

# SECTION 10 - STANDARD PLAT

<b>Subdivision 1: Purpose</b> .....	1
<b>Subdivision 2: Restrictions</b> .....	1
<b>Subdivision 3: Pre-application Meeting</b> .....	1
<b>Subdivision 4: Plat Submission Information</b> .....	2
<b>Subdivision 5: Preliminary Plat Approval Procedure</b> .....	4
<b>Subdivision 6: Final Plat Process</b> .....	6

## **Subdivision 1: Purpose**

Standard Plats allow subdivision of land into lots smaller than the minimum metes and bounds size in the zoning district, 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 Standard Plat is required to subdivide land where the proposed subdivision does not qualify for an Administrative Subdivision, Simple Plat or Registered Land Survey.

## **Subdivision 3: Pre-application Meeting**

A. A pre-application meeting with the Planning and Zoning Department is required for all Standard Plats. The purpose of the pre-application meeting is to review the proposed Standard Plat and all applicable laws, ordinances, policies and procedures relating to the Standard 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 utilities (overhead and underground);
  8. 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:           Plat Submission Information**

- A. The owner and subdivider shall file an application for Standard 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 Standard 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 Standard Plat application may be considered complete.
  5. A soil report and soil boring logs by a Minnesota Licensed Soil Scientist.
  6. A stormwater management plan for the proposed development, along with written comments from the Town Board, as the drainage authority, relating to the plan. 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. A Routine Level 2 Wetland 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 (1) 11" x 17" copy, and one copy in PDF format.
9. Documentation that the preliminary plat has been approved by the Township Board of Supervisors in the Township where the plat is located.
10. 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:

- 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 public access to any public road.
- d) Existing buildings and any other impervious surface.
- 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 wetlands 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, if applicable.
- j) Shoreland district boundary, if any part of the plat is in shoreland areas.
- k) Topography at two (2) foot contours extending 200 feet beyond the property boundaries.
- 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 streets, including width, length, names and other requirements of this Ordinance, the Zoning Ordinance and other applicable official controls.
- e) Proposed drainage and utility easements, and other easements or controls necessary for drainage, slope protection, flood protection, protection of wetlands and waterbodies, and stormwater retention areas.
- f) Delineated wetland boundaries.

- g) Proposed driveway access.
- h) Delineated buildable lot area, showing soil types and boring location each lot, certified by a Licensed Minnesota Soil Scientist.
- i) 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.
- j) 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 and screening meeting the requirements of the Zoning Ordinance.
- k) Lowest floor elevations (LFE) and lowest opening elevations (LOE) shown on every lot.
- l) 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.
- c) Existing Zoning.
- d) Scale, date and North orientation.
- e) Graphic scale of not less than 1 inch to 100 feet.
- f) A Boundary Survey and legal description, pursuant to the Sherburne County Public Works Platting Manual.
- g) A tree and woodland preservation plan, as may be required by section 11 of this Ordinance.

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 initial submittal.

**Subdivision 5: Preliminary Plat Approval Procedure**

A. A preliminary plat is a plan for how the property will be developed. The preliminary plat approval stage is the point in the process where all information relating to the proposed development is submitted by the subdivider for review and consideration by the Planning and Zoning Department, the Planning Advisory Commission and the public. The information submitted in the application must address both the existing conditions on the property and the changes that will occur during and after the development. Additional information may be required during the approval process in order to provide an adequate basis for making a decision, and changes may be required by the Planning and Zoning Department, the Planning Advisory Commission and the County Board.

B. A Preliminary Standard 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, Department staff will set a public hearing on the plat. Public notice shall be provided in accordance with Minnesota Statutes chapter 394.

2. The preliminary plat shall be submitted to the County Surveyor and Engineer for written comments and recommendations. When a preliminary 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 Planning Advisory Commission will conduct a public hearing before final consideration of the preliminary 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 preliminary plat.
  4. Approval of the preliminary plat by the County Board does not constitute acceptance of the subdivision, but allows the applicant to proceed with the final plat.
  5. In the event an approved preliminary plat is not submitted to the County Board for final plat approval within one (1) year of preliminary plat approval, the preliminary plat will become null and void. One administrative extension of up to one (1) year may be granted by the Zoning Administrator upon written request of the subdivider, provided that there is reasonable cause for the request and that the request is made prior to the original one-year deadline. For phased developments, additional extensions may be granted by the County Board as provided in Subdivision 6.2.
- C. A completed Standard 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.

#### **Subdivision 6: Final Plat Process**

- A. A subdivider may file an application for final plat approval within the time required following preliminary plat approval. The application shall include 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 Final Standard Plat applications.
  3. An updated (within thirty (30) days of the date of application) title commitment or title opinion for all the property being platted. For Torrens property, the application must include a current Certificate of Title for all of the property being platted.
  4. Six (6) full size copies of the Final Plat, one (1) 11” x 17” copy, and one copy of the plat in a PDF format.
  5. Six (6) full-sized copies of the Grading and Drainage Plans, one (1) 11’x17’ copies of Grading and Drainage Plans one copy of the plans in a PDF format
  6. A 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 the Zoning Ordinance and applicable State regulations and a new certificate of compliance submitted before any Standard Plat application may be considered complete.
  7. A stormwater management plan for the proposed development, along with written comments from the Town Board, as the drainage authority, relating to the plan. 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.
  8. The County Surveyor and Public Works Department must approve the final plat as in conformance with Sherburne County Public Works Platting Manual and Minnesota Statutes chapter 505.

9. Prior to consideration by Planning Advisory Commission, the applicant must submit documentation of approval by the Town Board in the Township where the plat is located pursuant to MN Statute Section 505.09 Subpart 1. A.
- B. The application may request final plat approval for all of the development or may be limited to only that portion of the preliminary plat that the subdivider intends to develop at the time. In the case of a phased development, the County Board may grant an extension to the deadline to record the final plat, provided that the subdivider must request the extension at the same time that the first phase is submitted for final plat approval. If an extension is granted by the County Board, the final plat for all subsequent phases shall be subject to the official controls in effect at the time of final plat approval for such subsequent phases.
- C. The final plat shall have incorporated all changes or modifications recommended by the Planning Commission, the County Surveyor and, if applicable, the County Engineer and/or the Commissioner of Transportation. In all other respects, the final plat shall conform to the preliminary plat.
- D. 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.
- E. The final plat shall be considered a complete application when the Zoning Administrator determines that the requirements of this Ordinance have been met and the County Engineer and County Surveyor have determined that the plat conforms to the requirements of the Sherburne County Public Works Platting Manual and Minnesota Statutes chapter 505.
- F. If the final plat is approved by the County Board, the subdivider shall obtain all necessary signatures 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.