CITY OF WOODLAND CODE OF ORDINANCES

CHAPTER 8
SUBDIVISION

CHAPTER 8. SUBDIVISION REGULATIONS

800.01 Definitions. For purposes of this Chapter:

(a) "Subdivide" means to divide a parcel of land into two or more parcels, or to change any property line of a parcel of land.

(b) "Plat" means to subdivide a parcel into lots and blocks as provided by Minnesota Statutes, Chapter 505.

(c) "Parcel" means a contiguous tract of land, which may consist of unplatted land or one or more platted lots. For purposes of this Code, adjoining lots which were in common ownership on January 1, 1988 according to the real estate records of Hennepin County, Minnesota, will be deemed a single parcel to the extent necessary to meet or more closely approximate the minimum lot size than required under the City's Zoning Ordinances, except that adjoining lots in a recorded plat or other subdivision approved by the Council which adjoining lots each contains an area of at least one acre exclusive of wetlands and easements for road or driveway purposes will be deemed separate parcels.

800.02 Requirements. No person may subdivide a parcel of land except as permitted by this Chapter.

800.03 Permits. The Building Inspector will not issue building or repair permits for any structure on a parcel of land in a subdivision unless: the subdivision has been approved by the Council and a plat, registered land survey, or appropriate resolution, as approved by the Council has been recorded in the manner prescribed in this Chapter.

800.04 Public Improvements and Maintenance. All public improvements and maintenance of such improvements, including maintenance of streets, will be withheld from any subdivision not approved by the Council, and from all areas dedicated to the public which have not been accepted by resolution of the Council.

800.05 Filing Fee and Costs. The subdivider must pay a filing fee in the amount set forth in Section 305.05 for any plat or other subdivision approval requested. In addition, the subdivider will pay the City an amount equal to the City's costs of investigating the requested subdivision, including but not limited to consultants' fees, engineering fees, attorneys' fees, publication costs and other expenses of the City in connection with the subdivision approval requested.

800.06 Proposed Subdivision.

Subd. 1. The subdivider must file with the Clerk seven copies of a proposed subdivision at least 30 days before the Council is to review the subdivision. The proposed subdivision must include or be accompanied with, as the case may be:

(a) The full legal description of the land to be subdivided.

(b) Names and addresses of the fee title owner, subdivider and surveyor. If the subdivider is not the fee owner of the land, the subdivider must submit the written consent of the fee owner to the subdivision.

(c) Graphic scale of not less than one inch to 100 feet.

(d) North point, designated as true north.

(e) Date of preparation.

(f) Certification by a registered surveyor.

(g) The total acreage of the land being subdivided and of each parcel, and the acreages exclusive of wetlands (as defined in Section 900.02) and easements for road or driveway purposes.

(h) Boundary lines of land within 500 feet of the land in the plat, and the name of each owner, and all contiguous land owned or controlled by the subdivider or owner of the land to be subdivided.

(i) Topographic contours at ten-foot intervals or less from United States Geological Survey Maps or more accurate sources, showing limiting site characteristics.

(j) Surface water features required in Minnesota Statutes §505.02, Subd. 1, to be shown on plats, obtained from United States Geological Survey quadrangle topographical maps or more accurate sources.

(k) Adequate soils information to determine suitability for building and on-site sewage treatment capabilities for every lot.

(l) Information regarding adequacy of domestic water supply, extent of anticipated vegetation and topographic alterations; if lakeshore property, near-shore aquatic conditions, including depths, types of bottom sediments, and aquatic vegetation; and proposed methods for controlling storm water runoff and erosion, both during and after construction activities.

(m) For all subdivisions in the flood plain, floodway or flood fringe boundaries, the Regulatory Flood Protection Elevation (as said terms are defined in Chapter 10 of this Code) and the required elevation of all access roads shall be clearly labeled on all required subdivision drawings and platting documents.

Subd.2. In the case of a subdivision involving a plat, the proposed plat must include in addition to the items required in Section 800.06, Subd.l., the following information:

(a) Copies of the proposed plat.

(b) The proposed name of the plat, which must not be the same as or confusingly similar to the name of any plat previously recorded in Hennepin County.

800.07 Subdivision Without Platting. All subdivisions must be done by platting unless the Council waives compliance with the platting requirements of this Code by adoption of a resolution to that effect upon a finding by the Council that: (a) compliance with the platting requirements of this Chapter will create an unnecessary expense or delay, and (b) failure to comply does not interfere with the purposes of this Chapter or conflict with State law. The adoption of such resolution will constitute the City's consent to the filing and recording of a conveyance without subdivision by plat or registered land survey. If torrens property is to be divided and the Hennepin County Registrar of Titles will not accept the conveyance for filing, even though City approval has been given, the subdivision will be made by a plat or registered land survey approved by the Council in accordance with this Chapter.

800.08 Subdivision Approval. The Council will serve as the sole authority for review and approval of subdivisions in the City. No subdivision may be filed or accepted for filing by the Hennepin County Recorder or Registrar of Titles unless it is accompanied by a certified copy of a resolution adopted by the favorable vote of a majority of the members of the Council.

800.09 Compliance.

(a) Every subdivision must comply with all applicable provisions of State law, including without limitation the provisions of Minn. Rules §6120.3500, as from time to time revised, and this Code.

(b) Every subdivision which requires the dedication of a new street or a change in an existing street, must also show the grade of all streets and the mean grade of the front and rear lines of each lot.

(c) Every subdivision must provide for dedication of public streets and easements for drainage and public utilities as is determined by the Council to be desirable or necessary.

800.10 Criteria. The Council will examine each subdivision and will consider the following matters:

(a) Compliance of the subdivision with Section 800.09 and the zoning provisions of this Code.

(b) The suitability of the subdivision from the standpoint of community planning.

(c) The adequacy of streets and conformity with existing and planned streets in surrounding areas.

(d) The suitability of street grades in relation to the grades of lots.

(e) The estimated cost (including engineering and inspection expenses) of grading, graveling and permanently surfacing streets, installing street signs, and construction of curb and gutter and any storm sewers which may be necessary.

(f) Compliance with the requirements of Minnesota Statutes, Chapter 505.

(g) The suitability and adequacy of the subdivision from the standpoint of flooding, drainage, water supply or sewage treatment facilities.

800.11 Public Hearing. After receipt of a subdivision application, the Council will set a date for a public hearing, which will be not later than 60 days after receipt of the application. A notice of the date, time, place and purpose of the hearing will be published once in the official newspaper at least 10 days before the date of hearing, and mailed notice of the hearing will be given to owners of property within 500 feet of the boundaries of the land to be subdivided. After hearing the oral or written views of all interested persons, the Council may by resolution:

(a) Grant preliminary approval with or without modification.

(b) Grant final approval, with or without modification, and subject to grading, surfacing and improvement of streets dedicated in the subdivision, provision for dedication of drainage and utility easements and drainage basin areas, installation of curbs, storm sewers and other public improvements deemed necessary or desirable by the Council.

(c) Refer the subdivision to the appropriate City officials and the City Attorney for further investigation and reporting to the Council.

(d) Deny approval.

800.12 Preliminary Approval of Subdivision. When preliminary approval has been given to a subdivision, the applicant must complete, at the applicant's own expense and under the supervision of the City Engineer, all street, drainage, water and sewer improvements required by the resolution granting the approval. If authorized by the Council, the applicant may, in lieu of making the improvements, sign a subdivision financing agreement and file a cash deposit, a bond or irrevocable letter of credit to assure performance. The subdivision financing agreement will provide for payment of all costs of the City, through payment of special assessments or otherwise, on terms acceptable to the Council. The City is not obligated to enter into such an agreement if the applicant does not provide the City with a bond or other security acceptable to the Council, or if the Council determines that the City must borrow money to pay its costs of construction and is unwilling to do so.

800.13 Final Approval. When a subdivision has been given preliminary approval by the Council and the required improvements have been completed, or a subdivision financing agreement is executed and a bond or other security is furnished as required, the Clerk will submit a supplementary report with the subdivision to the Council for final approval.

800.14 Recording of Resolution. A certified copy of every resolution granting final approval of any subdivision must be filed with the Hennepin County Recorder and/or Registrar of Titles (depending on whether all or a portion of the property is Torrens property). If an approved subdivision also covers land in an adjacent municipality, the resolution must also be filed with the Clerk of the adjacent municipality.

800.15 Dedications. When a land or easement dedication is a condition of subdivision approval, the City will obtain easements over natural drainage or ponding areas thereon for management of stormwater and significant wetlands.