

SECTION 1103 PROCEDURE AND REQUIRED CONTENTS FOR SUBMISSION OF PLATS

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Subd.1 SKETCH PLAN CONTENTS.

- A Sketch Plan contents. The sketch plans shall contain, at a minimum, the following information:
1. Plat boundary.
 2. North arrow.
 3. Scale.
 4. Street layouts and names on and adjacent to the proposed plat.
 5. Designation of land use and current and proposed zoning.
 6. Significant topographical or physical features, including wetlands.
 7. General lot locations and layout and proposed density.
 8. Proposed playgrounds, parks and recreational facilities.
 9. Unique land characteristics and general topography.
 10. Preliminary description of sanitary sewer, potable water and general drainage improvements.
 11. Preliminary evaluation by the applicant that the subdivision is not classified as premature based upon criteria established in Section 1103, Subd. 5 of this Ordinance.
 12. Additional written data shall include approximate number of lots, typical lot width and depth, and what zoning changes would be required.

Subd. 2: SKETCH PLAN PROCESS.

- A. Pre-application/sketch plan meeting. Prior to the preparation of a preliminary plat, the applicant shall meet with the Zoning Administrator in order to be made aware of all applicable ordinances, regulations and plans in the area to be subdivided. At such time or at subsequent meetings, the applicant shall submit five (5) large-scale (22" x 34") copies and thirteen (13) reduced scale (11" x 17") copies of a sketch plan of the proposed subdivision to include future phases and an estimated timetable for development.
8. Submission of a sketch plan shall not constitute formal filing of a plat with the City. The City shall arrange a pre-application meeting with the developer, the City Engineer, Public Works Staff and other departments as deemed necessary to provide the developer with input on the proposed

sketch plan. The Zoning Administrator shall refer the sketch plan to the Planning Commission for review and informal comment. Any advice, comments or recommendations for modifications made by the Planning Commission or City Council are advisory only and shall not constitute approval or a commitment to approve.

- C. As far as may be practical on the basis of a sketch plan, the City will informally advise the developer as promptly as possible of the extent to which the proposed subdivision conforms to the design standards of this Ordinance and will discuss possible plan modifications necessary to secure conformance.
- D. The developer shall be responsible for costs associated with the review of the sketch plan, preliminary plat and final plat, in accordance with the fee schedule of the City.

Subd. 3 GHOST PLAT.

- A. Requirements for Ghost Plat Submittal. A build out plan (ghost plat) shall be required for the following subdivision applications:
 - 1. Whenever a parcel of land is subdivided and the subdivision plat shows one or more lots or outlets that may eventually be subdivided into smaller lots.
 - 2. Whenever a developer or property owner is platting only a portion of the property in which they have title to or a legal interest in and the balance of the unplatted property is adjacent to the subject property, a build out plan of the entire area shall be submitted.
 - 3. Cluster subdivisions or open space design subdivisions that preserve open space for future development.

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- 8. Design Requirements. The build out plan (ghost plat) shall illustrate the following:
 - 1. Lot design consistent with the long term planning for the area (Comprehensive Plan).
 - 2. The layout of future streets. Local streets shall be planned to provide street connections to adjoining parcels, neighborhoods, or future development open spaces as a means of discouraging the reliance on County and State roads for local trips.
 - 3. Easement locations for utilities and storm water drainage.
 - 4. Locations of building pads on the lots to accommodate future subdivision.
 - 5. The build out plan shall be required to provide information demonstrating how public utilities may be extended to the subdivision to accommodate future urban development.

Subd. 4: PRELIMINARY PLAT CONTENTS. The applicant shall prepare and submit a preliminary plat, together with any necessary supplementary information. The preliminary plat shall contain the information set forth in the subsections that follow (Upon specific request, the City may exempt an applicant from the submission of data which is not considered relevant to the application.):

- A. Proposed conditions.
 - 1. The proposed name of the subdivision names shall not duplicate or be alike in pronunciation to the name of any plat previously recorded in the County.
 - 2. Boundary lines to include bearings, distances, curve data, and total acreage of proposed plat, clearly indicated.

3. Name, address and phone number of the record owner (s), any agent having control of the land, the applicant, land surveyor, engineer and designer of the plan.
4. Graphic scale at a minimum of one (1) inch to one hundred (100) feet, except as specifically approved by the Zoning Administrator.
5. North point and key map of the area, showing well-known geographical points for orientation within a one-half (1/2) mile radius.
6. Date of preparation.
7. The legal description of the land contained within the subdivision including the total acreage of the proposed subdivision.
8. Total area of the proposed plat, in acres.
9. Existing and proposed covenants.
10. A list of any liens or encumbrances
11. Elevation benchmarks used for the topographic survey and datum on which they are based.
12. Reference to the Douglas County Coordinate System for the topographic survey.
13. Results of site evaluation, including percolation tests and soil borings.

B. Existing Conditions:

1. Location of boundary lines in relation to a known section, quarter section or quarter-quarter section lines comprising a legal description of the property.
2. Existing zoning classifications for land in and abutting the subdivision.
3. 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, corporate lines within the plan, to a distance of one hundred fifty (150) feet beyond the plat.
4. Location, size, and elevations of existing sewers, water mains, culverts or other underground facilities within the preliminary plat area and to a distance of one hundred fifty (150) feet beyond. Such data as top grades and locations of catch basins, manholes, elevations, invert elevations, hydrants and the street pavement width and type also shall be shown.
5. Boundary lines of adjoining un-subdivided or subdivided land, within one hundred fifty (150) feet of the plat, identified by name and ownership, including all contiguous land owned or controlled by the applicant.
6. Topographic data, including contours at vertical intervals of not more than two (2) foot shown on a contour/topographic map. Watercourses, marshes, wooded areas, rock outcrops power transmission poles and lines, and other significant features also shall be shown. U. S. G. S. datum shall be used for all topographic mapping.
7. Subsurface conditions on tracts for subdivisions utilizing individual water and sewage disposal systems; location and results of tests to ascertain subsurface soil, rock and groundwater conditions and availability; location and results of soil percolation tests.
8. Ordinary high water elevations of adjacent lakes and wetlands.

9. A statement certifying the environmental condition of the site including the presence of any known hazardous substance as defined in Minnesota Statutes 1158.02, Subd. 8. Such statement may be required to be based upon an environmental assessment or Phase 1 of the site by an environmental engineer acceptable to the City.
10. Geotechnical data with surface and subsurface soils and groundwater in sufficient detail to show the site to be suitable for the development proposed.
11. A vicinity map at, at least 4" x 4" in size on the full size plans, showing the relationship of the proposed subdivision to adjacent properties, roads, right-of-ways, and other property and subdivision within three hundred-fifty feet (350) of the proposed subdivision, and the relation of the plat to the surrounding zoning districts.
12. All existing survey monuments that have been found.
13. Areas in the plat which have been designated as shoreland, wetlands and/or floodplain by the Department of Natural Resources, including the ordinary high water mark of all wetlands.
14. An indication as to which lands are registered Torrens property or abstract property. If land is abstract property, a registered land survey shall be required.
15. Location, size and species of significant trees and wooded areas.
16. Existing impervious surface areas.

C. Proposed Design Features.

1. Layout of proposed streets showing the right-of-way widths, centerline grades, roadway widths, typical cross-sections, and proposed names of streets in conformance with City street identification policies. The name of any street heretofore used in the City or its environs shall not be used unless the proposed street is a logical extension of an already named street, in which event the same name shall be used.
2. Locations and widths of proposed alleys and pedestrian ways.
3. Gradients of proposed streets, sewer lines and water mains.
4. Location, dimension and purpose of all easements.
5. Layout, numbers, lot areas and preliminary dimensions of lots, blocks, and outlets. The total number of proposed lots, with minimum, maximum and average size in square footage.
6. Minimum front, rear and side street building setback line.
7. When lots are located on a curve, the width of the lot at the building setback line.
8. Building pads intended for construction.
9. Areas, other than streets, alleys, bikeways, pedestrian ways and utility easements, intended to be dedicated or reserved for public use, including the size of such an area or areas in acres.
10. Water supply.

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- a. If applicable, the proposed location and sizing of public water system mains and service connections to be provided as part of initial construction or to be provided at a later date.
 - b. If applicable, the location and sizing of proposed on-site water systems.
11. Sewage disposal.
- a. If applicable, the proposed location and routing of public sewer mains and service connections proposed as part of initial construction or to be provided at a later date.
 - b. If applicable, the location and size of proposed on-site waste disposal systems.
12. Grading plan with minimum two (2) foot contours which shall include the proposed grading and drainage of the site, including provisions for surface water ponding and drainage. Also to be stipulated are the garage floor, first floor, and basement elevations of all structures. The Plan shall include 100-year storm elevations for ponds.
13. Proposed fill, levees, channel modification, and other methods to overcome flood or erosion hazard areas in accordance with the Zoning Ordinance and by use of the 100-year flood profile and other supporting technical data in the Flood Insurance Study.
14. The location, size and proposed improvements for proposed parks, playgrounds and public open spaces; churches or school sites or other special uses of land to be considered for dedication to public use and maintenance or to be reserved by deed of covenant for the use of all property owners in the subdivision and any conditions of such dedication or reservation.
15. Proposed pedestrian ways and trails.
16. Landscape Plans detailing the following.
- a. Detailed natural land analysis including vegetation, soil types and slopes.
 - b. Man-made features.
 - c. Details of all proposed vegetative landscaping materials, including placement, Latin name, common name, caliper/height and quantity.
 - d. Details of all proposed non-vegetative land landscaping and screening materials.
 - e. Where landscape or man-made materials are used to provide required screening from adjacent and neighboring properties, a cross-section shall be provided at a legible scale illustrating the prospective of the site from the neighboring property and property line elevation.
 - f. Planting and construction schedule for completion of landscaping and screening plans. The final landscaping and screening plan must be approved by the Planning Commission at the time of the site plan review.
18. Proposed impervious areas.
- D. The items listed in this section shall be in conformance with all other applicable sections of this Ordinance.
- E. Supplementary Information: Any or all of the supplementary information requirements set forth in this subsection shall be submitted when deemed necessary by the City staff, consultants advisory bodies and/or the City Council to adequately address the application and site in question.

1. Proposed protective covenants or private restrictions, as well as proposed administrative and enforcement controls.
2. Statement of the proposed use of lots stating type of buildings with number of proposed dwelling units or type of business or industry and if known location and size of parking lots, so as to reveal the effect of the development on traffic, fire hazards, and congestion of population. The City may require the applicant to have formal traffic or other studies performed to the City's satisfaction which show the effect of the proposed development on traffic, fire hazards, congestion, or other matters of public concern.
3. If any zoning changes are contemplated, the proposed zoning plan for the areas, including dimensions, shall be shown. Such proposed zoning plan shall be for information only and shall not vest any rights in the applicant.
4. Where the applicant owns property adjacent to that which is being proposed for the subdivision, it shall be required that the applicant submit a ghost plat of the remainder of the property so as to show the possible relationships between the proposed subdivision and the future subdivision. In any event, all subdivisions shall be required to relate well with existing or potential adjacent subdivisions and land uses.
5. Where structures are to be placed on large or excessively deep lots which are subject to potential replat, the preliminary plat shall include a ghost plat that indicates a logical way in which the lots could possibly be re-subdivided in the future.
6. A plan for soil erosion and sediment control both during construction and after development has been completed. The plan shall include gradients of waterways, design of velocity and erosion control measures, design of sediment control measures, and landscaping of the erosion and sediment control system. Such plans are to be in accordance with the technical standards and specifications of the Minnesota Pollution Control Agency.
7. Drainage calculations for all on-site storm water management systems (i.e. ponds, storm sewer, culverts, etc.).
8. An environmental assessment worksheet shall be submitted if the City, Engineer, Minnesota Environmental Quality Board or other groups or agencies determine that one is required by law.
9. Applications, statements and supporting documentation and plans for rezoning, variances, conditional use permits or planned unit development approvals being sought for the subdivision.
10. Proof of review by other affected agencies (County, MNDOT, DNR, Corps of Engineers, etc.).
11. A statement describing the proposed phasing of the plat and number of lots to be developed with each phase.
12. Such other applicable information as may be required by the City.

Subd. 5 PRELIMINARY PLAT PROCESS.

- A. Process for Preliminary Plat review. After the pre-application meeting and following City review of the sketch plan, the applicant shall prepare a request for review of the preliminary plat for the subdivision, as provided within this Ordinance. The request shall be filed with the City on an official application form. A fee as provided for by City Council Ordinance shall accompany such application. Such application shall also be accompanied by five (5) large-scale copies and

thirteen (13) reduced scale (not less than 11"x17") copies of a preliminary plat and supportive information in conformity with the requirements of this Ordinance. If, in the opinion of the Zoning Administrator, reduced scale drawings (11"x17") are determined to be illegible, the submission of larger scale materials shall be required. The scale of such materials shall be the minimum necessary to ensure legibility. The request for subdivision shall be placed on the agenda of the first available Planning Commission meeting.

- B. The applicant shall supply proof of title and the legal description of the property for which the subdivision is requested, consisting of an abstract of title or registered property abstract currently certified together with any unrecorded documents whereby the petitioners acquire a legal ownership or equitable ownership interest and as applicable, supply documented authorization from the owner(s) of the property in question to proceed with the requested subdivision.
- C. The applicant shall submit any necessary applications for variances from the provisions of this Ordinance, as set out in Section 1107, Subd. 4 of this Ordinance. The preliminary plat shall be considered as being officially submitted only when all of the information requirements are complied with and the appropriate fees paid.
- D. Upon receipt of the completed application as outlined in A, B, and C above, the Zoning Administrator shall set a public hearing for public review of the preliminary plat by the Planning Commission. Notice of the hearing may be a legal or display advertisement and shall consist of a legal property description, description of the request, and shall be published in the official newspaper at least ten (10) days prior to the hearing. Written notification of the hearing shall be mailed at least ten (10) days prior to the hearing. Requests affecting and located within non-platted areas of the City shall be noticed to all property owners within three hundred fifty (350) feet of the property in question. A copy of the notice and a list of the property owners and addresses to which the notice was sent shall be attested and made a part of the records of the proceeding.
- E. Failure of a property owner to receive said notice shall not invalidate any such proceedings as set forth within this Section provided a bona fide attempt has been made to comply with the notice requirements of this Section.
- F. The Zoning Administrator shall instruct the staff as appropriate to prepare technical reports and provide general assistance in preparing a recommendation on the action to the Planning Commission. This may include the City Engineer, Building Official, City Attorney, and public or private utility departments, among others. The presence of any of the above, which may be considered an employee of the City, will not preclude the City from obtaining a recommendation from an independent contractor performing similar duties and responsibilities if, in the opinion of the Zoning Administrator, the independent contractor possesses a set of skills and abilities required for a fair evaluation of the request.
- G. Upon receipt of a complete application for a preliminary plat, the Zoning Administrator or the Administrator's designee shall refer copies of the preliminary plat data as required to the following individuals or bodies.
 - 1. City Engineer.
 - 2. City Attorney.
 - 3. School District.
 - 4. Commissioner of Transportation if the proposed subdivision includes land abutting an established or proposed trunk highway.

5. County Engineer if the proposed subdivision includes land abutting a County or County State-aid highway.
 6. State Commissioner of Natural Resources if the proposed subdivision adjoins a public body of water.
 7. The Watershed District Board, if applicable.
 8. The Corps of Engineers if the proposed subdivision abuts a navigable waterway, as defined by said Agency.
 9. Each utility company.
 10. Other City department heads as appropriate.
 11. Park Board.
 12. Planning Commission
- H. The Planning Commission, City Council, and City staff shall have the authority to request additional information from the applicant concerning the proposed subdivision and its operational factors or impact, or to retain expert testimony with the consent and at the expense of the applicant concerning operational factors or impacts, when said information is to be declared necessary to establish performance conditions in relation to all pertinent sections of this Ordinance. Failure on the part of the applicant to supply all necessary supportive information may be grounds for denial of the request.
- I. The applicant or a designated representative thereof shall appear before the Planning Commission at the public hearing in order to answer questions concerning the proposed request.
- J. The Planning Commission, at the conclusion of the public hearing, shall recommend to the City Council one of the following courses of action.
1. Approval of the preliminary plat, as presented.
 2. Approval of the preliminary plat, with conditions.
 3. Denial of the preliminary plat, with reasons.

The Planning Commission may, at its discretion and with the approval of the applicant, table the matter pending further information from the applicant that will help it render a recommendation to the City Council.

- K. City Council Action.
1. The reports and recommendations of City staff and the Planning Commission shall be entered in and made part of the permanent written record of the City Council meeting.
 2. The Council shall approve or disapprove the preliminary plat within one hundred twenty (120) days following delivery of an application completed in compliance with this Ordinance unless an extension of the review period has been agreed upon in writing by the applicant and the Zoning Administrator.
 3. If the preliminary plat is not approved by the City Council, the reasons for such action shall be recorded in the proceedings of the Council and shall be transmitted to the applicant if the preliminary plat is approved, such approval shall not constitute final acceptance of the design

and layout. Subsequent approval will be required of the engineering proposals and other features and requirements as specified by this Ordinance to be indicated on the final plat. The City Council may impose such conditions and restrictions as it deems appropriate or require such revisions or modifications in the preliminary plat or final plat as it deems necessary to protect the health, safety, comfort, general welfare and convenience of the City.

4. The City Council reserves the right to decline approval of a preliminary plat if due regard is not shown for the preservation of all natural features, such as topography, trees, water courses, scenic points, prehistoric and historical spots, and similar community assets which, if preserved, will add attractiveness and stability to the proposed development of the property.
5. Following City Council approval of a preliminary plat, the applicant must submit a final plat to the City within one year of preliminary plat approval unless otherwise specified as part of a Development Agreement. If this procedure is not followed, then approval of the preliminary plat shall be considered void, unless the applicant submits a request for time extension in writing at least thirty (30) days prior to the lapse of approval and subsequently approved by the City Council.
6. Should the applicant desire to amend a preliminary plat as approved, an amended preliminary plat may be submitted. The City may require the applicant to follow the same procedure as a new preliminary plat. No public hearing will be required unless the amendment, in the opinion of the City Council, is of such scope as to constitute a new preliminary plat. A filing fee as established by the City shall be charged for the amendment processing.

Subd. 6 FINAL PLAT CONTENTS. The applicant shall submit a final plat together with any necessary supplementary information. The final plat, prepared for recording purposes shall be prepared in accordance with provisions of Minnesota State Statutes and County regulations, and such final plat or accompanying submittals shall contain the following information.

- A. Name of the subdivision, which shall not duplicate or too closely approximate the name of any existing plat theretofore recorded in County and which shall be subject to City Council approval.
- B. Location by section, township, range, county and state, and including descriptive boundaries of the subdivision, based on an accurate traverse, giving angular and linear dimensions.
- C. The location of monuments shall be shown and described on the final plat. Locations of such monuments shall be shown in reference to existing official monuments on the nearest established street lines, including true angles and distances to such reference points or monuments. The applicant shall provide coordinate data of all subdivision monumentation based on the Douglas County Coordinate System.
- D. Location of lots, out lots, streets, public highways, alleys, and parks and other features, with accurate dimensions in feet and decimals of feet, with the length of radii and/or arcs of all curves, and with all other information necessary to reproduce the plat on the ground shall be shown. Dimensions shall be shown from all angle points of curve to lot lines.
- E. Lots shall be numbered clearly, blocks are to be numbered, with numbers shown clearly in the center of the block.
- F. A drawing or listing of total square footage per lot, acreage per block and total acres in the plat.
- G. The exact locations, widths and names of all streets to be dedicated.
- H. Location, purpose and width of all easements to be dedicated.

- I. Name, address and phone number of surveyor making the plat.
- J. Scale of the plat to be one inch to one hundred feet (1"=100' the scale to be shown graphically on a bar scale), date and north arrow.
- K. A current abstract of title or a registered property certificate along with any unrecorded documents that are subject to review and approval by the City Council.
- L. Deed restrictions and protective covenants which involve a matter of public concern.
- M. Statement dedicating all easements as follows: "Easements for installation and maintenance of utilities and drainage facilities are reserved over, under and along the designated areas marked "drainage and utility easements.""
- N. Statement dedicating all streets, alleys and other public areas not previously dedicated as follows: "Streets, alleys and other public areas shown on this plat and not heretofore dedicated to public use hereby so dedicated."
- O. A development plan in accordance with City standards, including but not limited to, building area and spot elevations, storm drainage and storm sewer by area, house pad area and locations, and the like.
- P. Other data: Such other information that may be required by the City at the time of final plat approval or shortly thereafter, including but not limited to.
 - 1. Financial guarantee of cash escrow or letter of credit, as provided for in Section 1107, Subd. 7 of this Ordinance.
 - 2. A complete set of final construction plans and specifications for the public improvements required to make the subdivision suitable for development and which conform to the City and State requirements. These documents will be prepared by the City for projects following the publicly financed public improvement process.
 - 3. A certified mylar copy of the plat evidencing filing of the plat with the County within sixty (60) days after approval by the City. No building permits shall be approved for construction of any structure on any lot in said plat until the City has received evidence of the plat being recorded by County.
 - 4. Three complete sets of 11" x 17" reproducible as-built construction drawings for any public improvements constructed in the subdivision shall be furnished to the City and City Engineer within one hundred and twenty (120) days after the construction is complete and approved by the City. In addition one digital GIS formatted copy and one scanned copy for imaging shall be submitted to the City.
 - 5. Copies of any protective or restrictive covenants affecting the subdivision or any part thereof
 - 6. Permits and plans required by County, MnDOT, Minnesota Pollution Control Agency, Minnesota Department of Health, DNR, etc.
 - 7. Upon adoption and filing of a final plat, the City shall prepare a street address map and distribute it to the applicant, utility companies, police department, ambulance, fire department, post office and County.
 - 8. A disk of the recorded plat in ArcView, AutoCadd or other approved digital format for inclusion in the City's base map.

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Subd. 7 CERTIFICATION REQUIRED.

- A. Certification by a registered land surveyor in the form required by Minnesota Statutes 505.03, as amended.
- B. Execution by all owners of any interest in the land and holders of a mortgage thereon of the certificates required by Minnesota Statutes 505.03, as amended, and which certificate shall include a dedication of the utility easements and other public areas in such form as approved by the City Council.
- C. Space for certificate of approval and review to be filled in by the signatures of the Mayor and City Clerk in the form:

FOR APPROVAL OF THE CITY OF OSAKIS:

This plat of (name of plat) was approved and accepted by the City of Osakis, Minnesota, at a regular meeting thereof held this ___ day of ___

CITY COUNCIL OF OSAKIS, MINNESOTA

By _____, Mayor

By _____, City Clerk

Subd. 8 FINAL PLAT PROCESS.

- A. After the preliminary plat has been approved, a final plat shall be submitted for review as set forth in the subsections, which follow. The City may agree to review the preliminary and final plat simultaneously. The final plat shall incorporate all changes, modifications and revisions required by the City. Otherwise, it shall strictly conform to the approved preliminary plat.
- B. All final plats shall comply with the provisions of Minnesota State Statutes and requirements of this Ordinance.
- C. An applicant shall submit with the final plat a current Abstract of Title or Registered Property Certificate, along with any unrecorded documents, and an Opinion of Title.
- D. Review of Final Plat:
 - 1. Five (5) large-scale copies of the final plat and thirteen (13) reduced scale (not less than 11"x1r) copies of the final plat shall be submitted by the applicant. If, in the opinion of the Zoning Administrator, reduced scale drawings (11nx17) are determined to be illegible, the submission of larger scale materials shall be required. The scale of such materials shall be the minimum necessary to ensure legibility. Upon receipt of a final plat, copies shall be referred to the Planning Commission, appropriate City staff and to all applicable utility companies, County and State agencies. One copy, with Abstract of Title or Registered Property Certificate and Opinion of Title, shall be referred to the City Attorney.
 - 2. The Zoning Administrator or designee receiving final plat copies shall, submit reports to the Planning Commission documenting their recommendation on the final plat.
 - 3. The Planning Commission, at their meeting, shall render one of the following final plat recommendations to the City Council.
 - a. Approval of the final plat, as presented.

- b. Approval of the final plat, with conditions.
 - c. Denial of the final plat, with reasons.
5. The Planning Commission may, at its discretion, table the matter pending further information from the applicant that will help it render a recommendation to the City Council.
 6. Prior to approval of a final plat, the applicant shall have executed a Development Agreement with the City, which controls the installation of all required improvements and assures compliance with all conditions of approval. Said agreement will require all improvements and approval conditions to comply with approved engineering standards and applicable regulations.
 7. The City Council shall take action on a final plat not more than sixty (60) days after the final plat is filed with the City. If the final plat is not approved, the reasons for such action shall be recorded in the official proceedings of the City and shall be transmitted to the applicant.
 8. Upon receiving an approved final plat in conformance with the requirements of the City, the designated representatives of the City shall sign the plat, and the applicant, as a condition of approval, shall record the approved and signed final plat with the County Recorder within ninety (90) days, or the approved final plat shall be considered void.
 9. The applicant shall, within thirty (30) days of recording, furnish the City with three (3) blue or black line prints and one Mylar of the final plat showing evidence of the recording. The applicant shall provide an electronic copy of the approved final plat in a format acceptable to the City. Failure to furnish such copies shall be grounds for refusal to issue building permits for lots within a plat.
 10. Upon receiving approval of a final plat for a portion of an approved preliminary plat, a continuation or the recognition of the preliminary plat is not required to maintain its approval. In the *event* a Zoning Ordinance amendment is adopted which requires a larger minimum lot size for land not yet platted and recorded, the larger minimum lot size may be required for any additional platting. If the applicant is unable to file a final plat application within the required one year, such person shall file a written request for an extension of the final plat such person shall file a written request for an extension of the final plat approval with the Zoning Administrator and receive City Council approval thirty (30) days prior to the lapse of approval. Said applicant's request shall specify and the City Council shall, if approved, determine the length of time for filing and for the preliminary plat to remain in full force and effect.

Subd.9 MINOR SUBDIVISIONS.

- A. This Section shall apply to the following applications.
 1. In the case of a request to divide a portion of a lot where the division is to permit the adding of a parcel of land to an abutting lot so that no additional lots are created and both new lots conform to Zoning Ordinance lot size minimum standards.
 2. In the case of a request to combine two (2) existing platted lots.
 3. In the case of a request to divide a lot from a larger tract of land and thereby creating no more than two lots, both of which conform to Zoning Ordinance minimum standards. To qualify, the parcel of land shall not have been part of a minor subdivision within the last five (5) years.

3. In the case of a request to divide a base lot which is a part of a recorded plat on which has been constructed a two-family dwelling, townhouse or quadraminium, where the division is to permit individual private ownership of a single dwelling unit within such a structure and the newly created property lines will not cause any of the unit lots or the structure to be in violation of this Ordinance, the Zoning Ordinance, or the State Building Code.
4. Consolidations. The owner of two (2) or more contiguous parcels or lots of record may, subject to the Planning Commission and City Council review and approval, consolidate said parcels into one (1) parcel of record. The proposed parcels shall not cause any portion of the existing tot s, parcels, or existing building to be in violation of the Osakis Zoning Ordinance.
5. Corrections. When a survey or description of a parcel or tot has been found to be inadequate to describe the actual boundaries, approval of a corrective subdivision may be requested. This type of subdivision creates no new lots or streets.

B. Content and Data Requirements.

1. The requested minor subdivision shall be prepared by a registered land surveyor in the form of a Certificate of Survey.
2. The data and supportive information detailing the proposed subdivision shall be as follows.
 - a. CERTIFICATE OF SURVEY: The requested minor division shall be prepared by a registered land surveyor in the form of a Certificate of Survey. If the property affected is registered land, a Registered Land Survey shall be required. Ten (10) copies of the survey shall be submitted to the Zoning Administrator not less than two weeks prior to the next Planning Commission meeting. Contents of the Certificate of Survey shall include.
 1. North arrow.
 2. Lot sizes in square feet, prior to and after the proposed split.
 3. Existing buildings and setbacks from proposed tot lines.
 4. Tree cover and existing vegetation.
 5. Legat descriptions for the parcels to be created.
 6. Streets and easements.
 - a. ADDITIONAL INFORMATION: In addition to the Certificate of survey, the applicant shall submit.
 1. A special assessment search.
 2. Property owners names and addresses and proof of ownership.
 3. Zoning of all affected parcels.
3. The minor subdivision shall conform to all design,standards as specified in this Ordinance. Any proposed deviation from said standards shall require the processing of a variance request.

C. Processing

1. If the land division involves property which has been previously platted, or the total property area included is greater than ten (10) acres, the Zoning Administrator may approve the subdivision, provided that it complies with applicable provisions of this Ordinance.
2. Upon Council approval of the petition for a minor subdivision, the Zoning Administrator, or designee, shall be authorized to sign the deed or registered land survey as meeting the requirements of the City. The Certificate of Survey or Registered Land Survey shall be filed and recorded at the Office of the County Recorder within ninety (90) days of approval.

Subd. 10 COMMON INTEREST COMMUNITIES.

- A. Common Interest Communities (CIC) Approval. A Common Interest Community shall be evaluated and considered for approval in the same manner as a standard plat and shall be subject to the site coverage standards and other zoning regulations for the zoning district or Planned Unit Development overlay contained within the City of Osakis Zoning Ordinance.
- B. Requirements Common Interest Communities shall be subject to all use, residential density, setback and height requirements of the applicable zoning district and any other applicable standard contained in the City of Osakis Zoning Ordinance.
- C. Conversions of Common Interest Communities. The conversion of existing common interest communities, resorts, mobile home parks or other similar types of developments from privately owned structures on leased or rented land, or the division of several commonly owned structures on a single parcel of land to individually owned parcels containing separate structures, shall be by a standard plat pursuant to the requirements of this Ordinance and the applicable requirements of Minnesota Statutes, Chapter 515A and Chapter 5158, or successor statutes, and shall be further subject to the following.
 1. Sewage Treatment. When considering approval of conversions the Planning Commission shall consider the development as a whole, relative to the provision for sewer and on-site sewage treatment systems, and shall require connections to the municipal system where they are available. In areas where municipal services are not available, design plans shall be presented and approved for a community wastewater treatment system as an integral element of the Community Interest Community approval. A timeline to implement the approved wastewater treatment plan and/or eliminate all identified failing sewage treatment systems shall be established by a subdivision or development agreement.
 2. Water Systems. When considering approval of conversions the Planning Commission shall consider the development as a whole, relative to the provision for water systems, and shall require connections to the municipal system where they are available. In areas where municipal services are not available, design plans shall be presented and approved for a community water system as an integral element of the Community Interest Community approval. A timeline to implement the approved wastewater treatment plan and/or eliminate all identified failing wells shall be established by a subdivision or development agreement.
 3. Conformity. The developer shall make every effort to minimize the degree of nonconformity with existing lot and area requirements and setback requirements. Lot lines shall be arranged to provide the largest possible setbacks between structures that will become the principal structures on the newly created lots. Accessory buildings shall be moved or removed when and where possible to create the lowest, most uniform density possible.
 4. Density. The conversion shall not result in an increase in residential density, unless the residential density requirements of the applicable zoning district are met.

5. Unified and Efficient Use of Space. To the extent possible, the common open space, individual properties and other elements of the common interest community shall be so planned that they will achieve a unified scheme of planning and efficient distribution of uses.

Subd. 11 PREMATURE SUBDIVISION.S Any preliminary plat of a proposed subdivision deemed premature for development shall be denied by the City Council. A subdivision may be deemed premature should any one or more of the conditions set forth in the following provisions exist.

- A. Lack of adequate drainage: A condition of inadequate drainage shall be deemed to exist if.
 1. Surface or subsurface water retention/detention and runoff is such that it constitutes a danger to the structural security of the proposed development, or flood of the subdivision or downstream property.
 2. The proposed subdivision will cause pollution of water sources or damage from erosion and siltation on downhill or downstream land.
 3. The proposed site grading and development will cause siltation on downstream land.

Factors to be considered in making these determinations shall include, but shall not be limited to: average rainfall for the area; the relation of the land to flood plains; the nature of soils and subsoils and their ability to adequately support surface water runoff and waste disposal systems; the slope of the land and its effect on effluents; and the presence of streams as related to effluent disposal.

8. Lack of Adequate Water Supply: A proposed subdivision shall be deemed to lack an adequate water supply if the proposed subdivision does not have adequate sources of water to serve the proposed subdivision if developed to its maximum permissible density without causing an unreasonable depreciation of existing water supplies for surrounding areas.
- C. Lack of Adequate Roads or Highways to Serve the Subdivision: A proposed subdivision shall be deemed to lack adequate roads or highways to serve the subdivision when.
 1. Roads which serve the proposed subdivision are of such a width, grade, stability, vertical and horizontal alignment, site distance or surface condition that an increase in traffic volume generated by the proposed subdivision would create a hazard to public safety and general welfare, or aggravate an already hazardous condition, and when, with due regard to the advice of the City Engineer, County Highway Engineer and/or the Minnesota Department of Transportation, said roads are inadequate for the intended use; or
 2. The traffic volume generated by the proposed subdivision would create unreasonable traffic congestion or unsafe conditions on highways existing at the time of the application or proposed for completion within the next two (2) years.
 - D. Lack of Adequate Waste Disposal Systems: A proposed subdivision shall be deemed to lack adequate waste disposal systems if.
 1. In subdivisions for which sewer lines are proposed, there is inadequate sewer capacity in the present system to support the subdivision if developed to its maximum permissible density indicated in the Osakis Comprehensive Plan, as may be amended.
 2. Soil tests, drain field areas or other such factors relating to on-site waste disposal systems are judged as inadequate for the use proposed.

- E. Lack of Environmental Review: The developer fails to complete an Environmental Assessment Worksheet (EAW) or other required environmental reviews.

- F. Providing Public Improvements: If public improvements, such as recreational facilities, streets and utilities, reasonably necessitated by the subdivision, which must be provided at public expense, cannot be provided within the next two (2) fiscal years.
- G. Threat to Environmentally Essential Areas: The proposed subdivision is inconsistent with policies and standards of the City, the County, the State, or Federal Government relating to environmentally sensitive areas and protections.
- H. Inconsistency with Comprehensive Plan: The proposed subdivision is inconsistent with the purposes, objectives and recommendations of the duly adopted Comprehensive Plan of Osakis, as may be amended. The burden shall be upon the applicant to show that the proposed subdivision is not premature.

Subd. 12 DISQUALIFICATION/DENIAL OF PLATS. The City Council may deny the subdivision if it makes any one or more of the following findings.

- A. That the proposed subdivision is in direct conflict with adopted applicable general and specific comprehensive plans of the City, County, or Region.
- B. That the physical characteristics of the site, including but not limited to topography, percolation rate, soil conditions, susceptibility to erosion and siltation, susceptibility to flooding water storage, drainage and retention, are such that the site is not suitable for the type of development, design, or use contemplated.
- C. That the site is not physically suitable for the proposed density of development.
- D. That the design of the subdivision or the type of improvements, are likely to cause serious public health problems.
- E. That the design of the subdivision or the proposed improvements, are likely to cause substantial environmental damage.
- F. That the design of the subdivision or the type of improvements will conflict with easements of record or with easements established by judgment of a court.
- G. That the proposed subdivision, its site, or its design increases flood hazards within other areas of the City.
- H. The proposed subdivision is inconsistent with the policies and standards of the City's Shoreland District and Wetland Districts.