

SECTION 8 - SIMPLE PLATS

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Subdivision 1: Purpose

Simple Plats allow subdivision of land into lots smaller than the minimum metes and bounds size in the zoning district, where adequate infrastructure is already in place and no new public roads will be required and contain all elements and requirements set forth in all official controls adopted pursuant to Minnesota Statutes chapters 394 and 505.

Subdivision 2: Restrictions

A Simple Plat may be allowed only if all the following restrictions are met. No variance to these restrictions may be granted under Section 12, Subdivision. 3 of this Ordinance.

- A. The Simple Plat will create no more than three (3) lots and any remaining acreage from the property to be subdivided shall meet the minimum metes and bounds lot size for the applicable zoning district.
- B. The Simple Plat will not require the addition of new roads or the expansion of existing roads.
- C. Each resulting parcel has the minimum public road frontage for the applicable zoning district as required by Section 11, Subdivision 1.A. of this Ordinance.
- D. If the Simple Plat abuts a County Road or County State Aid Highway, the existing County right-of-way must be a minimum of 50 feet from the center line of the road. If the Simple Plat abuts a Township road, the existing Township right-of-way must meet the minimum standard

for Township roads in the Township where the property is located.

- E. The property must not have been previously subdivided by or otherwise included in a Simple Plat within the last two (2) years.
- F. The resulting lot sizes shall meet the minimum lot size. Right of way which is being dedicated to the local road authority with this plat application can be used for the calculation of the minimum lot size.
- G. The resulting platted lots must meet the minimum platted lot size for the applicable zoning district.

Subdivision 3: Pre-Application Meeting

- A. A pre-application meeting with the Planning and Zoning Department is required for all Simple Plats. The purpose of the pre-application meeting is to review the proposed Simple Plat and all applicable laws, ordinances, policies and procedures relating to the Simple Plat process. Prior to the pre-application meeting, the applicant shall provide the Department with a Sketch Plan, which shall include the following information:
 - 1. The proposed plat overlaid on an aerial photo drawn to scale with dimension of proposed lots and roads.
 - 2. Total acreage of the property to be platted;
 - 3. Existing property lines;
 - 4. Proposed lot lines;
 - 5. Existing public and private roads and easements on the property, including length of road and the existing right-of-way of any public road abutting the property to be platted;
 - 6. Existing Buildings and other impervious surface areas;
 - 7. Existing road spacing and driveway spacing on County roads;
- B. Additional items to be discussed at the pre-application meeting include without limitation: existing vegetation on the property, soil types, any solid waste accumulation, potential wetland impacts, floodplain and shoreland regulations (if applicable), soils, water table and slope information; and potential stormwater management issues, private roads and easements, driveway access locations, road connections and property title.

Subdivision 4: Simple Plat Submission Information

- A. The owner and subdivider shall file an application for Simple Plat approval with the Planning

and Zoning Department that includes the following:

1. A completed application form signed by all property owners and the applicant, if different than the owner(s).
2. The fees established by the County Board for Simple Plat applications.
3. A title commitment or title opinion for all of the property being platted. For Torrens property, the application must include a current Certificate of Title for all of the property being platted. The applicant shall also provide a description of any known encumbrances on the property not described on the title commitment, title opinion or Certificate of Title.
4. Certificate of compliance for any sewage treatment system on the property. No certificate of compliance dated more than ten (10) years prior to the date of application will be accepted. If any septic system on the property is not compliant, the system must be upgraded or abandoned according to the Zoning Ordinance and applicable State regulations and a new certificate of compliance submitted before any Simple Plat application may be considered complete.
5. A soil report and soil boring logs by a Minnesota Licensed Soil Scientist (except on lots where a home already exists on the property).
6. If more than one (1) acre of impervious surface will be created by the Simple Plat a stormwater management plan must be prepared. Written comments from the Town Board as the drainage authority must be provided. The stormwater management plan must include: (1) the existing and proposed drainage, including calculations; (2) a grading plan; and (3) a stormwater pollution prevention plan.
7. Plats with no potential wetland impacts may submit a Routine Level 1 Delineation, unless waived by the Zoning Administrator based on available information from the National Wetland Inventory maps and the County Soil Survey. Simple Plats with potential wetland impacts may require a Routine Level 2 Delineation for any wetlands on the property, approved by the Local Governing Unit and Technical Evaluation Panel.
8. Six (6) paper copies of the preliminary plat and one 11" x 17" copy, and a copy in PDF format.
9. Documentation that the plat has been approved by the Township Board of Supervisors in the Township where the plat is located.
10. Comments from any municipalities within two miles of the affected property.
11. All other information deemed necessary by the Zoning Administrator to provide an adequate basis to make a decision on the plat.

B. The plat drawing must include the following:

1. Existing Features (if applicable):
 - a) Existing property lines and all property lines extending 100 feet from the exterior boundaries of the property to be platted, along with the names of adjacent property owners and the current use of those properties.
 - b) Existing public and private roads, including length of road frontage and the existing right-of-way of any public road abutting the property to be platted.
 - c) Existing buildings and any other impervious surface.
 - d) Existing access to any public road.
 - e) Location of any existing or abandoned wells, sewage treatment systems or areas with solid waste accumulation.
 - f) Location of any lakes, waterways or other public waters on or adjacent to the property.
 - g) Delineated wetland boundaries for all wetland located on the property.
 - h) Elevation and boundary line of the Ordinary High-Water Level.
 - i) The 100-year flood elevation, Regulatory Flood Protection Elevation, if available and floodway, flood fringe and flood plain district boundaries.
 - j) Shoreland district boundary, if any part of the plat is in shoreland areas.
 - k) Topography at two (2) foot intervals.
 - l) Surface water drainage patterns.
 - m) Soil survey identification numbers and boundaries overlaid on the preliminary drawing.

2. Proposed Features:
 - a) Lot and Block layout and numbering.
 - b) Lot area and dimensions.
 - c) Setback lines.
 - d) Proposed driveway access.
 - e) Delineated buildable lot area, showing soil types and boring location on each lot, certified by a Licensed Minnesota Soil Scientist unless exempt under Subdivision 3.5.
 - f) For residential plats, the building pad site and two (2) sites suitable for individual sewer treatment systems, based on the topography and soil borings taken at those sites.
 - g) For commercial or industrial plats, the building pad site, two (2) sites suitable for individual sewer treatment systems, based on the topography and soil borings taken at those sites, and the location of areas for parking, landscaping, screening and other requirements of the Zoning Ordinance.
 - h) Lowest floor elevations (LFE) and lowest opening elevations (LOE) shown on every lot.
 - i) Areas designated for other uses (outlots, parks, trails, etc.)

3. General Information:
 - a) Proposed name of the plat.
 - b) Total acreage of the property to be platted and the acreage of any unplatted remaining property.
 - c) Existing Zoning.
 - d) A Boundary Survey and legal description, pursuant to the Sherburne County Public Works Platting Manual.
 - e) Scale, date and North orientation.

- f) Graphic scale of not less than 1 inch to 100 feet.
- C. The application will be considered complete only when all of the required information and documentation has been submitted. Incomplete applications shall be considered withdrawn and shall be invalid one year after the initial submittal.

Subdivision 5: Preliminary and Final Plat Procedure

- A. A Simple Plat application will be reviewed and considered according to the following procedure:
 - 1. Planning and Zoning Department staff will review submitted applications for completeness pursuant to Minnesota Statutes section 15.99. When the preliminary plat application is deemed complete, the Department staff will set a public hearing on the plat. Public notice shall be provided in accordance with Minnesota Statutes chapter 394.
 - 2. The plat shall be submitted to the County Surveyor for written comments and recommendations. When a plat includes land abutting an existing or established County Road or County State Aid Highway, the plat shall be submitted to the County Engineer for written comments and recommendations. When a plat includes land abutting an existing or established trunk highway, the preliminary plat shall be submitted to the Commissioner of Transportation for written comments and recommendations.
 - 3. The applicant may request that the Planning Advisory Commission review and consider and make recommendations for the final plat while it considers the preliminary plat, so long as the final plat complies with the requirements of this Ordinance, including incorporating all recommended changes or modifications to the preliminary plat.
 - 4. The Planning Advisory Commission will conduct a public hearing before final consideration of the plat. Following the public hearing, the Planning Advisory Commission shall submit its findings and recommendations to the County Board. The recommendation may be conditional, and may recommend approval or denial of the plat.
- B. A completed Simple Plat application will be reviewed and considered in accordance with the following criteria, in addition to other considerations that may be applicable to an individual plat application:
 - 1. The preliminary plat shall conform to all applicable Ordinances and state and federal laws.
 - 2. The preliminary plat shall be consistent with the Sherburne County Comprehensive Plan.
 - 3. No plat shall be approved if it does not conform to any applicable floodplain overlay district standards contained in the Sherburne County Zoning Ordinance.
 - 4. No plat shall be approved where a variance would be required to use the lot(s) for their intended use.

5. In addition to meeting the buildable lot area requirements of the applicable zoning district, each lot shall have sufficient buildable area to accommodate the construction of structures and driveways, a sewage treatment system, two (2) soil treatment and dispersal areas to support the system, and a water supply system, while providing for all required setbacks. Areas that are in floodways, wetlands, rights-of-way, bluffs or steep slopes, or that have soils that are unsuitable for individual sewage treatment systems shall not be included in calculating the buildable area of a lot.
6. No plat shall be approved that does not contain adequate provisions for stormwater runoff.
7. The County shall consider whether the plat as proposed adequately protects the health, safety and welfare of County residents by providing for a safe drinking water supply, adequate sewage treatment capacity, adequate stormwater runoff and erosion control, safe road access, proper road alignment and capacity and proper setbacks and buffering from conflicting land uses.
8. The final plat shall have incorporated all changes or modifications recommended by the Planning Advisory Commission and, the County Engineer. In all other respects, the final plat shall conform to the preliminary plat.
9. The final plat shall include the content and be in the form required by the Sherburne County Public Works Platting Manual and Minnesota Statutes chapter 505. The applicant shall also provide a copy of the final plat in PDF format.
10. If the final plat is approved by the County Board, the subdivider shall obtain all necessary signatures on mylars that conform to the Sherburne County Platting Manual and record the plat with the Sherburne County Recorder within one year of the date of approval. The subdivider shall provide the County Attorney with an updated title commitment, title opinion or certificate of title, as required by the Sherburne County Public Works Platting Manual, prior to obtaining the County Attorney's signature. In addition to the requirement to record the plat within one year after approval, the plat must be recorded within fifteen (15) calendar days after obtaining the County Attorney's signature. If a final plat is not recorded within one year following County Board approval and/or fifteen days after the County Attorney's signature, the plat shall become null and void.