

NEW SCANDIA TOWNSHIP

THE TITLE AND SUMMARY OF THIS ORDINANCE HAS BEEN PREPARED FOR PUBLICATION PURSUANT TO MINNESOTA STATUTES 368.01(21).

ORDINANCE 23

AN ORDINANCE ESTABLISHING PLATTING AND SUBDIVISION REGULATIONS TO PROVIDE FOR ORDERLY, ECONOMIC AND SAFE DEVELOPMENT OF LAND AND TO PROMOTE THE PUBLIC HEALTH, SAFETY, MORALS AND GENERAL WELFARE IN THE TOWNSHIP OF NEW SCANDIA, WASHINGTON COUNTY, MINNESOTA.

The Town Board of the Township of New Scandia, Washington County, Minnesota ordains:

Section 1. Summary. The purposes of the ordinance are to:

- (A) Encourage well planned, efficient and attractive subdivisions by establishing adequate standards for design and construction.
- (B) Provide for the health and safety of residents by requiring properly designed streets and adequate sewage and water service.
- (C) Place the cost of improvements against those benefiting from their construction.
- (D) Secure the rights of the public with respect to public lands and waters.
- (E) Set the minimum requirements necessary to protect the public health, safety, comfort, convenience and general welfare.

Section 2. This ordinance adopts the Model Code for Washington County Communities (1986) entitled Subdivision Ordinance amended as follows:

- (A) Page 3, Paragraph (1) is amended to read as follows:
  - (1) Prepare Sketch Plan. Meet with township officials and County Planning Department to discuss zoning requirements and platting procedure.
- (B) Section 501.01 (6) is amended to read as follows:  
List of adjoining property owners within 500 feet of the proposed plat.

(C) Section 701 is amended to read as follows:

701 Streets.

- (1) 701.01 Street Grading. Streets shall be graded in accordance with a plan approved by the engineer. 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.
- (2) 701.02 Street Pavement. The design of street pavement for all streets covered by this regulation shall be in accordance with the State of Minnesota Highway Department Road Design Manual No. 5-291 for flexible pavements. The designed thickness of the surfacing elements shall be in accordance with the flexible pavement design standard for road classifications as follows:

| <u>Classification</u>   | <u>Pavement Design; Axle Load</u> |
|---|-----------------------------------|
| Arterials, Collector Streets<br>and Commercial or Industrial<br>Service Streets | As determined by<br>traffic needs |
| Local Streets   | 7 ton minimum                     |

- (3) 701.03 Gravel surface. Streets that at the present time will only have a gravel surface shall be designed so the base and sub-base requirements as set forth in State of Minnesota Highway Department Road Design Manual No. 5-291 for flexible pavement are met. In all cases at least the top six (6) inches of the street surface shall be of class 5 gravel or a material as approved by the engineer.
- (4) 701.04 Soil Tests. To determine subgrade soil classifications, soil samples shall be collected and analyzed by a reputable testing laboratory. Reports of the soil analysis shall be submitted to the engineer with the pavement plans. Soil samples shall be taken along the center line of the proposed road at intervals not exceeding 300 feet.

- (5) 701.05 Curb and Gutter. Concrete curb and gutter shall be constructed on both sides of urban designed streets. The construction shall be in accordance with Standard Specification for Highway Construction, M.H.D. Spec. No. 2531 or 2535.
- (6) 701.06 Boulevards. All boulevards shall have four (4) inches of top soil (black dirt) placed on them and then be seeded or sodded.
- (7) 701.07. Sidewalks and Pedestrian Ways. All required walks shall be concrete four (4) inches thick placed on a four (4) inch gravel base. Grades shall be as approved by the community engineer. Sidewalks shall be placed in the public right-of-way.

(D) Section 702 is amended to delete in its entirety Section 702.02.

(E) The last paragraph of Section 903.03 is amended to read as follows:

In minor subdivisions, a fee of \$75.00 per lot created must be paid to the Town for public recreation purposes.

(F) The first paragraph of Section 905.01 is amended to read as follows:

905.01. In the case of a subdivision resulting in three (3) or less parcels, situated in a locality where conditions are well defined, the Town Board may exempt the subdivider from complying with some of the requirements of these regulations. In the case of a request to subdivide a lot which is a part of a recorded plat, or where the subdivision is to permit the adding of a parcel of land to an abutting lot or to create not more than three (3) lots, and the newly created property lines will not cause any resulting lot to be in violation of these regulations or the Zoning Ordinance, the division may be approved by the Town Board, after submission of a survey by a registered land surveyor showing the original lot and the proposed subdivision. The newly created parcels shall meet all requirements of the Zoning Ordinance. Topographic data at ten (10) foot contour intervals, driveway access points, drainage plans, and soil tests for the installation of an on-site septic system shall be submitted for minor subdivision review. A Certificate of Survey shall be prepared by a registered land surveyor showing the boundaries of the newly created lots. Prior to approval of a minor subdivision, the Town Board reserves the right to require the dedication of streets, utility easements, or public park land or

cash in lieu of land. A maximum of three (3) lots in a five (5) year period are permitted utilizing the minor subdivision procedure. In cases where the new lot and resulting lots created exceed twenty (20) acres and have five hundred (500) feet of frontage on a public road, subdivision approval is not required.

(G) There shall be added to Section 905, Section 905.02 as follows:

Approval of a minor subdivision by the Town Board shall only be given after a public hearing is held by the Planning Commission or the Town Board. Notice of the purpose, time and place of such public hearing shall be published in the official newspaper at least 10 days prior to the day of hearing. Mailed notice of the hearing shall be made to each of the owners of all property located within a minimum of 500 feet of the property being subdivided and such other persons as the Town Board or Planning Commission may direct. The hearing shall be held within 30 days of the date the request for subdivision is presented to the Town Clerk unless approval of the Commissioner of Transportation and/or the County Highway engineer is required in which event final action on the subdivision request shall not be taken until after the comments and recommendations of the Commissioner of Transportation and/or County Highway Commissioner have been received or until the 30 day review period has elapsed.

(H) Section 909.01 is amended to read as follows:

Conveyances by metes and bounds shall only be permitted in minor subdivisions after submission of a survey except that no survey shall be required on parcels at least 20 acres in area with no less than 500 feet of frontage on a public road.

Section 3. All ordinances, or parts thereof, in force at the time this ordinance takes effect that are inconsistent with this model subdivision ordinance, as amended, are hereby repealed. Any firm, person or corporation who violates any of the provisions of this ordinance, or who sells, leases or offers for sale or lease any lot, block or tract of land herewith regulated before all the requirements of these regulations have been complied with shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to fine and/or imprisonment. Each day that a violation is permitted to exist shall constitute a separate offense.

Section 4. Enforcement.

(A) No building permit shall be issued for any construction, enlargement, alteration, or repair, demolition or moving of any building or structure on

any lot or parcel until all the requirements of this regulation have been fully met.

(B) Any firm, person or corporation who violates any of the provisions of these regulations, or who sells, leases or offers for sale or lease any lot, block or tract of land herewith regulated before all the requirements of these regulations have been complied with shall be guilty of a misdemeanor, and upon conviction thereof be subject to fine and/or imprisonment. Each day that a violation is permitted to exist shall constitute a separate offense.

Section 5. A printed copy of the entire ordinance is available for inspection by any person during regular office hours of the Town Clerk and at the Marine on St. Croix, Minnesota public library.

Section 6. This ordinance shall be in full force and effect from and after the date of its passage and publication according to law.

Adopted by the Town Board of New Scandia Township this 15<sup>th</sup> day of December, 1987.

  
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Russell Jackson  
Chairman

ATTEST

  
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Dolores Peterson, Clerk