads must meet the requirements of Goodhue County's Access Control Policy.

Q. Topsoil removed due to the road construction shall be stockpiled for re-spreading over lots and shall not be sold or otherwise removed from the subdivision area unless the removal of excess topsoil is approved by the County.

Subd. 4 Easements

A. All easements shall be dedicated by appropriate language on the plat as required by M.S. 505.02, Subdivision 2.

B. Utilities easements shall be provided for utilities where necessary.

C. Where a subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way, as will be adequate for storm water runoff based on the 100 year flood event. The easement shall include not only the stream channel, but also adjoining areas that have been subject to flooding in years of heavy runoff.

Subd. 5 Blocks

Road lengths shall not exceed 1,200 feet between intersections. In blocks longer than 800 feet a pedestrian crossway with a minimum right-of-way of ten (10) feet may be required near the center of the block. The use of additional access ways to schools, parks and other destinations may also be required. If additional access ways are required, they should be located at road intersections.

Subd. 6 Lots

A. Corner lots for residential use shall have additional width to permit appropriate building setback from both roads as required by the Goodhue County Zoning Ordinance.

B. Where possible, side lot lines shall be at right angles to straight lines or radial to curved road lines.

C. Each lot shall front on a local road within the subdivision. Lots with frontage on two (2) parallel roads shall be permitted only under unusual circumstances.

D. The lot dimensions shall be such as to comply with the minimum lot areas specified in the Goodhue County Zoning Ordinance.

E. Lots shall be graded so as to provide drainage away from building locations and septic drainage fields.

F. All remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots rather than allowed to remain as unusable parcels unless the owner can show plans for the future use of such remnants wherein they shall be platted as outlots.

G. Outlots shall be set aside solely for non-building purposes. No Goodhue County Land Use Permits shall be issued for structures on outlots. Outlots may be eliminated through re-subdivision approved by the County.

Subd. 7 Natural Features

A. In the subdividing of any land, due regard shall be shown for all natural features, such as tree growth, wetlands, steep slopes, water courses, historic sites, or similar conditions, and plans adjusted to preserve those which will add attractiveness, safety and stability to the proposed development.

B. In general, it is preferable to have trees, other than diseased or damaged trees, only to be cut or removed to accommodate building sites, driveways or utilities. The applicant shall demonstrate that all grading which takes place will be conducted in a manner that preserves the root zone aeration and stability of existing trees and provides an adequate watering area equal to at least each

tree's crown cover. The size and species of trees used in reforestation shall be approved by the County. The applicant must contact the Minnesota DNR concerning the timing of trimming or removal of trees.

C. Slopes in excess of eighteen (18) percent natural grade shall not be graded, excavated, cleared of vegetation, or developed. Slopes from twelve to eighteen (12-18) percent natural grade shall only be graded, excavated, or developed according to an approved grading plan providing for stabilization and vegetation after grading as approved by the County.

D. Floodway Criteria. Subdivision proposals shall be reviewed to assure that all such proposals are consistent with the need to minimize flood damage and that:

1) Lands that are subject to flooding are improved through the use of fill or other techniques to provide sites free from flooding. Filling may require the applicant to update the affected FEMA floodplain maps.

2) Roads and roads are designed to provide safe access during time of flood.

3) All public utilities and facilities, such as sewer, gas, electrical and water systems are located, elevated or constructed to minimize or eliminate flood damage.

4) Adequate drainage is provided so as to reduce exposure to flood hazards.

5) No new buildings shall be located within the 100 year floodplain.

Subd. 8 Erosion and Sediment Control

A. Wetlands and other water bodies shall not be used as primary sediment traps during or after construction.

B. Any proposed alteration, filling, or creating of wetlands need to be approved by the Soil and Water Conservation District and subject to the Minnesota Conservation Act.

C. The proposed development shall not increase the runoff rate of storm water so as to cause an adverse effect upon adjacent lands. Hydraulics to verify post-development rates are at or less than pre-development rates shall be based on the 100 year flood event.

D. Erosion protection measures shall make maximum use of natural in-place vegetation rather than the placing of new vegetation on-site as erosion control facilities. The use of natural erosion control devices shall be preferred to the maximum extent over the construction of artificial drainage devises including culverts, holding ponds and ditches.

E. Topsoil removed from lots during construction shall be stockpiled for re-spreading over lots and shall not be sold or otherwise removed from the subdivision area unless the removal of excess topsoil is approved by the County.

F. Topsoil shall be re-spread so as to provide at least six (6) inches of cover originally existing on the site or a minimum of four (4) inches of cover if the original cover was less. The site shall also be stabilized by seeding and or sodding.

G. Developments are subject to NPDES permit requirements.

Subd. 9 Public Lands and Open Spaces

Because subdivision activity creates a need for a full range of public facilities, the County Board may require a portion of the subdivided land to be set aside for open space, park, recreational, or common areas and facilities (MS 394.25, Subd.7).

The County Board may accept a contribution to the County Park Fund in lieu of land designation within the subdivision.

SECTION 7 IMPROVEMENTS REQUIRED

Subd. 1 Improvements Listed and Described

Before the County Board approves a Final Plat, the Subdivider shall have agreed in the manner set forth below to install in conformity with construction plans approved by the County Engineer and in conformity with all applicable standards and ordinances, the following improvements on the site:

A. Monuments. All plat monuments shall be placed in the ground prior to recording of the plat with the County Recorder/Registrar of Deeds. Delayed staking of any plat monument will be prohibited.

B. Water supply. Where a connection with a community water system is possible, the public water shall be used. In other instances, safe and palatable water shall be provided by a central distribution system serving the subdivision or by individual wells. In all cases, water shall be supplied in accordance to the County Public Health Services specifications.

C. Sanitary Sewer. In all cases, the Subdivider shall be required to connect to municipal trunk line sewers when available. In other instances individual on-site or a central system approved by the County Public Health Services shall be used.

D. Drainage. A system that will adequately take care of the surface water runoff within the subdivision shall be provided. Storm sewers and culverts shall be installed where necessary in conjunction with the grading of roads. All culverts installed shall be new. Minimum culvert size through the roadway shall be 18", 12" minimum for driveways. Any culvert over 48" diameter, or at locations requested by the County Engineer, shall have a hydraulic analysis and risk assessment performed. Centerline culverts shall be provided to accommodate all natural water flow and shall be sufficient length to permit full-width roadways and required side slopes. Drainage ditches shall be sodded to prevent erosion.

E. Interim measures shall be required to ensure that drainage design functions adequately during phase developments.

F. Each subdivision must function as independent projects, yet be flexible to integrate with surrounding needs.

Subd. 2 Financing

Before a Final Plat which consists of ten or more lots is approved by the County Board, the Subdivider shall be required to submit a performance bond or cash escrow agreement to assure the following:

A. The Subdivider shall pay for the cost of all improvements required in the subdivision and the subdivision's share of the costs of any trunk facilities to be extended to the subdivisions with the exception of individual wells and individual sewage disposal systems.

B. Guarantee completion of the required improvements within a two (2) year period.

C. Payment by Subdivider for all costs incurred by the County for review and inspection. This would include preparation and review of plans and specifications by technical assistants and costs incurred by the County Attorney, County Surveyor, and County Engineer as well as other costs of a similar nature. This payment would be in addition to the subdivision fee paid with the submission of the Preliminary Plat.

D. The County may elect to install any of the required improvements under the terms of a cash escrow agreement.

E. The performance bond or cash escrow agreement shall be equal to one and one-quarter *(1.25)* times the estimated cost of the required improvements.

F. If the required improvements are not complete within the two (2) year period, all amounts held under the escrow delivered to the County will be applied to the cost of the required improvements. Any balance remaining after such improvements have made, shall be returned to the Subdivider.

SECTION 8. VARIANCES AND EXCEPTIONS

The County Board may have the power to vary the requirements of this Ordinance so long as they are in harmony with the general purposes and intent of the official control in cases when there are practical difficulties as defined in Minnesota State Statutes Chapter 394.

SECTION 9. CERTIFICATION OF FINAL PLAT

A. For approval by signature of county officials with the recording of the plat.

1) Taxes payable in the year_____ on the land herein described have been paid, there are no delinquent taxes and transfer has been entered this_____ day of_____, 20__.

_____
Goodhue County Auditor/Treasurer
By: _____Deputy

2) I hereby certify that the within instrument was filed in this office for record this _____day of _____, 20____ at ____ o'clock __m and was duly recorded as document number____, file number _____.

_____
Goodhue County Recorder

3) Approved by the County Board of Commissioners of Goodhue County, Minnesota, this _____ day of_____, 20____.

Signed:
_____ Attest: _____
Chair Administrator

4) Approved by the _____ Township Board this _____day of_____, 20____.

Signed: _____
Chairman, Township Board

5) I hereby certify that I have surveyed and platted the property described on this plat as _____ ;that this plat is a correct representation of said survey; that all distances are correctly shown on said plat in feet and hundredths of a foot; that all monuments have been correctly placed in the ground as shown on said plat; that the outside boundary lines are correctly designated, and there are no wet lands or public highways to be designated, and there are no wet lands as defined in Minnesota Statutes, Chapter 505.02, Subd. 1, or public highways to be designated on said plat, other than as shown.

_____
Land Surveyor
Minnesota License No. _____

STATE OF MINNESOTA
COUNTY OF_____

The foregoing instrument was acknowledged before me this ____ day of _____ 20____, by _____ Land Surveyor.

_____
Notary Public _____ County, Minnesota
My Commission Expires _____

Pursuant to Chapter 389.09, laws of Minnesota, and Goodhue County Ordinance No.2-78, this plat has been approved this _____ day of _____, 20___.

_____
Goodhue County Surveyor

6) I hereby certify that proper evidence of title has been presented to and examined by me and I hereby approve this plat as to form and execution.

_____
Attorney for Goodhue County