

CORINNA TOWNSHIP

SUBDIVISION CONTROLS ORDINANCE

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CORINNA TOWNSHIP SUBDIVISION ORDINANCE

TABLE OF CONTENTS

<u>SECTION</u>		<u>PAGE</u>
1.	GENERAL PROVISIONS	
1.1	Title.....	1
1.2	Purposes	1
1.3	Statutory Authorization.....	1
1.4	Jurisdiction.....	1
1.5	Application.....	2
1.6	Enactment	2
1.7	Interpretation, Conflict, and Separability.....	2
1.8	Savings Provision.....	3
1.9	Reservation and Repeals	3
1.10	Variances.....	3
1.11	Appeals	5
1.12	Amendments	6
1.13	Enforcement, Violation and Penalties.....	6
1.14	Fees	7
1.15	Adoption of Plat Manuals by Reference.....	7
2.	DEFINITIONS	
2.1	Usage.....	8
2.2	Words and Terms Defined.....	8
3.	REVIEW AND APPROVAL PROCEDURES	
3.1	General Procedures	17
3.2	Pre-Application Meetings	18
3.3	Environmental Review Procedures.....	18
3.4	Registered (Torrens) Land Survey Procedures	19
4.	SUBDIVISION PROCEDURES	
4.1	Administrative Subdivisions.....	20
4.2	Standard Plat	21
4.3	Registered Land Survey Approval.....	28
4.4	Common Interest Communities	28
5.	ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS	
5.1	Improvements and Developer’s Agreement	30
5.2	Inspection of Improvements	32

5.3 Release or Reduction of Security.....32

6. SUBDIVISION DESIGN STANDARDS

6.1 General.....34
6.2 Blocks35
6.3 Lots36
6.4 Monuments38
6.5 Sewage Disposal38
6.6 Water.....38
6.7 Grading, Drainage and Stormwater Facilities.....39
6.8 Highways, Streets, Alleys40
6.9 Street Signs42
6.10 Trails and Sidewalks42
6.11 Utilities.....43
6.12 Natural, Unique or Sensitive Features43
6.13 Non-Residential Subdivisions.....43

SECTION 1. GENERAL PROVISIONS

- 1.1 Title.** These regulations shall officially be known, cited, and referred to as the Subdivision Controls Ordinance of Corinna Township, Minnesota (hereinafter “regulations” or “ordinance”).
- 1.2 Purposes.** These regulations are adopted for the following purposes:
1. To guide the future growth and development of Corinna Township in recognition of the general policies embodied in the Corinna Township Comprehensive Plan and protect and provide for the public health, safety, and general welfare of the Township.
 2. To ensure that land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace. Land shall not be subdivided until adequate public services and facilities exist with sufficient capacity to serve the proposed subdivision.
 3. To protect and conserve the value of land throughout the Township and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings.
 4. To establish reasonable standards of design and procedures for subdivisions and resubdivisions in order to further the orderly layout and use of land, including the proper location and width of streets and building lines, and to ensure proper legal descriptions and monumenting of subdivided land.
 5. To ensure that proper provision has been made for drainage, water, sewage, and public improvements such as parks, recreational facilities, transportation facilities, and improvements. The community will be required to bear no more than its fair share of the cost of providing facilities and services through requiring the developer to pay fees, furnish land, or establish mitigation measures to ensure that the development provides its fair share of capital facilities needs generated by the development.
 6. To prevent the pollution of air and water resources including ground water and to encourage the wise use and management of natural resources throughout the Township in order to preserve the integrity, stability, and beauty of the community and the value of the land.
 7. To provide for open spaces through the most efficient design and layout of the land.
 8. To remedy problems associated with inappropriately subdivided lands.
- 1.3 Statutory Authorization.** This ordinance is adopted pursuant to the authority contained in Chapters 462, 505, 515, 515A, and 515B of the Minnesota Statutes.
- 1.4 Jurisdiction.** These regulations apply to all subdivision of land, as defined in Section 2.2 (Definitions), located within Corinna Township as provided by law. The Corinna Township Subdivision Ordinance has been filed with the Wright County Recorder’s Office.

1.5 Application.

1. **General.** Any subdivision of land located in Corinna Township that is filed for recording must first be prepared, reviewed, and approved in accordance with the provisions in this Ordinance, unless otherwise provided herein.
2. **Exceptions.** These regulations shall not apply to the following (other Township ordinances and state laws may apply):
 - a. Subdivisions creating or rearranging of lots within a cemetery in accordance with MN Statutes 306, 307 or other applicable state law (subdivision of a parcel to create the external boundaries of a cemetery is not excepted from the provisions of this Subdivision Ordinance);
 - b. Transfers of small parcels to governmental units in case of encroachments, road right-of-way, or utility easements; or
 - c. Subdivisions resulting from court orders
3. **Transfer or Sale of Land.** No owner or agent of the owner shall transfer or sell any part of a lot or parcel of land under the Township's jurisdiction before a subdivision has been approved by the Township in accordance with the provisions of these regulations, except as provided in Section 1.5.2.
4. **Land Use Permits.** After the effective date of these regulations, no land use permit shall be issued for the erection of or addition to any structure, upon newly subdivided lands unless such lands have been subdivided in conformity with the provisions of these subdivision regulations, except for the construction of one building on a parcel or lot of record as provided in the Zoning Ordinance.

- 1.6 Enactment.** In order that land may be subdivided in accordance with these purposes and policies, these subdivision regulations are hereby adopted and made effective as of the effective date of these regulations. All applications for subdivision approval submitted after the effective date of these regulations shall be reviewed under these regulations. These regulations will not apply if an application for subdivision has been submitted to Wright County and accepted as complete or if preliminary plat approval has already been obtained from Wright County prior to the effective date of these regulations. Where preliminary plats have been approved by the Wright County Board prior to the effective date and have not expired, approval of the final plat shall not be subject to these regulations.

1.7 Interpretation, Conflict, and Separability.

1. **Interpretation.** In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. These regulations shall be construed broadly in favor of the Township to promote the purposes for which they are adopted.
2. **Public Provisions.** These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law except as provided in these regulations. Where any provision of these regulations imposes restrictions different from those imposed by any other provision of these

regulations or any other ordinance, rule or regulation, or other provision of law, the provision which is more restrictive or imposes higher standards shall control.

3. **Private Provisions.** These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant, or private agreement impose duties and obligations more restrictive than these regulations, and the private provisions are not inconsistent with these regulations, then the private provisions shall be operative and supplemental to these regulations and the determinations made under the regulations.
4. **Separability.** If any part or provision of these regulations or the application of these regulations to any person or circumstances is adjudged invalid by any court of competent jurisdiction, the judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which the judgment shall be rendered. It shall not affect or impair the validity of the remainder of these regulations or the application of them to other persons or circumstances. The Corinna Township Board of Supervisors hereby declares that it would have enacted the remainder of these regulations even without any such part, provision, or application which is judged to be invalid.

1.8 Saving Provision. These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the Township under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation by lawful action of the municipality except as shall be expressly provided for in these regulations.

1.9 Reservation and Repeals. The Corinna Township Board is not aware of any previous Township Subdivision Ordinances. Upon the adoption of these regulations according to law, any and all previous Corinna Township Subdivision Ordinances that may exist are hereby repealed, except as to those sections expressly retained in these regulations.

1.10 Variances.

1. **Board of Adjustment and Appeals.** The Corinna Township Board of Adjustment and Appeals shall have the exclusive power to order the granting of variances from the terms of this Ordinance, including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of this ordinance, in cases when there are practical difficulties or particular hardships. With the application for a variance, the applicant has the burden of describing the hardship which exists that justifies the variance. Hardship in the granting means:
 - a. The property in question cannot be put to a reasonable use if used under the conditions allowed by this Ordinance.

- b. The plight of the landowner is due to circumstances unique to his/her property not created by the landowner.
 - c. The variance is proved necessary in order to secure for the applicant a right or rights that are enjoyed by other owner or owners in the same area.
 - d. The variance, if granted, will not alter the essential character of the locality.
 - e. No variance shall be granted simply because there are no objections or because those who do not object outnumber those who do, nor for any other reason than a proved hardship. Economic considerations alone shall not constitute a hardship if a reasonable use for the property exists under the terms of this ordinance.
 - f. No variance may be granted that would allow any use that is prohibited in the zoning district in which the subject property is located.
2. **Conditions.** The Board of Adjustment and Appeals may impose conditions in granting a variance to insure compliance and to protect adjacent properties and the public interest.
3. **Procedure.** Any proposed variance shall be presented to the Board of Adjustment and Appeals for determination. The following procedure shall be used in granting variances:
- a. The applicant for a variance shall file an application in writing in the office of the Township Zoning Administrator on an application form provided by the Township and pay a fee as listed in the Corinna Township Fee Schedule when the application is filed. An application determined to be incomplete by the Zoning Administrator shall be returned to the applicant within ten (10) business days. Incomplete applications shall not be referred to the Board of Adjustment and Appeals until it has been determined to be complete by the Zoning Administrator.
 - b. The Township Zoning Administrator shall refer the application to the Board of Adjustment and Appeals for a public hearing and cause notice of such hearing to be properly published in the legal newspaper not less than ten (10) days prior to the hearing. Property owners within five hundred (500) feet of the affected property or the ten (10) properties nearest the affected property (whichever would provide notice to the greatest number of owners) shall be given notice of the date the Board of Adjustment and Appeals will consider said application, although failure of any property owner to receive such notification shall not invalidate the proceedings. Notice shall be given the governing body of any city the incorporated limits of which lie within two (2) miles of the proposed variance and to the County wherein the variance is proposed.
 - c. The applicant or their authorized representative shall appear before the Board of Adjustment and Appeals and answer any questions concerning the proposed variance.
 - d. A decision shall be made by the Town Board, upon recommendation from the Board of Adjustment, within sixty (60) days after the complete application for a variance has been received by the Zoning Administrator. All decisions by the Town Board in granting variances shall be final

except that any aggrieved person or persons or any department, board or commission of the jurisdiction of the State shall have the right to appeal to the District Court in the county in which the land is located on questions of law and fact within thirty (30) days of the decision of the Town Board.

- e. A certified copy of the granted variance shall be filed with the Wright County Recorder or Registrar of Titles by the Township Zoning Administrator.
 - f. When a variance is approved after the Department of Natural Resources has formally recommended denial in the hearing record, the notification of the approved variance shall also include the Board of Adjustment and Appeals' summary of the public record/testimony and the findings of facts and conclusions which supported the issuance of the variance.
 - g. No application for a variance shall be resubmitted for a period of one (1) year from the date that the request is denied, except the Township Zoning Administrator may allow a new application if, in his/her opinion, new evidence or a change in circumstances warrant it.
 - h. Work on any project requiring a variance shall begin within one (1) year of the issuance of the variance or it shall expire.
4. **Planned Unit Developments.** If a subdivider is proposing a Planned Unit Development concurrent with a subdivision, any variance will be addressed in the Planned Unit Development review process.

1.11 Appeals.

- 1. **Timeframe.** The applicant for subdivision approval may appeal the decisions made by the Township staff by filing a Notice of Appeal with the Board of Adjustment and Appeals, no later than thirty (30) days after the time the administrative determination is made. The appeal stops all proceedings on the action appealed unless the Board of Adjustment and Appeals certifies that the stay would cause imminent threat to life or property. The Board of Adjustment and Appeals may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and may direct the issuance of a permit.
- 2. **Procedure.**
 - a. Appeals shall be filed with the Township Zoning Administrator. If the appeal is of a decision by the Zoning Administrator, the appeal shall be filed with the Township Clerk.
 - b. The Township Zoning Administrator or Clerk shall refer the appeal to the Board of Adjustment and Appeals for a public hearing and cause notice of such hearing to be properly published in the legal newspaper not less than ten (10) days prior to the hearing. Property owners within five-hundred (500) feet of the affected property or the ten (10) properties nearest the affected property (whichever would provide notice to the greatest number of owners) shall be given notice of the date the Board of Adjustment and Appeals will consider said application, although failure of any property owner to receive such notification shall not invalidate the proceedings.

Notice shall be given the governing body of any city the incorporated limits of which lie within two (2) miles of the appeal and to the Town Board of the Township.

- c. The applicant or a representative shall appear before the Board of Adjustment and Appeals and answer any questions concerning the appeal.
- d. A decision shall be made by the Board of Adjustment and Appeals within ninety (90) days after the public hearing. All decisions by the Board of Adjustment and Appeals in hearing appeals from any administrative order, requirement, decision or determination shall be final except that any aggrieved person or persons or any department, board of commission of the jurisdiction of the State shall have the right to appeal to the District Court in the county in which the land is located on questions of law and fact with in thirty (30) days after the approval or denial of the variance.
- e. A certified copy of any order resulting from the Board's decision on an appeal shall be filed with the Wright County Recorder or Registrar of Titles by the Township Zoning Administrator.

1.12 Amendments.

1. Application.

- a. This ordinance may be amended whenever the public necessity and the general welfare require such amendment by following the procedure specified in this section.
- b. Proceedings for amendment of this Ordinance shall be initiated by:
 - i. A petition of the owner or owners of the actual property;
 - ii. A recommendation of the Township Planning Commission; or
 - iii. By action of the Township Board of Supervisors.
- c. Applications for amendment shall be filed with the Township Zoning Administrator.

2. Public Hearing.

- a. Upon receipt, in proper form, of the application and other requested material, the Township Planning Commission shall conduct a public hearing in a location to be prescribed by the Planning Commission.
- b. Notice of the time and place of such public hearing shall be given pursuant to Section 462.357 of the Minnesota Statutes.

1.13 Enforcement, Violations, and Penalties.

- 1. It shall be the duty of the Township Zoning Administrator to enforce these regulations and to bring to the attention of the Township Board any violations of these regulations.
- 2. Any person who unlawfully violates any of the terms and provisions of this Ordinance shall be charged with a misdemeanor punishable by a fine of not more than one-thousand dollars (\$1,000.00) or by imprisonment not exceeding ninety (90) days, or both. Each day that a violation continues shall constitute a separate

offense. All fines for violation shall be paid to the Township and shall be credited to the general revenue fund. All prosecutions for violation of this Ordinance shall be conducted by the Township Attorney.

3. In accordance with section 505.08 of the Minnesota Statutes, any person who shall dispose of or lease, any land included in a plat by reference to the plat before it is recorded, shall forfeit to the Township \$100 for each lot, or part of a lot, so disposed of or leased and any official, land surveyor, or person whose duty it is to comply with any of the provisions of Chapter 505 of the Minnesota Statutes, shall forfeit not less than \$100 for each month during which compliance is delayed. All forfeitures under this section shall be recovered in an action brought in the name of the Township.
4. In the event of a violation or a threatened violation of this Ordinance, the Township Board of Supervisors, or any member thereof, in addition to other remedies, may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violations or threatened violations, and it shall be the duty of the Township Attorney to institute such actions.
5. Any taxpayer or taxpayers of the Township may institute mandamus proceedings in District Court to compel specific performance by the proper official or officials of any duty required by this Ordinance.

1.14 Fees and Reimbursement¹. The Township Board may, by resolution, establish reasonable fees for the administration of this ordinance.

The Township may require that an applicant establish an escrow account or other financial security for the purpose of reimbursing the Township for direct costs relating to professional services provided during the review, approval and inspection of the project. The Township may charge the applicant a rate equal to the value of the service to the Township. Services provided by Township staff or contract professionals will be billed at an established rate.

1.15 Adoption of Plat Manuals by Reference. The Minnesota Land Surveyors Association “Plat Manual of Minimum Guidelines” and the Minnesota Association of County Surveyors “Common Interest Community Plat Manual of Minimum Guidelines”, as revised, are hereby adopted by reference as though a part of this Ordinance.

¹ Adopted 7/6/2010, Resolution #2010-08.

SECTION 2. DEFINITIONS

2.1 Usage.

1. For the purposes of these regulations, certain numbers, abbreviations, terms, and words shall be used, interpreted, and defined as set forth in this Section.
2. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the plural include the singular.
3. The word "shall" is mandatory and the word "may" is permissive.

2.2 Words and Terms Defined.

Access. The way in which a lot is entered or approached from a public right-of-way.

Adequate Public Facilities. Facilities determined to be capable of supporting and servicing the physical area and designated intensity of the proposed subdivision as determined by the Township Board based upon specific levels of service.

Alley. A public right-of-way, less than twenty-four (24) feet in width, which provides secondary access to the abutting lot.

Agent. Any person who represents, or acts for or on behalf of, a subdivider or developer, in selling, leasing, or developing, or offering to sell, lease, or develop any interest, lot, parcel, unit, site, or plat, except an attorney-at-law whose representation of another person consists solely of rendering legal services.

Applicant. The owner of land proposed to be subdivided or an agent who shall have express written authority to act on behalf of the owner. Consent shall be required from the legal owner of the property.

Arterial system. The network of roadways comprised of principle and minor arterials.

Block. An area of land within a standard subdivision, consisting of one or more lots, which is bounded by rights-of-way, another subdivision, a river or lake or combination thereof.

Bond. Any form of a surety bond in an amount and form satisfactory to the Township Board. All bonds shall be approved by the Township Board whenever a bond is required by these regulations.

Buffer. A portion of a lot or outlot intended to create or provide physical separation between potentially incompatible land uses or sensitive natural resources

Buildable Area. The area of a lot which is sufficient to accommodate the construction of water supply systems, sewage treatment systems, buildings, driveways and other customary improvements to a lot, while still providing for adequate setbacks. Buildable area shall not include land below the ordinary high water level of a waterbody, wetlands, bluffs, non-buildable easements, minimum yard setbacks, buildable portions of land that are non-contiguous to each other, or when the Township Board otherwise determines that an area is unsuitable for proposed or likely improvements. Buildable areas must include sufficient area for two standard sewer systems. An area shall not be considered in the calculation of buildable area if it is not at least fifty (50) feet in width and length.

Building. Any structure or appurtenance that is built for support, shelter, or enclosure of persons, animals, chattel, or property of any kind.

Certify. Whenever these regulations require that an agency or official certify the existence of some fact or circumstance, the Township by administrative rule may require that such certification be made in any manner, oral or written, which provides reasonable assurance of the accuracy of the certification.

Cluster Development. A technique which allows lots to be reduced in size and buildings sited closer together provided the total development density does not exceed that which could be constructed on the site under conventional zoning and the remaining land is utilized for open space or public purposes.

Common Interest Community. Common Interest Community shall have the meaning given in Minnesota Statutes, section 515B.1 – 103; or successor statutes. The definitions for “condominium”, “cooperative”, “flexible common interest community”, “leasehold common interest community”, and “planned community” shall also apply as defined in the same statute.

Common Ownership. Ownership by the same person, corporation, firm, entity, partnership, or unincorporated association; or ownership by different corporations, firms, partnerships, entities, or unincorporated associations, in which the same stockholder, partner, or associate, owns a majority interest in each corporation, firm, partnership, entity, or unincorporated association.

Complete Submittal. A written request and a completed application for subdivision approval as established in this Ordinance and determined by the Zoning Administrator.

Comprehensive Plan or Comprehensive Municipal Plan. A compilation of goals, policy statements, standards, programs and maps for guiding the physical, social and economic development, both public and private, of the Township and its environs, as defined in Chapter 462 of the Minnesota Statutes, and includes any unit or part of such plan separately adopted and any amendment to such plan or parts thereof.

Condominium. A common interest community in which (i) portions of the real estate are designated as units, (ii) the remainder of the real estate is designated for common ownership solely by the owners of the units, and (iii) undivided interests in the common elements are vested in the unit owners.

Construction Plans. The maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Township as a condition of the approval of the plat.

Contiguous. The following rules shall apply when determining contiguous parcels or lots.

- a. Parcels or lots are geometrically touching at any one point
- b. Parcels or lots that were divided by a governmental action such as a new roadway that bisected the property but have remained in one ownership or have been transferred as one property.
- c. Parcels or lots under one ownership or have been transferred as one property but that cross political subdivision boundaries remain contiguous.

Cul-de-Sac Street. A local street with only one outlet that terminates in a circular shaped vehicular turnaround and having an appropriate terminal for the safe and convenient reversal of traffic movement.

Design Standards. The specifications for the design of subdivisions and required improvements including items such as the optimum, minimum or maximum dimensions of such items as rights-of-way, blocks, easements and lots.

Developer. The owner of land proposed to be subdivided or its representative who is responsible for any undertaking that requires review and/or approval under these regulations. See Subdivider.

Developer's Agreement. A contract entered into by the applicant and the Township Board on behalf of the Township by which the applicant promises to complete the required public and private improvements within the subdivision within a specified time period following final subdivision plat approval.

Development Agreement. A contract between the Township Board and developer that specifies the terms and conditions of approval of a planned unit development or other zoning matter.

Easement. Authorization by a property owner for another party to use the owner's property for a specified purpose. Private easements are authorizations between private parties and not available to the general public. Public easements are authorizations between a private landowner and the public.

Escrow. A deposit of cash with the Township or escrow agent to secure the promise to perform some act.

Final Plat. A drawing or map of a subdivision, meeting all of the requirements of the Township, County, and Minnesota state statutes regarding the platting of land, and in such form as required by the Township or Wright County for the purpose of recording.

Frontage. That side of a lot abutting on a street and ordinarily regarded as the front of the lot; but it shall not be considered as the ordinary side of a corner lot.

Grade. The slope of a road, street, or other public way specified in percentage terms.

Health, Safety, or General Welfare. The purpose for which towns may adopt and enforce land use regulations for the prevention of harm or promotion of public benefit to the Township.

Highway, Limited Access. A freeway or expressway providing a traffic way for through traffic, in respect to which owners or occupants of abutting property on lands and other persons have no legal right to access to or from the same, except at such points and in such manner as may be determined by the public authority having jurisdiction over the traffic way.

Homeowners Association. See Property Owners Association.

Improvements. See Lot Improvement or Public Improvement.

Individual Sewage Treatment System (ISTS). An on-site sanitary sewage treatment system or any other approved sewage treatment device.

Increase in Land Use Intensity. A change in use resulting in more intensive use of the land, such as a change from agricultural to residential, from residential to multi-family, commercial, or industrial, or from commercial to industrial.

Landscaping. Acting with the purpose of meeting specific criteria regarding uses of outside space, including ground cover, buffers, and shade trees.

Licensed Engineer. An engineer properly licensed and registered in the State of Minnesota.

Licensed Land Surveyor. A land surveyor properly licensed and registered in the State of Minnesota.

Local Road. A street, as designated in the Comprehensive Plan, whose function is to provide access to abutting properties and to other roads from individual properties and to provide right-of-way beneath it for sanitary sewer, water, and storm sewer lines, street trees, sidewalks and trails and other public purposes as approved by the Township Board.

Lot. A portion of an approved subdivision intended as a unit for the purpose, whether immediate or future, of transfer of ownership, or possession, or for building development.

Lot, Corner. A lot situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding 120 degrees nor less than 60 degrees.

Lot Improvement. Any building, structure, work of art, or other object situated on a lot constituting a physical betterment or improvement of the property including grading.

Lot Line. The dividing line between two platted lots or as further established by the Wright County Zoning Ordinance.

Lot Width. The shortest horizontal distance between the side lot lines of a lot measured at any point between the front lot line and the rear lot line. For the purposes of meeting minimum lot width requirements throughout this ordinance, lot width shall be measured in a straight line rather than along a road or right-of-way. For riparian lots, the lot width shall also be the horizontal distance measured between lot corners at the ordinary high water level and at the minimum building setback line from the water body.

Standard Subdivision. See Subdivision, Standard.

Major/Urban Collectors. Roadways, as designated in the Township comprehensive plan that serve shorter trips that occur and provide access from neighborhoods to the arterial system. They supplement the arterial system by emphasizing mobility over land access. Consequently, because of their location, they are lower-volume roads than arterial routes.

Metes and Bounds. A series of lines around a perimeter of an area known as a metes and bounds description: “metes” means bearings and distances and “bounds” means and refers to monuments, both physical and legal.

Minor Arterial. A roadway that supplements principal arterials, as designated in the Corinna Township Comprehensive Plan. Minor arterials connect urban service areas with towns inside and outside the region. They also connect major traffic generators and regional business concentrations. They should serve medium-length and short trips and emphasize mobility over land access.

Minor Collector. A roadway that provides supplementary interconnection among rural centers. Their emphasis is on land access. Consequently, because of their location, they are lower-volume roads than arterial routes.

Minor Subdivision. See Subdivision, Minor.

New Development. A project involving the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; or any use or extension of land; any of which has the effect of increasing the requirements for capital improvements, measured by number of service units to be generated by such activity, and which requires either the approval of a plat pursuant to the Township’s subdivision regulations, the issuance of a land use permit, or connection to a sanitary sewer system.

Nonresidential Subdivision. A subdivision whose intended use is other than residential, such as commercial or industrial uses.

Ordinance. Any legislative action, however denominated, of the Township which has the force of law, including any amendment or repeal of any ordinance.

Outlot. A lot within a plat that is not otherwise designated by lot and block. Outlots may be intended for further subdivision in the future, for permanent open space, for stormwater management, sewage treatment, water supply or other facilities, or for other purposes approved by the Township during a standard subdivision process.

Owner. The record owners of the fee or a vendee in possession, including any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under the definition of Common Ownership.

Parcel. Any property existing as of the effective date of this Ordinance and recorded with the Wright County Recorder's Office and any lot, site, unit or tract created pursuant to the provisions of this Ordinance subsequent to its effective date.

Pedestrian Way. A facility designed for pedestrian travel located within a public right-of-way or public easement across a lot or parcel intended to provide public access for pedestrians.

Perimeter Street. Any existing street to which the parcel of land to be subdivided abuts on only one (1) side.

Person. Any individual or group of individuals, or any corporation, general or limited partnership, joint venture, unincorporated association, or governmental or quasi-governmental entity.

Planned Unit Development (PUD). A type of development characterized by a unified site design for a number of residential and/or commercial dwelling units or dwelling sites on a parcel, whether for sale, rent or lease, and the provision of common open space. These developments may be organized and operated in a variety of ways, including as cluster subdivisions, conservation subdivisions, condominiums, time share condominiums, cooperatives, full fee ownership, any similar form of organization or ownership, or any combination of these. They also include the conversion of existing structures and land uses to these types of ownership structures and land use designs.

Planning Commission. The Corinna Township Planning Commission.

Plat. The drawing or map of a subdivision prepared for filing of record pursuant to Minnesota Statutes, Chapter 505; or successor statutes, and containing all elements and requirements set forth in all official controls adopted to Minnesota Statutes, Chapters 462 and 505; or successor statutes.

Plat, Final. A drawing or map of a subdivision meeting all requirements of the Township and in such form as required for purposes of recording with the County

Plat, Preliminary. The preliminary drawing or map, prepared by a Licensed Land Surveyor and as described in these regulations, indicating the proposed manner or layout of the subdivision to be submitted to the Planning Commission and Township Board for its consideration.

Principal Arterial. A roadway, as designated in the Corinna Township Comprehensive Plan, intended to connect regional population centers and other principal and minor arterial routes. They carry the longest trips in the region and emphasize mobility rather than land access. Principal arterials are generally constructed as limited access freeways in a developed area, but may also be constructed as multi-lane divided highways.

Private Covenants. Contracts entered into between private parties and constituting a restriction on the use of private property within a subdivision for the benefit of the

property owners to provide mutual protection against undesirable aspects of development which would tend to impair stability of values.

Private Street. A privately owned and maintained street.

Property Line. The dividing line between two parcels.

Property Owners Association. An association or organization, whether or not incorporated, which operates under and pursuant to recorded covenants or deed restrictions, through which each owner of a portion of a subdivision be it a lot, parcel site, unit plot, condominium, or any other interest is automatically a member as a condition of ownership and each such member is subject to a charge or assessment for a pro-rated share of expense of the association which may become a lien against the lot, parcel, unit, condominium, or other interest of the member.

Public Improvement. Any drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking area, lot improvement, or other facility for which the Township or other governmental entity may ultimately assume the responsibility for maintenance and operation, or which may effect an improvement for which Township or other governmental entity responsibility is established. Public improvements do not include the sanitary sewer service line that extend from the structure to the sanitary sewer main, driveways and approaches, or service lines for electric, natural gas or telecommunication utilities.

Public Capital Improvements Program. An itemized program for typically a five-year prospective period that sets the schedule, timing and details of specific capital improvements by year together with an estimated cost, the need for each improvement, and potential financial resources for the project.

Rectangular Parcel, Lot or Tract. A system that divides land into square tracts using simple divisions of the Public Land Survey System (PLSS). The location of the land is described in such terms such as "Government 40;" "quarter-quarter section;" N2, SE4 (north half of the southeast quarter), or; N1/2, SE1/4 (north one-half of the southeast one-quarter).

Registered (Torrens) Land Survey. Registered Land Surveys are surveys performed for the identification of registered (Torrens) lands in accordance with the requirements of Minnesota Statutes, Chapter 508; or successor statutes. Registered Land Surveys are not plats, are not signed by landowners and may not dedicate public rights.

Resubdivision. Any change in a recorded standard subdivision plat that affects any street rights-of-way layout in the subdivision or area reserved thereon for public use or exceeds the number of lots allowed in a minor subdivision.

Right-of-Way. A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for any other special use. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established as determined by the Township Board. The term "right-of-way" as used herein shall not include or relate to utility easements or to drainage easements.

Road Classification. For the purpose of providing for the development of the streets, highways, roads and rights-of-way in the governmental unit, and for their future improvement, reconstruction, realignment, and necessary widening, including provision for curbs and sidewalks, each existing street, highway, road, and right-of-way, and those located on approved and filed plats, have been designated in the Township Comprehensive Plan and classified therein. The classification of each street, highway, road, and right-of-way is based upon its location in the respective zoning districts of the Township and its present and estimated future traffic volume and its relative importance and function as specified in the Township Comprehensive Plan.

Road, Dead-End. A road or a portion of a road with only one (1) vehicular-traffic outlet.

Road Right-of-Way Width. The distance between right-of-way or roadway easement lines measured at right angles to the center line of the street.

Rough Grading Plans. The maps or drawings accompanying a subdivision plat that shall be of adequate scale to show all the site information required by this ordinance and/or otherwise necessary to make an accurate assessment of road gradients, drainage patterns, and erosion and storm water control measures before, during and after preparation and/or grading of the site on one sheet. This plan needs to include the existing and proposed contours, areas of cut and fills, the site drainage pattern and inlet/outlet structures.

Sale. Any immediate or future transfer of ownership, or any possessor interest in land, including contract of sale, devise, intestate succession, or other transfer of an interest in a subdivision or part thereof.

Screening. Approved materials such as walls, berms, fences, or plantings which are used to conceal one element of a development from other elements or from adjacent or contiguous development.

Security. The letter of credit or cash escrow provided by the applicant to secure its promises in the subdivision improvement agreement.

Setback. The distance between a structure and the property line, roadway center line, or other lot boundary or natural resource feature.

Sketch Plat. A sketch preparatory to the preliminary plat (or final plat in the case of minor subdivisions) to enable the subdivider to save time and expense in reaching general agreement with the Township as to the form of the plat and the objectives of these regulations.

Street. A public way for vehicular traffic, whether designated as a street, highway, thoroughfare, arterial, parkway, throughway, road, avenue, lane, place or however otherwise designated.

Street, Half. A public right-of-way that is fifty (50) percent or less of required right-of-way width.

Street Width. The shortest distance between the lines delineating the street measured from curb to curb or shoulder to shoulder.

Structure. Any building or appurtenance, including decks, except fences and except aerial or underground utility lines, such as: sewer, electric, telephone, telegraph, gas lines, towers, poles, and other supporting facilities.

Subdivide. The act or process of creating a subdivision.

Subdivider. Any person who (1) having an interest in land, causes it, directly or indirectly, to be divided into a subdivision or who (2) directly or indirectly, sells, or develops, or offers to sell, or develop, or advertises to sell, or develop, any interest, lot,

parcel, site, unit, or subdivision, or, who (3) engages directly or through an agent in the business of selling, developing, or offering for sale, or development a subdivision or any interest, lot, parcel, site, unit, or plat in a subdivision, and who (4) is directly or indirectly controlled by, or under direct or indirect common control with any of the foregoing.

Subdivision. Any land, vacant or improved, which is divided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, condominiums, tracts, or interests for the purpose of offer, sale, or development whether immediate or future, either on the installment plan or upon any and all other plans, terms, and conditions. Subdivision includes the division or development of residentially and nonresidentially zoned land, whether by deed, metes and bounds description, devise, intestacy, map, plat, or other recorded instrument. Subdivision includes administrative subdivision, standard subdivision, resubdivision and condominium creation or conversion.

Subdivision, Standard. All subdivisions not classified as exceptions to the subdivision ordinance or an administrative subdivision.

Temporary Improvement. Improvements built and maintained by a subdivider during construction of the subdivision and prior to release of the performance bond.

Tree. Any of the following types of trees, as each is defined herein:

- a. Coniferous/Evergreen Tree. A woody plant which, at maturity, is at least 12 feet or more in height, having foliage on the outermost portion of the branches year round.
- b. Deciduous Tree. A woody plant which, at maturity, is at least 15 feet or more in height, having a defined crown and which sheds leaves annually.
- c. Significant Tree. A healthy tree measuring a minimum of six inches in diameter for hardwood deciduous trees, as defined herein; or a minimum of 12 inches in diameter for softwood deciduous trees, as defined herein; or a minimum of 12 feet in height for coniferous/evergreen trees.
- d. Hardwood Deciduous Tree. Includes: Ironwood, Catalpa, Oak, Maple hard, Walnut, Ash, Hickory, Birch, Black Cherry, Hackberry, Locust and Basswood.
- e. Softwood Deciduous Tree. Includes: Cottonwood, Poplars/Aspen, Box Elder, Willow, Silver Maple and Elm.
- f. Speciman Tree. A healthy hardwood deciduous tree measuring equal to or greater than 30 inches diameter and/or a coniferous tree measuring 50 feet or greater in height.

Township. Corinna Township, Minnesota.

Township Attorney. The attorney of Corinna Township or other legal professional as determined by the Town Board.

Township Board. The governing body of the Township of Corinna, Minnesota, known as the Corinna Township Board of Supervisors.

Township Engineer. The Township Engineer or any licensed Engineer otherwise designated by the Township Board.

Township Zoning Administrator. The Township Zoning Administrator or an authorized representative.

Turnarounds. A local street with only one outlet that terminates in an “L” or “T” shape for vehicular turnaround and having an appropriate terminal for the safe and convenient reversal of traffic movement.

SECTION 3. REVIEW AND APPROVAL PROCEDURES

3.1 General Procedures.

1. **Subdivision Procedures.** Before any land is subdivided, applicants proposing to subdivide land shall apply for and secure approval of the proposed subdivision in accordance with the following procedures which establish different steps for the four different classifications of subdivision as defined in this ordinance and as identified below:
 - a. Administrative Subdivisions
 - b. Standard Plats
 - c. Registered (Torrens) Land Survey
 - d. Common Interest Communities
2. **Determination of Subdivision Classification.** The Township Zoning Administrator shall determine the type of subdivision classification a proposed project is
3. **Official Submission Dates.** For the purpose of these regulations, the Official Submission Date or starting date shall be the date in which a written request that includes a complete and accurate application, as determined by the Township Zoning Administrator, is received for a subdivision.
4. **Complete Submittal.** The Township Zoning Administrator will review subdivision applications within **fifteen (15) business days** of their submittal and determine if the application is complete. If the application is not complete and accurate, the Township Zoning Administrator will notify the applicant in writing of the necessary changes or additional information within the 15-day timeframe. If the application is complete, the formal review process will begin on the date the submittal was received by the Zoning Administrator.
5. **Coordination of PUD Zoning Applications.** It is the intent of these regulations that subdivision review be carried out simultaneously with the review of Planned Unit Development (PUD) zoning applications under the Zoning Ordinance. The plans required for these types of zoning applications shall be submitted in a form to satisfy the requirements of the subdivision regulations.
 - a. **General Requirement.** Whenever the Zoning Ordinance authorizes PUD zoning applications and the application entails the division of the land, vacant or improved, into two (2) or more lots, parcels, sites, units, plots, or interests for the purpose of offer, sale, or development, whether residential or nonresidential, standard subdivision approval by the Township Board shall be required in addition to all other procedures and approvals required in the Zoning Ordinance, whether or not applicable zoning procedures also require Township Board approval.
 - b. **Procedure to Be Followed:**

- i. **Preliminary Plat Approval Required.** Whenever a PUD zoning application is submitted which involves a subdivision of land as set forth in these regulations, a concurrent submittal of a preliminary plat application shall be submitted to the Township. The application shall be made on the forms required for a preliminary plat as set forth in this ordinance.
- ii. **Final Plat Approval Required.** A final plat of the PUD must be approved by the Township Board. No construction or placement of structures or other improvements shall take place within a PUD project except as provided in this ordinance until the zoning application has been finally approved by the Township Board and the final subdivision plat is recorded with the Wright County Recorder's Office.

3.2 Pre-Application Meetings

1. **Purpose.** In order to familiarize the subdivider with these regulations and related laws and to avoid costly revisions of plans and plats before preparing the necessary documents and drawings for a subdivision application submittal, applicants are encouraged to meet with the Township Zoning Administrator at a pre-application meeting. The purpose of the meeting is to discuss the requirements in this ordinance and other applicable regulations and the procedures for approval of a subdivision with the applicants as early in the design process as possible.
2. **Sketch Plat.** While not required, it is strongly suggested that the subdivider request that a pre-application meeting be held including the subdivider, Township Zoning Administrator, and other relevant persons as determined by the Zoning Administrator. Discussion at this meeting shall be limited to general comments, application procedures, ordinance requirements and timing.
3. **Planning Commission Review.** At the subdivider's option, a review of a sketch plan will be made by the Planning Commission prior to a public hearing. Discussion at this meeting shall be limited to general comments, application procedures, ordinance requirements and timing.
 - a. The subdivider shall submit 9 copies of the sketch plan, 14 days prior to the normal Planning Commission meeting, and request a position on the formal agenda.
 - b. The Planning Commission shall not take action on the proposal, but may make suggestions to facilitate the preparation of an approvable preliminary plat or plan.

3.3 Environmental Review Procedures.

1. **Purpose.** Minnesota Law requires that projects that have the potential to cause significant environmental impacts must undergo special environmental review procedures prior to obtaining approvals and other needed permits. The function of the

Minnesota Environmental Review Program is to avoid and minimize damage to Minnesota's environmental resources caused by public and private actions.

2. **When Required.** The mandatory and exemption categories are established in Minnesota Rules, Parts 4410.4300, 4410.4400 and 4410.4600, or as amended by the State of Minnesota. Subdivision proposals that exceed the stated thresholds must complete the required environmental review process prior to the approval of the subdivision by the Township. (Contact the Zoning Administrator for more information on these procedures.)
3. **Costs Incurred.** In the event that an environmental assessment worksheet or an environmental impact statement is required for a subdivision, the Township Board may require the applicant to pay a fee equal to the actual cost incurred by the Township, including the cost of Township staff time including direct salary and fringe benefit costs, the cost of consultant or other professional fees incurred in completing any portion of the review process, the cost of printing and distributing documents, the cost of any public hearings or public meetings held in conjunction with the application, and other direct costs of the Township in the review process. The Township Board shall provide the applicant with an itemized listing of the costs incurred if requested by the applicant within 30 calendar days of the date of the billing.

- 3.4 Registered (Torrens) Land Survey Procedures.** It is the intention of this Ordinance that all registered land surveys in the Township shall be presented in the form of a standard plat in accordance with the standards set forth in this Ordinance, the Zoning Ordinance, and all other applicable requirements and that the Township Board shall approve the arrangement, sizes, and relationships of the proposed tracts in such a registered land survey before the document is recorded with Wright County. Unless such an approval has been obtained, no construction or placement of structures or other improvements shall take place on tracts which have been so subdivided by registered land surveys. Further, the Township may refuse to improve, repair, or maintain any tracts to be used as streets or roads.

SECTION 4. SUBDIVISION PROCEDURES

4.1 Administrative Subdivisions

It is intended that administrative subdivisions generally be allowed for non-building purposes, for utilizing a Registered Land Survey, for the conveyance of a full Government Lot or a full quarter-quarter section as described in the Public Land Survey System (PLSS), for purposes of correcting a boundary line, for the limited attachment of certain properties, for subdivisions for mortgage purposes, for establishing a life-estate and for subdivisions for the purpose of sewage treatment installation. The following conveyances may be allowed as administrative subdivisions:

1. The conveyance is by metes and bounds description and under the following circumstances:
 - a. The conveyance is for a purpose other than to create a building site; or
 - b. The conveyance is of a simple rectangular parcel, lot or tract described in accordance with the Public Land Survey System and described by not less than three divisions of a section (i.e. $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ section) and generally not less than ten (10) acres (may be less than ten acres if due to public right-of-way or irregularly shaped sections); and
 - c. In the case of either a or b, the conveyance does not require creation or altering of any public road right-of-way.
2. The conveyance is part of a Registered Land Survey or standard plat and is for a purpose other than to create a building site.
3. The conveyance is described as a complete Government Lot under the PLSS, and has not been previously restricted under provisions of this Ordinance or by deed restriction.
4. The conveyance is described by the PLSS and is a full quarter-quarter section, and has not been previously restricted under provisions of this ordinance or by deed restriction.
5. The conveyance is, in the opinion of the Zoning Administrator, solely for the purpose of correcting a boundary line.
6. An administrative subdivision for the purpose of attachment to or merging with a contiguous lot, tract or parcel may be allowed, provided any residual tract does not become nonconforming with any applicable Township Ordinance. Unless combined into a single legal description and tax parcel, the deed for any parcel, lot or tract that would otherwise be nonconforming with an applicable Township Ordinance shall be accompanied by a Declaration of Restriction restricting it from being conveyed separately from the receiving parcel, lot or tract unless platted pursuant to the provisions of this Ordinance; or successor Ordinance..
7. An administrative subdivision for the purpose of securing a mortgage or establishing a life-estate may be allowed. The mortgage or life-estate shall be accompanied by a Declaration of Restriction restricting both parcels, lots or tracts by stating that they shall not be conveyed separately unless platted pursuant to the provisions of this Ordinance; or successor Ordinance.
8. An administrative subdivision for the purpose of facilitating the installation of a sewage treatment system or water supply system may be allowed in those situations

where a public road or any right-of-way easement for the purpose of ingress and egress separates what otherwise would be contiguous property under the same ownership. The deed for any parcel, lot or tract that would otherwise be nonconforming with an applicable Township Ordinance shall be accompanied by a Declaration of Restriction restricting it from being conveyed separately from the receiving parcel, lot or tract unless platted pursuant to the provisions of this Ordinance; or successor Ordinance.

9. **Procedure.** An administrative subdivision shall be considered by the following procedure:
 - A. The applicant shall submit, to the Zoning Administrator, a legal description of the existing parcel and proposed legal description of the parcel to be conveyed. When any proposed or existing tract is described by metes and bounds description, the application shall be accompanied by two (2) copies of a certificate of survey, prepared by a Licensed Land Surveyor, one (1) copy of which shall be filed with Wright County. The survey shall include the following information:
 - i. Legal description of each parcel;
 - ii. Parcel area;
 - iii. Site improvements, including structures; and
 - iv. Distances from structures to property lines.
 - v. Location of any existing tile lines, abandoned wells, drainage ways, waterways, watercourses, lakes, wetlands and the toe and top of any bluffs present. When applicable, the ordinary high water level and 100-year flood elevations shall be shown.
 - vi. Location of a primary and an alternate site for individual sewage treatment systems (if applicable).
 - B. When applicable or required by this ordinance, a Declaration of Restriction with the required language.
 - C. The Zoning Administrator shall review the proposed Administrative subdivision for compliance with all applicable ordinances. After the review, the Zoning Administrator shall notify the applicant whether the subdivision is approved or denied. If denied, the Zoning Administrator shall provide written reasons for the decision.
 - D. Unless specifically allowed as an administrative subdivision by this ordinance, any subdivision of land regulated by this Ordinance shall only be approved as a standard plat, Registered Land Survey or Common Interest Community, whichever is applicable.

4.2 Standard Plat

Standard Plats allow the subdivision of land by Plat pursuant to Minnesota Statutes, Chapter 505; or successor statutes, and containing all elements and requirements set forth in all official controls adopted pursuant to Minnesota Statutes, Chapters 462 and 505; or successor statutes.

- A. Standard Plat Approval Process.** Except as otherwise provided in this Ordinance, the standard plat approval process shall be followed if the proposed subdivision does not meet the standards necessary to qualify as an administrative subdivision.
- B. Preliminary Plat Approval Process for Plats Consisting of Two or More Lots**
- i. The owner of subdivider shall file an application for preliminary plat approval with the Zoning Administrator that shall consist of the following:
 1. A completed application form and documents demonstrating sufficient ownership or control in the property being platted.
 2. Eight (8) copies of the preliminary plat, plus any additional copies deemed necessary by the Zoning Administrator, and one (1) reproducible copy reduced to 11" x 17" or equivalent electronic format. At a minimum, the application shall contain the information required in this Ordinance.
 3. The application shall be accompanied by all fees established pursuant to this ordinance.
 - ii. The preliminary plat approval stage is the point in the review process in which all information pertinent to the proposed development is furnished by the subdivider for review by the Zoning Administrator, Planning Commission and the public. The information provides the basis for approval or denial of the application. The information submitted in the application shall address both existing conditions and changes that will occur during and after development. A preliminary plat is a plan of how the property will be developed. Changes may be required by the Zoning Administrator, Platting Committee, Planning Commission or Board and additional information may be required during the review process. In the event that additional information is needed to provide an adequate basis for making a decision, the Zoning Administrator, Planning Commission or Board may request additional information in order to provide an adequate basis for making a decision.
 - iii. Preliminary plat information shall be shown on the plat map. However, some information may be submitted in other forms as approved by the Zoning Administrator. The plat map and documents shall contain the following information:
 1. Existing features to be shown:
 - a. Existing property lines and property lines extending 100 feet from the exterior boundaries of the parcel to be subdivided, including the names of the adjacent property owners and current use of those properties.
 - b. Existing public and private roads, showing widths of the roads and any associated easements.
 - c. Location and size of any abandoned wells, sewage treatment systems and dumps.
 - d. Existing buildings and any impervious surface.
 - e. Topography at 2' intervals and source of contour interval, unless approved otherwise by the Zoning Administrator or Planning Commission. A contour map of the surrounding properties may also be required.

- f. Existing general outline of existing trees and vegetation (list type and percent of coverage; i.e. grassland, plowed field, wooded areas, etc.)
 - g. Waterways, watercourses, lakes and public water wetlands
 - h. Delineated wetland boundaries for all wetlands located within the plat boundaries that are not public waters or public waters wetlands, including a copy of the complete wetland delineation report.
 - i. The 100 year flood elevation and Regulatory Flood Protection Elevation, if available.
 - j. Floodway, flood fringe and/or general flood plain district boundary, if applicable.
 - k. The shoreland district boundary, if any portion of the plat is located in shoreland.
 - l. In the shoreland overlay district, the ordinary high water level and the highest known water level.
 - m. In the shoreland overlay district, the toe and top of any bluffs present.
 - n. In the shoreland overlay district, show near-shore aquatic conditions. Information should include lake or river depth, types of bottom sediment and aquatic conditions.
 - o. Mapped soils according to the Wright County Soil Survey.
 - p. Surface water drainage patterns.
 - q. Any additional features deemed necessary at the pre-application meeting.
2. Proposed features to be shown;
- a. Proposed lot lines, dimensions and acreage of all new lots.
 - b. Proposed uses and residential density.
 - c. Name, location, grade and width of proposed streets and any provision for extending streets to serve adjacent areas.
 - d. A detailed grading plan for streets located within the plat boundary.
 - e. General plans for installation of sewer, storm water retention and/or drainage facilities. Include storm water management calculations and plans for the proposed development if required to obtain an NPDES Phase II permit under state or federal regulations.
 - f. If not to be served with public sewer, identification on the preliminary plat for each applicable lot the location of one standard sewage treatment system site and one additional soil treatment area together with the site evaluation report completed by a licensed site evaluator.
 - g. Proposed easements for utilities, drainage and storm water storage.
 - h. The minimum setbacks and resulting building lines.
 - i. Identification of any physical characteristics of the site constituting a susceptibility to erosion or siltation, including effects to any

- adjacent property, and identification of the erosion control measures, if any, to be used to prevent any erosion or siltation.
 - j. Identification of the buildable lot area as set forth in this ordinance or the Corinna Township Zoning Ordinance.
 - k. Proposed lot and block numbers.
 - l. Proposed soil borrow areas for any new road within the plat boundary.
3. General Information:
- a. The proposed name of the plat.
 - b. Name, address and phone number of the owner, subdivider, agent, applicant, surveyor and other principles involved in the development of the plat.
 - c. Proof of ownership.
 - d. Existing zoning. Reference any zoning or similar land use actions that have already occurred that are pertinent to the proposed development.
 - e. Total acreage of the land to be subdivided.
 - f. Boundary line survey and legal description.
 - g. North arrow and scale.
 - h. Graphic scale of not less than 1 inch to 100 feet unless otherwise approved by the Department.
 - i. The following shall be added to the plat map or drawing when a proposed preliminary plat includes lands abutting upon an existing or established trunk highway or proposed highway which has been designated by a centerline order filed in the Office of the County Recorder and/or Registrar of Titles or a preliminary plat that includes lands abutting upon an existing or established county or county state aid highway:
 - i. The outlet for and means of disposal of surface waters from the proposed platted area;
 - ii. The land use designation and zoning category of the proposed platted area;
 - iii. The locations of ingress and egress to the proposed platted area; and
 - iv. A preliminary site plan for the proposed platted area, if one has been prepared.
- iv. A preliminary plat shall be reviewed and considered in accordance with the following procedure:
- 1. When a preliminary plat application is complete, the Zoning Administrator shall submit the preliminary plat application to the Planning Commission for review and recommendation.
 - 2. A preliminary plat which includes land abutting upon an existing or established trunk highway or proposed highway which has been designated by a centerline order filed in the Office of the County Recorder and/or Registrar of Titles shall be submitted to the Commissioner of Transportation for written comments and recommendations. Where a

- preliminary plat includes land abutting upon an existing or established county or county state aid highway, the preliminary plat shall be submitted to the County Highway Engineer for written comments and recommendations.
3. The Zoning Administrator shall set a public hearing on the preliminary plat application.
 4. The Planning Commission shall conduct a public hearing before final consideration of the preliminary plat. Public notice shall be in accordance with Minnesota Statutes, Chapter 394; or successor statutes.
 5. The Planning Commission shall submit its recommendations and findings to the Town Board. The recommendation may be conditional, and may recommend approval or denial of all or part of the preliminary plat.
- v. The Platting Committee and Planning Commission shall consider, but not be limited to, the following criteria when considering a preliminary plat:
1. The preliminary plat shall conform to all applicable official controls and all state and federal laws.
 2. The preliminary plat shall be consistent with the Corinna Township Comprehensive Plan.
 3. No plat shall be approved which does not conform to any applicable floodplain regulations.
 4. No plat shall be approved unless there is provision for two (2) standard on-site sewage treatment systems for each lot, unless served with public sewer or an approved cluster sewer system serving lots within the subdivision.
 5. A plat shall not be approved where a variance will subsequently be required in order to use the lots for their intended use.
 6. No plat shall be approved that does not contain adequate provisions for storm water runoff. If required, no plat shall be approved without an NPDES Phase II-compliant storm water management plan reviewed and approved by the Township or its designated representative.
 7. Each lot shall have sufficient buildable lot area which, for the purposes of this Ordinance, shall be defined as the contiguous area of a lot which is sufficient in area to accommodate the construction of water supply systems, sewage treatment systems, buildings and driveways, while still providing for adequate setbacks. Areas which are floodways, wetlands, rights-of-way, bluffs or which have soils that are unsuitable for individual sewage treatment systems cannot be included in calculating the buildable area of a lot.
 8. Each lot shall be of sufficient size and character to meet applicable sewage treatment system standards
 9. When deemed appropriate by the Zoning Administrator or the Planning Commission, the subdivider shall provide a vegetative buffer adjacent to delineated wetlands and/or wetlands identified on the National Wetland Inventory Map.
 10. The Planning Commission shall consider whether the plat as proposed adequately protects the health, safety and welfare of the residents of the

Township by providing for safe and adequate drinking water supply, adequate sewage treatment capacity, safe road access, proper road alignment and proper setbacks and buffering from conflicting land uses.

C. Final Plat Approval Process

- i. A final plat shall be considered in accordance with the following procedure:
 1. No application for final plat approval shall be submitted without approval of a preliminary plat according to the procedures of this ordinance.
 2. The final subdivision plat shall be drawn at a scale of not more than 200 feet to the inch or as approved by the Township. The sheets shall be numbered in sequence, if more than one sheet, and shall be submitted on 20" x 30" paper sheets or as otherwise approved by the Township. Mylar copies suitable for final recording are not required by the Township.
 3. The final subdivision plat shall be prepared by a land surveyor licensed by the State of Minnesota.
 4. The final plat shall be prepared for recording purposes and must include all information and be presented as required by the Wright County Recorder's Office.
 5. The final plat shall have incorporated all changes or modifications recommended by the Planning Commission. In all other respects, the final plat shall conform substantially to the preliminary plat.
 6. When installed prior to final plat approval, final construction plans for all required improvements, as designed by a licensed, professional engineer, shall be subject to review and approval by the Township, or their designated representative. Plans may also be reviewed by other appropriate agencies, as determined by the Zoning Administrator. Plans shall be drawn at a scale and size as approved by the Township. The following shall be shown:
 - a. **Plan and Profile.** Profiles showing existing and proposed elevations along center lines of all roads. Where a proposed road intersects an existing road or roads, the elevation along the center line of the existing road or roads within one hundred (100) feet of the intersection, shall be shown. Radii of all curves, lengths of tangents, and central angles on all streets shall be shown. Final construction plans shall show the locations and cross-section of street pavements including curbs and gutters, sidewalks and trails (if required), drainage easements, rights-of-way, manholes, and catch basins; the locations of street lighting standards, and street signs; the location, size, and invert elevations of existing and proposed sanitary sewers, storm water drains, and fire hydrants, showing connection to any existing or proposed utility systems; and exact location and size of all water, gas, or other underground utilities or structures.
 - b. **Utility Plan.** Location, size, elevation, and other appropriate descriptions of any existing facilities or utilities, including, but not limited to, existing streets, sewers, drains, water mains, easements, water bodies, streams, and other pertinent features, at the point of

connection to proposed facilities and utilities within the subdivision.

- c. **Grading, Drainage, and Erosion Control Plan.** A final grading, drainage, and erosion control plan for the entire subdivision shall be submitted reflecting those portions of the subdivision affected by drainage, and erosion control measures that are required of the developer. Topography at the same scale as the preliminary plat with a contour interval of two (2) feet. The water elevations of adjoining lakes or streams at the date of the survey, and the approximate high-and low-water elevations of such lakes or streams. The Township Engineer may require, where steep slopes exist, that cross-sections of all proposed streets at one-hundred-foot (100-foot) stations be shown at five (5) points as follows: On a line at right angles to the center line of the sheet, and said elevation points shall be at the center line of the street, each property line, and points twenty-five (25) feet inside each property line. The Township Zoning Administrator may require cross sections in sensitive natural resource areas including bluffs, shorelands, and wetlands.
 - d. All specifications and references required by the Township's construction standards and specifications.
 - e. Title, name, address, and signature of licensed engineer and surveyor, and revision dates.
7. A current title opinion or title commitment to the description of the property being platted. For the purposes of this Section, current shall mean that the document shall have originated within 30 days or less at the date of submission of the final plat.
 8. Any restrictive covenants, subdivision agreements, declarations of restriction or certificates of transfer of development rights shall be submitted with the final plat.
 9. The Wright County Surveyor shall have approved the final plat as in conformance with Minnesota Statutes, Chapter 505; or successor statutes, and in conformance with the "Plat Manual of Minimum Guidelines"; or successor manual, and, if applicable, the "Common Interest Community Plat Manual Guidelines"; or successor manual.
 10. The final plat shall be considered a complete application when the Zoning Administrator has determined that all requirements have been met.
 11. Upon review and acceptance by the Zoning Administrator that the final plat is a complete application, the final plat shall be submitted to the Board for consideration.
 12. If a final plat is approved by the Board, the subdivider shall record it within the Office of the County Recorder and/or Registrar of Titles within one year after the date of approval otherwise the approval of the final plat shall become null and void.

13. In the event an approved preliminary plat is not submitted to the Board for final plat approval within one (1) year of the Planning Commission's recommendation for approval, the preliminary plat shall become null and void. The Board may grant an extension of up to one additional year at its discretion or in the case of a phased development in which only a part of an approved preliminary plat is submitted for final plat approval. The subdivider shall request an extension at the same time that the first phase is submitted for final plat approval. When an extension is granted by the Board, the final plat for all subsequent phases shall be subject to the official controls in effect at the time of final plat approval.

4.3 Registered Land Survey Approval

Except as provided in this Ordinance, registered land surveys pursuant to Minnesota Statutes, Section 508.47; or successor statutes, shall be reviewed and considered for approval in the same manner as though a standard plat.

4.4 Common Interest Communities

A Common Interest Community shall be evaluated and considered for approval in the same manner as a standard plat and shall be subject regulated as a planned unit development whenever the design of the common interest community is not consistent with the minimum lot size dimensions contained in the Corinna Township Zoning Ordinance.

- A. Common Interest Communities shall meet the minimum guidelines established in the "Common Interest Community Plat Manual of Minimum Guidelines"; or successor manual.
- B. 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 Corinna Township Zoning Ordinance. Existing structures, uses or other improvements to the land that are inconsistent with current zoning regulations shall be regulated as nonconformities, as outlined in the Corinna Township Zoning Ordinance or as otherwise required by state or federal law.
- C. Conversion of an existing resort, mobile home park or other similar form of development to a common interest community shall be by standard plat pursuant to the requirements of this Ordinance and the applicable requirements of Minnesota Statutes, Chapter 515A and Chapter 515 B; or successor statutes, and shall be further subject to the following:
 - i. 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 connection to municipal systems 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 Common 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 subdivision agreement.

- ii. The subdivider 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.
- iii. The conversion shall not result in an increase in residential density, unless the residential density requirements of the applicable zoning district are met.
- iv. 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.

SECTION 5. ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

5.1 Improvements and Developer's Agreement

1. **Completion of Improvements Prior to Final Plat Approval.** Except as provided in Section 5.1(2), before the final plat is signed by the Township Board Chair, all applicants shall be required to complete at their expense, without reimbursement by the Township or any improvement district, all public improvements as required in these regulations, specified in the final plat and as approved by the Township Board, and to dedicate those public improvements to the Township or other governmental entity, free and clear of all liens, mortgages and encumbrances on the dedicated property and public improvements.
2. **Completion of Improvements After Final Plat Approval.**
 - a. **Developer's Agreement.** The Township Board in its sole discretion may waive the requirement that the applicant complete all public improvements prior to approval of the final plat and, as an alternative, the Township may permit the applicant to enter into a Developer's Agreement by which the subdivider agrees to complete all required public improvements no later than **two (2) years** following the date of approval of the final plat. The Developer's Agreement shall contain the terms and conditions agreed to by the applicant and the Township Board in approving the standard subdivision, including all applicable provisions for maintenance, warranties, construction or placement of structures or other improvements, and other terms and conditions of subdivision approval. The Developer's Agreement shall also include any self-imposed restrictions proposed by the developer, such as the locations of any structures, if agreed to by the Township Board.
 - b. **Financial Security.** Whenever the Township Board permits an applicant to enter into a Developer's Agreement, it shall require the applicant to provide a financial security for the promises contained in the Developer's Agreement. The security shall be in an amount equal to one hundred twenty five percent (125%) of the estimated cost of completion of the required public improvements, including lot improvements. Whenever it is deemed necessary by the Township to defer the construction of any improvement required under these regulations **beyond 2 years**, the subdivider shall either pay its share of the costs of the future improvements to the Township prior to signing of the final subdivision plat by the Chair of the Township Board or the subdivider may guarantee completion of the deferred improvements in the Developer's Agreement upon demand of the Township and secured by financial security. The following methods of financial security maybe used:
 - i. **Letter of Credit.** If the applicant posts a letter of credit as security for its promises contained in the Developer's agreement, the credit shall (1) be irrevocable; (2) be for a term sufficient to cover the

- completion, maintenance and warranty periods in this Section; and (3) require only that the Township present the issuing bank with a sight draft and an affidavit signed by the Township Attorney attesting to the Township's right to draw funds under the credit.
- ii. Cash Escrow. If the applicant posts a cash escrow as security for its promises contained in the Developer's agreement, the escrow instructions shall provide: (1) that the subdivider will have no right to a return of any of the funds except as provided in this Section; and (2) that the escrow agent shall have a legal duty to deliver the funds to the Township after following the procedure set forth in Section 4.1(2)(c). If and when the Township accepts the offer of dedication for the last completed required public improvement, the Township shall execute a waiver of its right to receive all but twenty-five percent (25%) of the funds represented by the letter of credit or cash escrow if the subdivider is not in breach of the Developer's agreement. The residual funds shall be security for the subdivider's covenant to maintain the required public improvements and its warranty that the improvements are free from defect.
 - iii. Performance Bond. A performance bond may be provided as a financial security in a form as approved by the Township.
- c. Failure to Complete Improvements. In those cases where a Developer's Agreement has been executed and security has been posted and required public improvements have not been installed within the terms of the agreement, the Township may then:
- i. Provide **thirty (30) calendar days** notice for the developer to meet with the Township Board to review the status of the improvements and resolve the problems;
 - ii. Declare the agreement to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the agreement is declared to be in default;
 - iii. Obtain funds under the security and complete improvements itself or through a third party;
 - iv. Assign its right to receive funds under the security to any third party, including a subsequent owner of the subdivision for which improvements were not constructed, in whole or in part, in exchange for that subsequent owner's promise to complete improvements in the subdivision; or
 - v. Exercise any other rights available under the law.
- d. Maintenance. The developer shall agree to maintain the required public improvements for a period of **one (1) year** following the acceptance of the completed public improvements. The developer may organize a homeowner's association and assign responsibility to maintain public improvements to the homeowners association but the ultimate responsibility rests with the developer.

- e. Warranty. The developer shall warrant that all required public improvements will be free from defect for a period of **two (2) years** following the acceptance by the Township of the last completed public improvement.
- f. Snow Removal and Emergency Repairs. The developer shall be required, in accordance with any applicable Township ordinances or regulations, to provide snow removal on all streets, and pedestrian facilities if applicable, in the subdivision until all of the streets and pedestrian facilities in the subdivision are accepted by the Township. The developer may organize a homeowner's association and assign responsibility to maintain public improvements to the homeowners association but the ultimate responsibility rests with the developer. The developer shall be responsible to make emergency repairs until the improvements are accepted. The Township, after twenty-four (24) hours notice with no action by the developer, may plow the streets or make emergency repairs and charge those costs to the developer.
- g. Adequate Access. The Township Engineer shall determine the extent of street improvements necessary for adequate vehicular access by the prospective occupant(s) and by police and fire equipment prior to the construction or placement of structures or other improvements.

5.2 Inspection of Improvements.

1. General Procedure and Fees.

- a. Procedure. All required improvements to be installed under the provisions of this ordinance may be subject to approval by and subject to the inspection of the Township Engineer or other person assigned by the Township Board. Such inspections may take place at any or all points of the construction process. If the Township finds upon inspection that any one or more of the required improvements have not been constructed in accordance with the required construction standards and specifications, the applicant shall be responsible for properly completing the improvements.
- b. Fees. The applicant shall pay to the Township an inspection fee based on the estimated cost of inspection, when required by the Township. The subdivision plat shall not be signed by Township officials unless the applicable inspection fee has been paid. These fees shall be due and payable upon demand of the Township. No construction or placement of structures or other improvements may occur until all fees are paid unless financial security is provided to the Township pursuant to this Section.

5.3 Release or Reduction of Security.

- 1. **Satisfactory Completion.** The Township will not release nor reduce the amount of any security posted by the subdivider until the required improvements have been satisfactorily completed and until:

- a. The Township engineer has certified that the layout of the line and grade of all public improvements is in accordance with construction plans for the subdivision; and
 - b. That monuments are currently in place on the ground as shown on the final plat; and
 - c. Documentation has been furnished to and approved by the Township Zoning Administrator indicating that the improvements have been completed. Upon such approval and recommendation by the Township Zoning Administrator, the Township Board shall accept the improvements following the established procedure.
2. **Reduction of Financial Security.**
- a. If the security posted by the subdivider was a cash escrow, the amount of that escrow shall be reduced upon inspection and approval of the public improvements and then only to the ratio that the cost of the public improvement for which approval was given bears to the total cost of public improvements for the subdivision. In no event shall a cash escrow be reduced below twenty-five percent (25%) of the principal amount until the maintenance and warranty periods have expired. Funds held in the escrow account shall not be released to the subdivider, in whole or in part, except upon express written instructions of the Zoning Administrator. At the end of the maintenance and warranty periods, all escrowed funds, if any, shall be released to the subdivider.
 - b. If the security provided by the subdivider was a letter of credit, the Township Attorney shall execute waivers of the Township's right to draw funds under the credit upon inspection and acceptance of the public improvements and then only to the ratio that the cost of the public improvement for which approval was given bears to the total cost of public improvements for the subdivision. In no event shall waivers be executed that would reduce the security below twenty-five percent (25%) of its original amount.

SECTION 6. SUBDIVISION DESIGN STANDARDS

- 6.1 General.** The following principles, standards and requirements will be applied by the Township in evaluating proposed subdivisions. These are the minimum principles, standards and requirements for the promotion and protection of the public health, safety, morals, and general welfare and shall not preclude the Township from requiring stricter standards or requirements when the conditions merit:
1. **Community context.** Proposed subdivisions shall be coordinated with existing nearby development so that the community as a whole may develop harmoniously based on the minimum standards of this Ordinance.
 2. **Comprehensive plan. Proposed subdivisions shall be designed in recognition of the** general policies included in the Corinna Township Comprehensive Plan.
 3. **Land/soil suitability.** Land that the Township finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features that will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by the Township Board to solve the problems created by the unsuitable land conditions. Such land shall be set aside for uses as shall not involve any danger to public health, safety, and welfare. The following areas are unsuitable for development:
 - a. **Flood Plain Areas.** No land shall be subdivided in designated flood plain areas or areas that may be subject to flooding unless the proposed subdivision complies with the standards of the Federal Emergency Management Agency (FEMA), complies with Wright County or State of Minnesota Floodplain regulations and is proposed in combination with buildable areas.
 - b. **Wetlands.** Wetlands or wetland buffer areas, as defined and classified under the Wetland Conservation Act of 1991, shall not be included in calculating the square footage of the buildable area on any lot.
 4. **Agriculturally Important Lands.**
 - a. The Planning Commission may consider the values of agriculturally important lands when making its recommendation on a plat. The Land Capability Classification System and Crop Equivalency Ratios of the Natural Resources Conservation Service (NRCS) shall be used as guides to determine if agriculturally important lands are within a proposed subdivision.
 - b. In making its recommendation, the Planning Commission may take into consideration, but not be limited to, the following criteria or designated areas:
 - i. **Farmability of Parcel.** The size, shape, slope, soil quality, topographic limits and vegetative cover.

- ii. **Proximity.** Proximity to an urbanizing area or in proximity to conforming non-agricultural uses.
 - iii. **Compatibility with Surrounding Uses.** Compatibility or separation by distance or screening with surrounding uses.
 - iv. **Distance from Agricultural Operations.** Located near an existing animal or commercial feedlot as defined in Wright County or State of Minnesota regulations.
 - v. **Shoreland Areas.** Sensitive areas such as shorelands, bluffs and wetlands are considered.
 - vi. **Man-Made or Physical Barriers.** Man-made or physical features act as barriers.
5. **Conformance to Applicable Rules and Regulations.** In addition to the requirements established in these regulations, all subdivision plats shall comply with the following laws, rules, and regulations unless a variance is granted:
- a. Any applicable Township ordinance, engineering standards and all other applicable laws of the Township.
 - b. Any adopted official maps, public utilities plans, Public Capital Improvement Programs, or other adopted plans or programs of the Township.
 - c. All applicable statutory provisions.
 - d. The requirements and rules of the Minnesota Health Department, Minnesota Department of Natural Resources, the Minnesota Department of Transportation, the Minnesota Pollution Control Agency or other applicable state or federal agencies.
6. **Self-Imposed Restrictions.** If the developer places restrictions on any of the land contained in the subdivision greater than those required by the Zoning Ordinance or these regulations, such restrictions or reference to those restrictions shall be recorded in the Developer's Agreement.
7. **Adequate Public Facilities.** No preliminary plat shall be approved unless the Township Board determines that public facilities will be adequate to support and service the area of the proposed subdivision. Public facilities shall include roads, electric utilities, telecommunications, stormwater, sanitary sewer (when located in any sanitary sewer district), gas or other energy service, or other public services necessary to serve the development as determined by the Township Board.
8. **Debris and Waste.** No cut trees, timber, or other organic materials of any kind shall be buried in any land, or left or deposited on any lot or street in the subdivision except as approved by the Township. If approved, all areas intended to be used for burying debris shall be shown and noted on the preliminary plat. Areas proposed for the burying of debris shall not be located in or affect the following; buildable areas, driveways, wells, utilities, or drainfield sites.. No debris or waste shall be left in any area of the subdivision at the time of expiration of any developer's agreement or dedication of public improvements.

6.2 Blocks. Block length and width or acreage within bounding streets and/or shoreland areas shall be laid out to accommodate the size of the lots required by the zoning ordinance and

to provide convenient access, circulation and safety of street traffic. Blocks shall meet the following standards:

1. **Length.** Block lengths should not exceed one thousand three hundred twenty (1,320) feet except where topography or shoreland conditions exist. In blocks longer than eight hundred (800) feet, a pedestrian way with a minimum right-of-way of ten (10) feet may be required near the center of the block. The use of additional pedestrian ways to schools, parks and other destinations may also be required.
2. **Arrangement.** A block shall be so designed as to provide two (2) tiers of lots of appropriate depth unless it adjoins a railroad or limited access highway, and unless the rear lot line abuts a different land use, or topographic conditions necessitate a single tier of lots. In these cases the lot depth shall be at least fifteen (15) feet greater than minimum requirements.

6.3 Lots.

1. **Access.** All lots shall front upon a public right-of-way and have access to an improved street or roadway, except as otherwise allowed in the Zoning Ordinance.
2. **Lot Arrangement.** The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing land use permits to build or constructing or placing structures or other improvements on all lots in compliance with the Zoning Ordinance and in providing driveway access to buildings on the lots from an approved public street.
3. **Lot Dimensions and Shape.** Lot dimensions shall comply with the minimum standards of the Zoning Ordinance, except as stipulated in Section 6.3, subsection 11 below, and should generally be rectangular in shape. The maximum lot depth to width ratio should generally not exceed 3 to 1. In shoreland and wetland areas, the Planning Commission may consider lot ratios greater than 3 to 1 based on natural resource factors. Where lots are more than double the minimum required area for the zoning district, the Township may require that those lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve potential lots, all in compliance with the Zoning Ordinance and these regulations.
4. **Lot Orientation.** The lot line common to the street right-of-way shall be the front line. All lots should be oriented toward the front line and a similar line across the street. Wherever feasible, lots shall be arranged so that the rear line does not abut the side property line of an adjacent lot. Side lot lines shall be at right angles to the public rights-of-way or water features unless topographic conditions necessitate a different arrangement.
5. **Corner Lots.** Corner lots shall be platted at least fifteen (15) feet wider than the minimum lot width required or as further specified in the Zoning Ordinance.

6. **Water Resource Lots.** Land below the ordinary high water mark (OHW) shall not be included within minimum lot area calculations of any lot in a subdivision as required in the Zoning Ordinance. Lots with lakeshore frontage should be designed so that the lot lines extended maintain the closest approximation to riparian right. Lots abutting upon a watercourse, drainage way, channel or stream shall have an additional depth or width, as required to assure building sites that are not subject to flooding. Where a watercourse separates the buildable area of a lot from the street by which it has access, provisions shall be made for installation of a culvert or other structure, of design approved by the Township Engineer and the Minnesota Department of Natural Resources, if applicable.
7. **Lots Along Highways and Railroads.** There shall be no direct vehicular access from residential lots to principal or major arterial roadways or major collector streets. Residential lots shall be separated from principal and major arterial roadways and major collector streets and railroad rights-of-way by a fifteen (15) foot buffer strip, which may be in the form of added depth or width of lots backing on or siding on the street or railroad right-of-way.
8. **Commercial and Industrial Lots.** The depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, as established in the Zoning Ordinance.
9. **Lot Remnants.** No remnants of lots below minimum size shall be left over after subdividing of a larger tract. Remnant areas must be attached to adjacent lots rather than be allowed to remain as unusable parcels.
10. **Double Frontage Lots.** Double frontage lots shall be avoided except where necessary to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography and orientation.
11. **Reduced Lot Widths.** To allow reasonable flexibility in the design of lots within a subdivision, lot widths may be reduced at either a front or rear lot line (but not both) provided the following conditions are met:
 - a. The total number of lots in a subdivision does not exceed the total linear road feet serving the subdivision divided by the minimum lot width of the district where the subdivision is located. Lots designed and approved to be served by existing roads shall be calculated separately from lots to be served by newly constructed roads;
 - b. The minimum required lot width is met at 1) either the front or rear lot line and 2) at the midpoint of the lot depth or 300 feet from the front lot line, whichever is closer to the front lot line.
 - c. Each lot contains an adequate buildable area to accommodate water supply systems, sewage treatment systems, buildings, driveways and other customary improvements to a lot, while still providing for adequate setbacks, exclusive of any portion of the lot not meeting minimum width requirements.

- d. The lot width is reduced to no less than 66 feet for lots larger than five-and-a-half (5.5) acres in size or for smaller lots where future resubdivision is anticipated or feasible, as determined by the Township Board.
- e. The lot width is reduced to no less than 50 feet for lots that are five-and-a-half (5.5) acres in size or less and where future resubdivision is not feasible, as determined by the Township Board.

6.4 Monuments. Monuments shall be placed in locations on the boundary of the subdivision and within it as required by Chapter 505 of the Minnesota Statutes, except that delayed monumentation shall not be approved. Durable monuments shall be placed at all lot corners, block corners, angle points, points of curves in streets and at intermediate points as shown on the final plat. Monuments shall be placed at all quarter section and quarter corners within the subdivision or on its perimeter.

6.5 Sewage Disposal. Each lot shall be provided with a sewage disposal system by either a public sanitary sewer system or a private on-site system.

- 1. **Public sanitary sewer systems.** Sanitary sewer shall be required as a condition of all subdivisions located within public sanitary sewer district boundaries and the Urban Residential district. This requirement for sanitary sewer shall apply to all classes of subdivisions. The following also apply:
 - a. All plans shall be designed and approved in accordance with the rules, regulations, and standards of the public sanitary sewer district—and other appropriate agencies.
 - b. Sewers shall be installed to serve each lot and to grades and sizes required by approving officials and agencies. No individual disposal system or treatment plants (private or group disposal systems) shall be permitted.
- 2. **Private on-site systems.** In subdivisions where municipal sewer services are not presently available, the Township may impose such restrictions and requirements as it deems necessary for the protection of the public health, safety and general welfare. All on-site systems must comply with the regulations and standards of the Township, the Minnesota Department of Health, and Minnesota Rule 7080 of the Minnesota Pollution Control Agency. The Township will consider alternative designs for individual sewage treatment systems (ISTS) such as cluster systems. For more information on delineating ISTS, please see Section 6.3 (7)(d).

6.6 Water. Each lot shall be provided with a supply of potable water by either an individual well, central water system or a public water supply.

- 1. **Public Water System.** Where connection with a public or community water supply well as defined by the Minnesota Department of Health is possible, such system shall be used, and in accordance with Township or County-established specifications and/or other local policies and procedures.

6.7 Grading, Drainage and Stormwater Facilities. The Planning Commission shall not recommend approval of any subdivision that does not make adequate provision for storm and flood water runoff channels or basins in accordance with the following:

1. **Technical Reference Documents.** The Township officially designates the “Erosion Control Handbook” prepared by the Minnesota Department of Transportation” “Minnesota Construction Site Erosion Control and Sedimentation Control Planning Handbook” prepared the Minnesota Board of Water and Soil Resources and “Protecting Water Quality in Urban Areas” prepared by the Minnesota Pollution Control Agency as the technical references for this section. These reference documents will be used to ensure the proper design, construction and maintenance of the stormwater management facilities of a proposed project.
2. **System Design.** The stormwater drainage system shall be separate and independent of any sanitary sewer system. Storm sewers, where required, shall be designed by the Rational Method, or other methods as approved by the Township, and a copy of design computations shall be submitted along with plans. Surface water drainage patterns shall be shown for each and every lot and block.
3. **Drainage Easements.** When a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction as will be adequate for the purpose. Wherever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks and adequate width for maximum potential volume of flow.
 - a. Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, perpetual, unobstructed easements as approved by the Township for drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Drainage easements shall be indicated on the preliminary and final plats.
 - b. Drainage easements shall extend to a natural watercourse or to other drainage facilities, if storm flows from a proposed subdivision are increased. When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights must be secured.
 - c. Low-lying lands along watercourses subject to flooding or overflowing during stormy periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage easements.
4. **Lot Grading and Erosion Control.**
 - a. **Lot Drainage.** Lots shall be laid out so as to provide positive drainage away from all buildable areas. Individual lot drainage shall be coordinated with the general storm drainage pattern for the area.
 - b. **Soil Preservation and Final Grading.** All areas with disturbed soils shall be replaced with a minimum of 4 inches of top soil and be stabilized by seeding or sod planting as recommended in the “Minnesota Construction

Site Erosion Control and Sedimentation Control Planning Handbook” prepared by the Minnesota Board of Water and Soil Resources and “Protecting Water Quality in Urban Areas” prepared by the Minnesota Pollution Control Agency or as approved by the Township.

6.8 Highways, Streets, and Alleys. Proposed streets shall provide a safe, convenient, and functional system for vehicular, pedestrian, and bicycle circulation; shall be properly related to the comprehensive plan; and shall be appropriate for the particular traffic characteristics of each proposed development.

1. General Requirements.

- a. **Classification.** All streets shall be classified by the Township as either a principle arterial, minor arterial, major collector, minor collector, or local street in accordance with the Township Comprehensive Plan.
- b. **Arrangement and Topography.**
 - i. All streets shall be properly integrated with the existing and proposed system of thoroughfares and dedicated rights-of-way as established in the Comprehensive Plan or other official Township documents.
 - ii. All major streets shall be properly related to special traffic generators such as industries, business districts, schools, and other large trip generating sites.
 - iii. Streets shall be logically related to the topography so as to produce usable lots and reasonable grades. All streets should be arranged so as to obtain as many building sites as possible at, or above, the grades of the streets. Grades of streets should conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided.
 - iv. The design of all streets shall be considered in their relation to runoff of storm waters.
 - v. A Public Road (Street) right-of-way must be dedicated and be adjoining to and serve all new lots within the proposed subdivision, except as otherwise allowed in the Zoning Ordinance, and must connect to an existing public road.
 - vi. Where new streets extend existing adjoining streets, their projections shall be the same or of greater width, but in no case less than the minimum required width.
 - vii. Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provisions for the proper projection of streets in order to contribute to area circulation. When a new subdivision adjoins unsubdivided land susceptible to being subdivided, then a new street shall be carried to the boundaries of such undivided land, subject to the provisions of any Township road and street construction standards.
- c. **Access Spacing Guidelines.** Access to streets shall comply with any applicable Township, County or State access spacing requirements. If

none, access shall adhere to Minnesota Department of Transportation guidelines unless specifically waived by the Township.

2. **Design Standards.**

a. **General.** These standards are meant to provide for streets of suitable location, width, and improvement to accommodate prospective traffic and afford satisfactory access for police, fire fighting, snow removal, sanitation, and road maintenance services and equipment, and to coordinate streets so as to create a convenient system and avoid undue hardships to adjoining properties.

b. **Rights-of-Way Widths.** The minimum widths for each type of public street right-of-way shall be as follows:

Type of Street	Rights-of-Way Width
Principle Arterial	150 feet
Minor Arterial	120 feet
Major/Urban Collector	100 feet
Minor Collector	100 feet
Local	66 feet
Alley	Less than 24 feet

Additional rights-of-way or easements and roadway widths may be required by the Township to promote public safety and convenience when special conditions require it or to provide parking space in areas of intensive use. Right-of-way widths in excess of the standards designated in these regulations shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes. Such slopes shall not be in excess of three-to-one unless approved by the Township Engineer.

c. **Street Width and Grades.** The construction for all dedicated roads within a subdivision shall meet the standards established by the Township Board. These standards are filed with the Township Engineer.

d. **Reverse Curves.** Tangents of at least one hundred (100) feet in length may be required between reverse curves on collector streets and fifty (50) feet on lesser streets.

e. **Street Jogs.** Street jogs with center line off-set of less than one hundred fifty (150) feet shall be avoided.

f. **Street Intersections.** Insofar as practical, streets shall intersect at right angles, and no intersection shall be at an angle of less than 60 degrees or greater than 120 degrees. It must be evidenced that safe and efficient traffic flow is encouraged.

g. **Cul-de-sacs and Turnarounds.**

- i. Permanent cul-de-sac streets may be allowed provided that:
 - (1.) Evidence is presented that the road should not or cannot reasonably be continued.
 - (2.) Each cul-de-sac street shall provide at the closed end a turn-around having a minimum outside diameter of eighty

(80) feet and a minimum right-of-way line diameter of one hundred twenty (120) feet.

(3.) A minimum front lot line footage of fifty (50) feet.

(4.) A maximum length of 600 feet in the public sewer service area and 1,200 feet in the remaining rural areas of the Township unless topographic conditions necessitate greater length, as determined by the Town Board.

ii. Temporary or permanent turn-around areas will be allowed provided that:

(1.) The street or road right-of-way is dedicated beyond the temporary turn area to the boundary line of the nearest adjoining unsubdivided land.

(2.) A provision is made as to the responsibility of building the remaining road.

(3.) An easement document covering the area needed for the turn-around is provided to be recorded with the final plat or contained as a dedication on the final plat.

h. **Half Streets.** Half streets shall be prohibited except where subdivisions abut an existing public roadway.

i. **Street Names.** The name of any street theretofore used in the Township shall not be used unless the proposed street is an extension of an already named street, in which event the name shall be used. The subdivider shall obtain approval from the township subject to review by the Township for duplication and appropriateness of the selected street name.

j. **Private Streets.** Private streets shall not be approved nor shall public improvements be approved for any previously existing private street, except when specifically allowed in the Zoning Ordinance.

k. **Local Service Drives.** Where a proposed plat adjoins a principle or minor arterial or major collector, the Township Board may require the developer to provide an access street along the right-of-way of such facilities or they may require that lots back on the thoroughfare, in which case vehicular and pedestrian access between the lots and thoroughfare shall be prohibited.

l. **Hardship to Owners of Adjoining Property.** The street arrangements shall not be such as to cause hardship to owners of adjoining property in platting their own land and providing convenient access to it.

6.9 Street Signs. Street name signs shall be placed at all street intersections within or abutting the subdivision and shall conform to the standard of design accepted for all street name signs. Stop and/or Yield signs shall be placed at all streets intersecting with highways, arterial streets and collector streets, and as determined by the Township Engineer.

6.10 Trails and Sidewalks. The Township may require, in order to facilitate pedestrian access from the roads to schools, parks, playgrounds, or other nearby roads, perpetual unobstructed easements at least ten (10) feet in width.

- 6.11 Utilities.** All new utility facilities, including but not limited to gas, electric power, telephone, and CATV cables should be located underground throughout the subdivision. All utility facilities existing and proposed throughout the subdivision shall be shown on the preliminary plat or the construction plans as determined by the Township. Underground service connections to the street property line of each platted lot should be installed when approved by the utility.
1. **Easements.** Utility easements at least ten (10) feet wide on each lot (for a total of 20 feet) shall be provided for utilities, where necessary. They shall be provided along rear lot lines (except along shorelines) or within alley rights-of-way. They shall have continuity of alignment from block to block. At deflection points, easements for pole line anchors shall be provided where necessary.
- 6.12 Natural, Unique or Sensitive Features.** Existing features that would add value to the proposed subdivision, or that are likely to be irreparably damaged or impacted by the proposed development, such as trees, watercourses, beaches, hills and ridges, wetlands, scenic views, wildlife habitat and nesting areas, unique geologic features, steep or erosive slopes and bluffs, woodland areas, prairie lands, shallow groundwater supplies, near-shore aquatic vegetation or habitat, historic sites, structures and features, and similar irreplaceable assets, shall be preserved in the design of the subdivision within all zoning districts. No trees shall be removed from any subdivision nor any change of grade of the land effected until approval of the preliminary plat has been granted, except as may be required for preparing documents for the preliminary plat (e.g. soil tests). The preliminary plat shall show the general outline of existing trees . Removal or alteration of trees and other vegetation shall comply with any applicable Corinna Township Ordinances.
- 6.13 Non-Residential Subdivisions.** In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Township that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:
1. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
 2. Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
 3. Special requirements may be imposed by the local government with respect to street, curb, gutter, and sidewalk design and construction.
 4. Special requirements may be imposed by the local government with respect to the installation of public utilities, including water, sewer, and storm water drainage.
 5. Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing upon existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.