



East Bethel Community Development
 2241 221st Ave. NE • East Bethel, MN 55011
 Phone: (763) 367-7844 • Fax: (763) 434-9578

SUBDIVISION

INFORMATION ONLY. THIS IS NOT AN APPLICATION. SUBDIVISIONS ARE REVIEWED IN 3 SEPARATE STEPS: CONCEPT PLAN, PRELIMINARY PLAT, AND FINAL PLAT.

| | |
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| CONCEPT PLAN | APPLICATION FEE: \$500 AND ESCROW: \$500* |
| PRELIMINARY PLAT | APPLICATION FEE: \$500 + \$25/LOT AND ESCROW: \$5,000* |
| FINAL PLAT | APPLICATION FEE: \$300 AND ESCROW: \$1,000 + \$50/LOT IF NEW ROAD* |
| PARK DEDICATION FEES FOR COMMERCIAL LOTS | 5% OF LAND OR CASH NOT TO EXCEED \$2,000 PER ACRE (SEE CITY ORDINANCE FOR FURTHER DETAILS) |
| PARK DEDICATION FEES FOR RESIDENTIAL LOTS | 10% OF LAND OR CASH NOT TO EXCEED \$2,000 PER LOT (SEE CITY ORDINANCE FOR FURTHER DETAILS) |

SUBDIVISIONS

ARTICLE I. - IN GENERAL

Sec. 66-1. - Title.

This chapter shall be known as the East Bethel Subdivision Ordinance and will be referred to herein as this chapter. (Ord. of 10-17-2007, § 1(1-1))

Sec. 66-2. - Purpose.

The city council, being aware of the responsibility which they have for the adoption of ordinances and rules and regulations designed for the protection of the health, safety, natural environment, and general welfare of this community, deem it necessary to provide regulations for platting and subdividing of property within the city which will prevent, as far as possible:

- (1) Noncompliant land issues;
- (2) The location of streets where such location does not fit the overall pattern of the city;
- (3) The general design of the proposed building lots in any platted area which might prevent compliance with the building code, zoning ordinance, or other regulations of the city in the future;
- (4) To make all subdivisions of property conform as nearly as possible to a future overall plan;
- (5) Adverse effects of development on the natural ecosystems of the city;

does hereby order that all subdivisions hereafter planned within the limits of the city shall in all respects fully comply with the regulations hereinafter set forth.

(Ord. of 10-17-2007, § 1(1-2))

Sec. 66-3. - Jurisdiction.

The provisions of this chapter shall apply to all lands within the incorporated boundaries of the city.

(Ord. of 10-17-2007, § 1(1-3))

Sec. 66-4. - Platting authority.

The city council shall serve as the platting authority of the incorporated areas of the city in accordance with Minn. Stats. § 462.358, as may be amended. No plat or replat shall be filed or accepted for filing by the office of the county recorder unless adopted by the affirmative vote of the majority of the members of city council approving such plat or replat.

(Ord. of 10-17-2007, § 1(1-4))

Sec. 66-5. - Administration.

This chapter shall be administered by the zoning administrator who is appointed by city council.

(Ord. of 10-17-2007, § 1(1-5))

Sec. 66-6. - Amendments.

The provisions of this chapter shall be amended by the city following a legally advertised public hearing before the planning commission and in accordance with the law, including the rules and regulations of any applicable state or federal agency.

(Ord. of 10-17-2007, § 1(1-6))

Sec. 66-7. - Conditions for recording.

No plat or subdivision shall be entitled to record in the county recorder's office or have any validity until the plat thereof has been prepared, approved, and acknowledged in the manner prescribed by this chapter.

(Ord. of 10-17-2007, § 1(1-7))

Sec. 66-8. - Building permits.

No building permits shall be considered for issuance by the city for the construction of any structure until all requirements of this chapter have been fully complied with.

(Ord. of 10-17-2007, § 1(1-8))

Sec. 66-9. - Policy.

- (a) It is hereby declared to be the policy of the city to consider the subdivision of land and the subsequent development of the plat as subject to the control of the city pursuant to the comprehensive plan for the orderly, planned, efficient, and economical development of the city, while protecting to the greatest degree possible the health, safety, and well-being of the residents.
- (b) Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health from fire, flood, environmental damage, or other menace. Land shall not be subdivided unless proper provisions have been made for drainage, stormwater management, wetland protection, minimization of ecological impacts, potable water, domestic wastewater, streets, and capital improvements such as parks, trails, sidewalks, recreation facilities, transportation facilities, stormwater improvements, and any other necessary improvements.
- (c) The existing and proposed public improvements shall conform to and be properly related to the comprehensive plan, comprehensive sanitary sewer plan, master water study, water management plan, comprehensive park/trail plan, and the capital improvement plan of the city.
- (d) The provisions of this chapter are in addition to and not in replacement of provisions of all building codes and zoning regulations. Any provision of the building code and zoning regulations shall remain in full force and effect except as may be contradictory to the provisions hereof. Where any provision conflicts with another provision, the most restrictive provision shall be applied.

(Ord. of 10-17-2007, § 1(1-10))

Sec. 66-10. - Application of rules.

The language contained in this chapter shall be interpreted in accordance with the following rules of construction as applicable:

- (1) The singular includes the plural, and the plural the singular.
- (2) The present includes the past and future tenses, and the future tense includes the present tense.
- (3) The masculine gender includes the feminine and neuter genders.
- (4) Whenever a word or term defined hereinafter appears in this chapter, its meaning shall be construed as set forth in such definition.
- (5) In the event of conflicting provisions, the more restrictive shall apply.
- (6) In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirement for the promotion of health, safety, and welfare.

(Ord. of 10-17-2007, § 1(1-11))

Sec. 66-11 – Definitions can be found here:

https://library.municode.com/mn/east_bethel/codes/code_of_ordinances?nodeId=COOR_CH66SU_ARTIINGE_S66-16PRSU

Sec. 66-12. - Compliance with comprehensive plan, zoning ordinance, and official map.

No subdivision of land shall conflict with the provisions of the comprehensive plan, the city's zoning ordinance, which is set forth in Appendix A to this Code, or official maps.

(Ord. of 10-17-2007, § 2(2-1))

Sec. 66-13. - Purpose.

- (a) A subdivision application shall be accompanied by a fee established by resolution of the city council to pay for costs associated with the application processing and review. Said fee resolution will be annually reviewed and updated. Any and all expenses incurred by the city for engineering, planning, legal, or other services related to the review and processing of the subdivision application that exceeds the established application fee shall be collected from the applicant.
- (b) The acceptance of all applications, issuance of permits, or recording of any plat shall not occur until a complete application has been filed and the appropriate fees have been paid.

(Ord. of 10-17-2007, § 2(2-2))

Sec. 66-14. - Building permits.

No building permits shall be considered for issuance by the city for the construction of any structure until all requirements of this chapter have been fully complied with. No building permit shall be issued for a platted outlot.

(Ord. of 10-17-2007, § 2(2-3))

Sec. 66-15. - Variances.

The city may grant a variance from the minimum standards of this chapter (not procedural provisions) when, in its opinion, undue hardship may result from strict compliance. In granting any variance, the city shall prescribe any

conditions that it deems necessary to or desirable for the public interest. In granting a variance, the city shall take into account the nature of the proposed use of land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision, and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. A variance shall only be granted when the city finds that there are special circumstances or conditions affecting the property such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land, and that the granting of the variance will not be detrimental to the public health, safety, and welfare, or injurious to other property in the territory in which property is situated. The purpose of the variance is to correct inequities resulting from an extreme physical hardship such as topography, etc. Neither financial hardship nor those hardships which are self-imposed by the owner (past or present) of the parcel are grounds for the granting of variances under this chapter.

(Ord. of 10-17-2007, § 2(2-4))

Sec. 66-16. - Premature subdivision.

Any concept plan, preliminary plat, or final plat deemed premature pursuant to the following criteria shall be denied by city council:

- (1) Conditions for establishing a premature subdivision. A subdivision may be deemed premature should any of the following conditions not be met:
 - a. Consistency with comprehensive plan. Consistency with the comprehensive plan, including any of the following:
 1. City's comprehensive plan.
 2. Comprehensive sanitary sewer plan.
 3. Master water study.
 4. Water management plan.
 5. Comprehensive parks, trails, and open space plan.
 6. Capital improvement plan.
 - b. Consistency with growth policies. A proposed urban subdivision shall meet the city's infill policies.
 1. The urban subdivision must be located within the staged growth area as established by the city's comprehensive plan.
 2. The costs of utilities and street extensions must be covered by one or more of the following and approved by city council:
 - (i) An immediate assessment to the proposed subdivision.
 - (ii) One hundred percent of the street and utility costs are privately financed by the developer.
 - (iii) The cost of regional and/or oversized trunk utility lines can be financed with available city trunk funds.
 - (iv) The cost and timing of the expenditure of city funds are consistent with the city's capital improvement plan.
 3. The cost, operation, and maintenance of the utility system are consistent with the normal costs as projected within the city's water, sewer, and stormwater utility rates.
 4. The developer payments will be sufficient to offset additional costs of utility installation of the future operation, planning, design, city staff time, enforcement, inspection, maintenance, and any other reasonable costs incurred by the city.
 - c. Roads or highway to serve the subdivision. A proposed subdivision shall have adequate roads or highways when:
 1. Roads or highways providing access to a subdivision are functioning at a level of service (LOS) D or better, as defined by the 2000 Highway Capacity Manual, as amended from time to time.
 2. Traffic generated by a proposed subdivision will maintain the LOS of any street providing access to the subdivision to a LOS D or better, as defined by the 2000 Highway Capacity Manual, as amended from time to time.
 3. Existing roads providing access to the subdivision have the structural capacity to accommodate projected traffic from the proposed subdivision or the developer will pay to correct any structural deficiencies. Such costs may include, but are not limited to, future operation, planning, design, city staff time, enforcement, inspection, maintenance, and any other reasonable costs incurred by the city.
 4. The traffic generated from a proposed subdivision shall not require city street improvements that are inconsistent with the city's capital improvement plan or the developer shall pay to correct any street deficiencies as outlined previously.
 5. The developer will solely finance any street improvements or upgrades required by the city's comprehensive plan, county highway department, Mn/DOT, city ordinance, or other regulatory agency to insure proper traffic flow and traffic safety.

- d. Water supply. A proposed urban subdivision shall be deemed to have an adequate water supply when:
 1. The city water system has adequate wells, storage, or pipe capacity to serve the subdivision.
 2. The water utility extension is consistent with the city's master water study and offers the opportunity for water main looping to serve the urban subdivision.
 3. The extension of water mains will provide adequate water pressure for personal use and fire protection.
 4. Adequate well head protection measures have been implemented for all abandoned wells.
- e. Waste disposal systems. A proposed urban subdivision shall be served with adequate waste disposal systems when:
 1. The city has a sufficient waste treatment plan and pipe capacity to serve the subdivision if developed to its maximum density.
 2. The subdivision will result in a sewer extension consistent with the city's comprehensive sanitary sewer plan and capital improvement plan.
- f. Lack of adequate drainage. A condition of inadequate drainage shall be deemed to exist if:
 1. Surface or subsurface water retention and runoff are such that it constitutes a danger to the structural security of existing or proposed structures, or cause unwanted changes to significant natural communities as identified in the zoning code.
 2. The proposed subdivision will cause pollution of water sources or damage from erosion and siltation on downhill or downstream on land outside the parcel's boundaries.
 3. The proposed site grading and development will cause harmful and irreparable damage from erosion and siltation on downhill or downstream on land outside the parcel's boundaries.
 4. Factors to be considered in making these determinations may include: average rainfall for the area; the relation of the land to floodplains; the proximity to identified significant natural communities, the nature of soils and subsoils and their ability to adequately support surface water runoff and waste disposal systems; the slope of the land and its effect on effluents; and the presence of streams as related to effluent disposal.

(2) Burden of establishing. The burden shall be upon the applicant to show that the proposed subdivision is not premature.

(Ord. of 10-17-2007, § 2(2-5))

Sec. 66-17. - Denial of plat.

The planning commission may recommend denial and city council may deny the subdivision if it makes any one or more of the following findings:

- (1) That the proposed subdivision is in conflict with adopted applicable general and specific comprehensive plans of the city.
- (2) That the physical characteristics of this site including, but not limited to, topography, percolation rate, soil conditions, susceptibility to erosion and siltation, susceptibility to flooding, water storage, draining and retention, are such that the site is not suitable for the type of development, design, or use contemplated.
- (3) That the site is not physically suitable for the proposed density of development.
- (4) That the design of the subdivision or the proposed improvements are likely to cause environmental damage or adverse impacts on significant and identified natural communities.
- (5) That the design of the subdivision or the type of improvements are likely to cause environmental damage.
- (6) That the design of the subdivision or the type of improvements will conflict with easements of record or with easements established by judgment of a court.
- (7) That the proposed subdivision, its site, or its design adversely affects the flood-carrying capacity of the floodway, increases flood stages and velocities, or increases flood hazards within the floodway fringe or within other areas of the city.
- (8) The proposed subdivision is inconsistent with the policies and standards of the state-defined shoreland, floodplain, and wetland regulations.
- (9) The city council deems the subdivision to be premature.
- (10) The design of the subdivision does not conform to minimum city development standards.
- (11) The time period for review of the plat has reached expiration without resolution of design features or conformance with city development regulations that would allow for city approval.

(Ord. of 10-17-2007, § 2(2-6))

Sec. 66-18. - Severability and supremacy.

(a) *Severability.*

- (1) Every section, provision, or part of this chapter or any permit issued pursuant to this chapter is declared separable from every other section, provision, or part thereof to the extent that if any section,

provision, or part of this chapter or any permit issued pursuant to this chapter shall be held invalid by a court of competent jurisdiction, it shall not invalidate any other section, provision, or part thereof.

- (2) If any court of competent jurisdiction shall judge invalid the application of any provision of this chapter to a particular property, building, or structure, such judgment shall not affect other properties, buildings, or structures.

(b) *Supremacy.*

- (1) When any condition imposed by a provision of this chapter on the use of land or building or on the bulk of buildings is either more restrictive or less restrictive than similar conditions imposed by any provision of any other city ordinance or regulation, the more restrictive conditions shall prevail.
- (2) This chapter is not intended to abrogate any easements, restrictions, or covenants relating to the use of land within the city by private declaration or agreement, but where the provisions of this chapter are more restrictive than any such easement, restriction, or covenant, or the provision of any private agreement, the provisions of this chapter shall prevail.

(Ord. of 10-17-2007, § 13)

Secs. 66-19—66-39. - Reserved.



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CONCEPT PLAN REVIEW

APPLICANT IS REQUIRED TO MEET WITH CITY STAFF **PRIOR** TO SUBMITTAL OF THIS APPLICATION

APPLICATION FEE: \$500 ESCROW: \$500*

*CONSULTING FEES ACCRUED FROM THE CITY ENGINEER, CITY ATTORNEY, ETC WILL BE TAKEN FROM THE ESCROW AMOUNT. THE REMAINING ESCROW WILL BE REFUNDED AFTER THE PROJECT IS FINISHED AND HAS MET ALL OF THE CONDITIONS DURING FINAL INSPECTION. THE APPLICATION FEE IS NON-REFUNDABLE.

NAME OF PROJECT (IF APPLICABLE): _____

PROJECT ADDRESS: _____ PRESENT ZONING: _____

LOCATION PID: _____ LOT: _____ BLOCK: _____ SUBDIVISION: _____

DESCRIPTION OF PROJECT: _____

PROPERTY OWNER:

NAME: _____
 PHONE: _____
 ADDRESS: _____
 CITY/STATE/ZIP: _____
 EMAIL: _____

APPLICANT:

SAME AS PROPERTY OWNER

NAME: _____
 PHONE: _____
 ADDRESS: _____
 CITY/STATE/ZIP: _____
 EMAIL: _____

I FULLY UNDERSTAND THAT I MUST MEET WITH CITY STAFF TO REVIEW ALL SUBMISSION REQUIREMENTS AND CONDITIONS PRIOR TO OFFICIAL SUBMISSION, AND THAT ALL OF THE REQUIRED INFORMATION MUST BE SUBMITTED AT LEAST THIRTY (30) DAYS PRIOR TO THE PLANNING/ZONING COMMISSION AND CITY COUNCIL SCHEDULED MEETING DATES TO ENSURE REVIEW BY CITY STAFF.

 PROPERTY OWNER SIGNATURE

 DATE

 APPLICANT SIGNATURE

 DATE

OFFICE USE ONLY

DATE SUBMITTED: _____

60 DAYS: _____

TOTAL FEE PAID: _____

120 DAYS: _____

ESCROW APPLICATION SUBMITTED: _____

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ARTICLE II. – CONCEPT PLAN



Sec. 66-40. - **Required.**

It is mandatory that subdividers prepare a concept plan depicting the subdivision proposal. On the basis of the concept plan, city council shall informally advise the subdivider as promptly as possible of the extent to which the proposed subdivision generally conforms to the design standards of this article and to other sections of this chapter. Concept plan review does not convey any legal development rights to the applicant.

(Ord. of 10-17-2007, § 3)

Sec. 66-41. - **Information required.**

The concept plan shall include seven large-scale copies and one reduced-scale copy (11 inches by 17 inches) of detailed written materials, plans, and specifications to include the following information:*

**NOTE: One/two additional large scale copies shall be provided for each of the following, if applicable:*

Project is adjacent to a county road or county state aid highway (1)

Project is adjacent to state highway (1)

Project lies within a shoreland or floodplain overlay district (1)

(1) General location and site description.

a. Name and address of developer/owner.

b. Date of plan preparation and dates of revision.

c. Scale of plan (engineering scale only) - one inch equals 100 feet.

d. North arrow indication.

e. Legal description.

f. Property location map illustrating the site location relative to adjoining properties and streets.

g. Scale drawing (engineering scale only) illustrating property boundaries.

h. Proof that the person is a qualified applicant pursuant to section 66-11.

i. Current and proposed land use and zoning.

j. Evaluation by the applicant that the subdivision would not be determined to be premature pursuant to the criteria outlined by the comprehensive plan and this chapter.

k. Additional information as required by the zoning administrator.

(2) Resource inventory. A resource inventory, mapped at a scale of one inch to 100 feet or less shall include:

a. Topographic contours at two-foot intervals.

b. Soil type locations and identification of soil type characteristics such as hydric soils, depth to bedrock, depth to water table, and suitability for wastewater disposal systems, if applicable (county soil survey information).

c. Hydrologic characteristics including surface watercourses, floodplains, delineated wetlands, natural swales, and drainageways.

d. Site vegetation including:

1. Cover type (pasture, woodland, etc.).

2. Woodland area boundaries.

3. Individual trees having a diameter at breast height of 18 or more inches.

4. Vegetative type descriptions (deciduous, coniferous, or mixed) by plant community, relative age, and condition.

e. Current land use and land cover (cultivated areas, paved areas, etc.), all buildings and structures on the land, and all encumbrances such as easements or covenants.

f. Transportation systems including:

1. Adjoining streets.

2. Functional classifications.

3. Current and projected traffic volumes.

4. General conditions.

5. Provisions for alternative modes of transportation.

g. Neighborhood context. General outlines of existing neighborhoods, presence of areas of significant natural environmental areas, land uses, buildings, streets, and natural features such as water bodies or wooded areas, roads, driveways, and property boundaries within 300 feet of the tract. This information shall be presented on an aerial photograph at a scale of no less than one inch to 200 feet.

- (3) Concept subdivision plan. One or more of the subdivision concept plans, drawn at a scale of one inch to 100 feet or less, meeting the intent of this chapter and including at least the following information:
 - a. Open space areas indicating which areas are to be protected and defined by the purpose of the open space.
 - b. Boundaries of areas to be developed and proposed general street and lot layout.
 - c. Number and type of housing units and/or approximate size and location of commercial and industrial buildings as may be applicable.
 - d. Areas proposed for stormwater management.
 - e. Street and alternative modes of travel systems which are consistent with the comprehensive plan that interconnect neighborhoods.
 - f. Location of utility trunks intended to serve the site.
 - g. Total area of wetlands and uplands on site.
- (4) Application fee and deposit or escrow security to pay for review costs of city staff and consultants.

(Ord. of 10-17-2007, § 3(3-1))

Sec. 66-42. - Procedure for filing and review of application.

The following procedure shall be observed for filing and review of application:

- (1) Preapplication meeting. An applicant must meet with city staff to discuss a proposed development and investigate the city requirements for pursuing a development application.
- (2) An application for a concept plan, along with the associated information and fee established by city council, shall be submitted to the zoning administrator.
- (3) The zoning administrator shall submit copies of the concept plan and associated information to other staff, committees, consultants, or agencies as appropriate.
- (4) The zoning administrator shall forward the concept plan submission to the city's advisory boards, planning commission, and city council for their consideration at regularly scheduled meetings to solicit informal review and comment on the project's acceptability in relation to the city's comprehensive plan and development regulations. Such meetings should be attended by the applicant.
- (5) Concept plan review does not convey any legal development rights to the applicant.
- (6) The planning commission shall hold a public hearing on the proposed concept plan. Notice of the public hearing shall be published in the official newspaper designated by city council at least ten days prior to the hearing. Written notification of the hearing shall be mailed at least ten days prior to the hearing to all owners of land within 350 feet of the boundary of the property in question in sewer districts, and 1,000 feet in RR and A districts. Failure of a property owner to receive said notice shall not invalidate any such proceedings as set forth within this chapter, provided a bona fide attempt has been made to comply with the notice requirements of this chapter.
- (7) The planning commission shall take public testimony at their public hearing and evaluate the requested concept plan against the premature subdivision criteria of section 66-16, the performance standards of this chapter, the performance standards of the city's zoning ordinance, set forth in Appendix A to this Code, and any other city requirements. The planning commission shall make findings and offer a recommendation for either concept plan approval or denial. The planning commission may offer a recommendation of approval with conditions necessary to satisfy city regulations.

(Ord. of 10-17-2007, § 3(3-2))

Sec. 66-43. - Determination of requirement for environmental review documents.

- (a) The zoning administrator may review the concept plan and may determine if an environmental assessment worksheet (EAW), environmental impact statement (EIS), or alternative urban area-wide review (AUAR) is required pursuant to Minnesota Rules. If such documents are required, the zoning administrator may notify the developer of the requirement.
- (b) An escrow deposit in addition to the standard requirements shall be submitted by the applicant to cover city costs for reviewing and administering an EAW.

(Ord. of 10-17-2007, § 3(3-3))

Secs. 66-44—66-74. - Reserved.



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PRELIMINARY PLAT REVIEW

APPLICANT IS REQUIRED TO MEET WITH CITY STAFF **PRIOR** TO SUBMITTAL OF THIS APPLICATION

APPLICATION FEE: \$500 + \$25/LOT ESCROW: \$5,000*

*CONSULTING FEES ACCRUED FROM THE CITY ENGINEER, CITY ATTORNEY, ETC WILL BE TAKEN FROM THE ESCROW AMOUNT. THE REMAINING ESCROW WILL BE REFUNDED AFTER THE PROJECT IS FINISHED AND HAS MET ALL OF THE CONDITIONS DURING FINAL INSPECTION. THE APPLICATION FEE IS NON-REFUNDABLE.

NAME OF PROJECT (IF APPLICABLE): _____

PROJECT ADDRESS: _____ PRESENT ZONING: _____

LOCATION PID: _____ LOT: _____ BLOCK: _____ SUBDIVISION: _____

DESCRIPTION OF PROJECT: _____

PROPERTY OWNER:

NAME: _____
 PHONE: _____
 ADDRESS: _____
 CITY/STATE/ZIP: _____
 EMAIL: _____

APPLICANT:

SAME AS PROPERTY OWNER

NAME: _____
 PHONE: _____
 ADDRESS: _____
 CITY/STATE/ZIP: _____
 EMAIL: _____

I FULLY UNDERSTAND THAT I MUST MEET WITH CITY STAFF TO REVIEW ALL SUBMISSION REQUIREMENTS AND CONDITIONS PRIOR TO OFFICIAL SUBMISSION, AND THAT ALL OF THE REQUIRED INFORMATION MUST BE SUBMITTED AT LEAST THIRTY (30) DAYS PRIOR TO THE PLANNING/ZONING COMMISSION AND CITY COUNCIL SCHEDULED MEETING DATES TO ENSURE REVIEW BY CITY STAFF.

 PROPERTY OWNER SIGNATURE

 DATE

 APPLICANT SIGNATURE

 DATE

OFFICE USE ONLY

DATE SUBMITTED: _____

60 DAYS: _____

TOTAL FEE PAID: _____

120 DAYS: _____

ESCROW APPLICATION SUBMITTED: _____

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ARTICLE III. – PRELIMINARY PLAT



Sec. 66-75. - **General provisions.**

- (a) After the completion of the concept plan process, the owner or developer shall file with the city an application for preliminary plat. The preliminary plat stage is the point in the process that all information pertinent to the proposed development is furnished by the developer for review by city staff and consultants, city advisory committees, city council, any other applicable agencies, and the public. The information provides a 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. The preliminary plat is a plan of how property will be subdivided and developed.
- (b) Additional information or modifications may be required by the zoning administrator, city staff and consultants, city advisory committees, or city council, and additional information may be requested during the review process. In certain cases, some information required by these standards may not be appropriate or may need to be modified in order to provide an adequate basis for making a decision.

(Ord. of 10-17-2007, § 4)

Sec. 66-76. - **Information required.**

Preliminary plat information is typically furnished on plan sheets. However, some information is more appropriately submitted in other forms. The plat and associated information shall be submitted in a form that is legible, organized, and understandable. The preliminary plat application shall consist of maps and accompanying documents. An owner or applicant shall submit seven large-scale copies (one inch equals 100 feet or less) and one reduced-scale copy (11 inches by 17 inches), and plans and specifications along with any written materials, including the following information:*

*NOTE: One or two additional large scale copies shall be provided for each of the following, if applicable:

Project is adjacent to a county road or county state aid highway (1)

Project is adjacent to a state highway (2)

Project lies within a shoreland or floodplain overlay district (1)

- (1) *Certificate of survey.* A certificate of survey prepared by a licensed land surveyor identifying the following:
 - a. Scale (engineering only) at one inch equals 100 feet or less.
 - b. North arrow indication.
 - c. Existing parcel boundaries to be platted with dimensions and area.
 - d. Existing legal description.
 - e. Easements of record.
 - f. Delineated wetland boundary, to include the ordinary high water (OHW) level of any lakes or department of natural resources (DNR) waters. Floodplain as shown on Federal Emergency Management Agency (FEMA) FIRM map.
 - g. All encroachments.
 - h. Existing building structures and improvements within the parcel to be platted and those 350 feet outside the boundaries of the subject parcel.
 - i. Location, widths, and names of all public streets, rights-of-way, or railroad rights-of-way showing type, width, and condition of the improvements, if any, which pass through and/or are within 500 feet.
 - j. The outside boundary of the subject property is to be clearly marked with survey monuments.
- (2) *Resource inventory.*
 - a. Topographic contours at two-foot intervals.
 - b. Soil type locations and identification of soil type characteristics such as hydric soils, agricultural capability, depth to bedrock, depth of water table and suitability for wastewater disposal systems, if applicable (county soil survey information).
 - c. Hydrologic characteristics, including surface watercourses, floodplains, delineated wetlands, natural swales, and drainageways. Ordinary high water level and 100-year storm elevations of adjoining watercourses, lakes, wetlands, streams, etc., at the date of the survey and approximate high and low water elevations. An applicant that is proposing any new development will be required to submit a Minnesota Routine Assessment Method for Evaluating Wetland Functions (MNRAM) form filled out for each wetland if located on the subject property, and for all wetlands downstream that

receive stormwater from the proposed development. This MNRAM form will need to be filled out by a consultant trained in wetland science.

- d. Tree inventory identifying vegetation of the site according to general cover type (pasture, woodland, etc.), defining boundaries of significant tree stands and individual significant trees as defined by section 66-11. Vegetative types shall be classified as generally deciduous, coniferous, or mixed, and described by plant community, relative age, and condition.
 - e. The presence of any areas identified by the city as significant natural environmental areas on the official map either within the development or within 350 feet of the tract. The distance of any proposed disturbances or improvements to those identified communities. Plans for the protection and mitigation of impacts of any development on identified significant natural communities during construction/disturbance or improvement.
 - f. Neighborhood context. General outlines of existing buildings, land use, and natural features such as water bodies or wooded areas, roads, driveways, and property boundaries within 350 feet of the tract. This information may be presented on an aerial photograph at a scale of no less than one inch to 200 feet.
- (3) *Preliminary plat.*
- a. The proposed name of the plat which name shall not duplicate the name of any plat theretofore recorded in the county.
 - b. Date of application, name, address, phone number, and applicable license or registration number of all owners, developers, agents, applicants, engineers, surveyors, planners, attorneys, or other principals involved in the development of the plat. Changes in the principals involved as outlined above will be furnished to the city in writing within 30 days. Failure to provide such notification of the change in the principals may lead to voiding of the preliminary plat.
 - c. Proof that the person is a qualified applicant pursuant to section 66-11.
 - d. Existing comprehensive plan guiding and zoning designation within or abutting the proposed plat. Any zoning changes needed, or reference to any zoning or similar land use actions that are pertinent to the proposed development.
 - e. Total acreage of the land to be subdivided and total upland area.
 - f. Boundary line survey and legal description.
 - g. North arrow and graphic engineering scale of one inch equals 100 feet.
 - h. Existing covenants, liens, or encumbrances.
 - i. Proposed lot lines, dimensions, and the gross and buildable acreage of all lots. When lots are located on a curve in a road or cul-de-sac, the lot width at the building setback line shall be shown. Proposed lot and block numbers.
 - j. Building pad, minimum building setbacks shown on each lot indicating dimensions of the setbacks. Location and width of bufferyards where the subdivision adjoins a collector or arterial street.
 - k. Layout of streets showing right-of-way widths, centerline street grades, and approximate radii of all curbs, proposed contours within the entire plat, and names of streets. The name of any street heretofore used in the city or its environs shall not be used, unless the proposed street is an extension of an already named street, in which event the name shall be used. Street names shall follow city policy and be approved by the city street superintendent.
 - l. Access, right-of-way widths, driveways, and street classifications shall be consistent with the comprehensive plan.
 - m. Parks, trails, or other areas intended for public use of common ownership.
 - n. Any additional information as requested by the zoning administrator.
 - o. Dates of plan preparation and revision dates.
- (4) *Preliminary grading, drainage, and erosion control plan.* The developer shall submit a preliminary grading, drainage, and erosion control plan, which includes the entire subdivision boundary, utilizing a copy of the current certificate of survey as a base for the site in question, prepared by a licensed engineer, depicting the following information:
- a. In general, all sheets shall include the following:
 - 1. North point indication.
 - 2. Scale with bar graph.
 - 3. Date of preparation.
 - 4. Proposed name of subdivision.
 - 5. Proposed name of all streets.
 - 6. Name of the plan preparer, engineer, surveyor, and owner.
 - 7. Seal or signature of the preparer and licensed engineer.
 - b. Each plan set shall have a title sheet that includes the sheet index, project name, vicinity map, and other information as required by this chapter.

- c. All plans shall be prepared on 24-inch by 36-inch paper.
 - d. The plan set shall include an overall plan sheet, with corresponding sheet numbers, that provide an index to each separate sheet.
 - e. Scale (engineering only) one inch equals 100 feet or less.
 - f. The location, dimensions, and purpose of all proposed and existing easements and rights-of-way.
 - g. Plans shall also meet all requirements of the city engineering manual.
 - h. Location of natural features, including, but not limited to, tree lines, delineated wetlands, SNEAs, watercourses, ponds, lakes, streams, drainage channels, ordinary high water (OHW) level, and 100-year storm elevations, bluffs, steep slopes, slope in excess of 15 percent, etc.
 - i. The delineation of all wetlands in accordance with criteria established by the Wetlands Conservation Act 1991, as may be amended, the Army Corps of Engineers, and/or state department of natural resources.
 - j. Wetland mitigation plan consistent with the criteria established by the Wetland Conservation Act 1991, as may be amended.
 - k. Plan for the protection and mitigation of impacts from development on identified significant natural communities.
 - l. Existing contours at two foot intervals shown as dashed lines for the subject property and extending 100 feet beyond the outside boundary of the proposed plat.
 - m. Proposed grade elevations at two-foot intervals shown as solid lines.
 - n. Proposed plan for surface water management, ponding, drainage, and flood control consistent with the recommendations and standards of the city stormwater management plan.
 - o. Provision for groundwater management including subsurface drains, disposals, ponding, and flood controls.
 - p. Location of all existing storm sewer facilities including pipes, manholes, catchbasins, ponds, swales, and drainage channels within 100 feet of the subject property. Existing pipe grades, rim and invert elevations, and normal and high water elevations must be included.
 - q. If the subject property is within or adjacent to a 100-year floodplain, flood elevation and locations must be shown. Proposed fill, levees, channel modifications, and other methods to overcome flood or erosion hazard areas in accordance with chapter 34, pertaining to floods, and by use of the 100-year flood profile and other supporting technical data in the flood insurance study.
 - r. Spot elevations at drainage break points and directional arrows indicating site, swale, and lot drainage.
 - s. Lot and block numbers, building style, building pad location, and elevations at the lowest floor and garage slab for each lot.
 - t. Locations, grades, rim, and invert elevations of all proposed stormwater facilities, including ponds, proposed to serve the subject property.
 - u. Phasing of grading.
 - v. The location and purpose of all oversize, nontypical easements.
 - w. All soil erosion and sediment control measures to be incorporated during and after construction must be shown. Locations and standard detail plates for each measure shall be in accordance with city standards and included on the plan.
 - x. All revegetation measures proposed for subject property must be included on the plan, including seed and mulch types and application rates.
 - y. Drainage plan, including the configuration of drainage areas and calculations for two year, ten year, and 100-year storm events.
 - z. Layout of proposed streets, sidewalks, and trails as applicable, showing centerline gradients, section widths, and typical cross sections.
 - aa. Date of plan preparation and dates of all revisions.
 - bb. For subdivisions which shall disturb one or more acres of land, the subdivider shall submit a notice of intent (NOI) to the state pollution control agency (MPCA) for a stormwater program permit.
- (5) *Preliminary street and utility plan.* The developer shall submit preliminary street and utility plans utilizing a copy of the current certificate of survey as a base for the site in question, prepared by a licensed engineer, depicting the following information:
- a. In general, all sheets shall include the following:
 - 1. North point indication.
 - 2. Scale with bar graph.
 - 3. Date of preparation.
 - 4. Proposed name of subdivision.
 - 5. Proposed name of all streets.
 - 6. Name of the plan preparer, engineer, surveyor, and owner.

7. Seal or signature of the preparer and licensed engineer.
 - b. All plans shall be prepared on 24-inch by 36-inch paper.
 - c. The plan set shall include an overall plan sheet, with corresponding sheet numbers, that provide an index to each separate sheet.
 - d. The location, dimension, and purpose of all proposed and existing easements and rights-of-way.
 - e. Plan and profile sheets shall be prepared for all streets, sanitary sewer, water main, and storm sewer.
 - f. Street cross sections shall be provided with all final plans. Cross sections shall be provided at a maximum interval of 100 feet.
 - g. Plan scales shall be as follows:
 1. Plan and profiles: horizontal scale (engineering only) one inch equals 50 feet.
 2. Plan and profiles: vertical scale (engineering only) one inch equals five feet.
 3. Street cross sections: horizontal scale (engineering only) one inch equals ten feet.
 4. Street cross sections: vertical scale (engineering only) one inch equals five feet.
 - h. Plans shall also meet all requirements of the city's engineering manual.
 - i. Location and size of existing sanitary sewers, storm sewers, water mains, culverts, or other underground facilities within the subject property and to a distance of 100 feet beyond the outside boundary of the proposed plat. Data such as grades, invert elevations, and location of catchbasins, manholes, and hydrants shall also be shown.
 - j. Locations and routing of proposed sanitary sewer lines, stormwater lines, and water mains. Identification of gravity, force main, and alternative service lines.
 - k. Water mains shall be provided to serve the subdivision by extension of an existing community system. Service connections shall be stubbed ten feet into each lot and all necessary fire hydrants shall also be provided. Extensions of the public water supply system shall be designed so as to provide public water in accordance with the standards of the city.
 - l. Sanitary sewer trunk, laterals, and service connections shall be illustrated in accordance with the standards of the city with regard to location, size, and service type, subject to final review and approval of city council.
 - m. The location of hydrants and valves for all proposed water mains.
 - n. All other utilities shall be located and designed in accordance with the requirements of the city engineer.
 - o. Submit storm sewer design flow calculations with the utility plans.
 - p. Date of plan preparation and dates of all revisions.
- (6) *Determination of requirement for environmental review documents.*
- a. The zoning administrator may review the preliminary plat and may determine if an environmental assessment workshop (EAW), environmental impact statement (EIS), or alternative urban area-wide review (AUAR) is required pursuant to Minnesota Rules.
 - b. If such documents are required, the zoning administrator may notify the developer of the requirement.
 - c. An escrow deposit, in addition to the standard requirements, shall be submitted by the applicant to cover city costs for reviewing and administering an EAW.
- (7) *Additional information required.*
- a. Evaluation by the applicant that the subdivision would not be determined to be premature pursuant to the criteria outlined by the comprehensive plan and this chapter.
 - b. Phasing plan. All preliminary plats shall include a phasing plan that includes:
 1. A phasing plan identifying the sequence of development and approximate areas, number of lots in each phase, total area and buildable area per phase, serially numbered with a description of each phase. Information shall be provided regarding the number of dwelling units, proposed improvements, and common facilities for each. Each phase of a preliminary plat shall be consistent with growth management criteria of the city.
 2. Any trail/sidewalks within the approved phase of the preliminary plat shall be constructed along with streets and utilities and shall be clearly marked on a site map which shall be an attachment to all sales agreements for individual lots.
 3. Site grading shall be coordinated with the phasing plan to avoid premature disruption of land or long-term storage of excess materials.
 4. Each phase of developer improvements as specified in the final plat and development agreement shall be completed prior to initiating any subsequent phase. Developer improvements shall be limited to those specifically illustrated and/or enumerated in the final plat and development agreement.

- c. Documents outlining the content of proposed conservation easements, restrictive covenants, deed restrictions, and establishment of homeowners associations for review. Where the plat is intended to include common open spaces, these documents shall address ownership and long-term maintenance of these open space areas.
- d. Information or easements showing how public and/or private utilities, drainage, and roads can be extended to serve adjacent property.
- e. Landscape and screening plans showing landscape plantings for street boulevards, subdivision entrances, and bufferyards, and specifying plan locations, varieties, sizes, ownership, maintenance responsibilities, and monument signs.
- f. Traffic study for the subdivision including pre- and post-development information regarding traffic generation, traffic distribution, capacity of existing streets, and level of service (LOS) on existing streets.
- g. Examples of housing product. Illustration of building footprint, floor plans, and building elevations proposed within the subdivision. Smoke easement documents for those areas adjacent to managed conservation areas to be filed with the final plat at the county.
- h. Other information deemed necessary for a complete application.

(Ord. of 10-17-2007, § 4(4-1))

Sec. 66-77. - Procedure for filing and review of application.

The procedure for the filing and review of application is as follows:

- (1) Preapplication meeting. The property owner/applicant shall meet with the zoning administrator/city staff to discuss the preliminary plat application. Through this meeting, the zoning administrator/city staff may summarize the city's review comments and offer suggestions pertaining to additional information or design changes that may assist in expediting the preliminary plat review.
- (2) The person applying for a preliminary plat approval shall submit to the zoning administrator a complete application and all other information required according to the deadline and meeting schedule established by the city. The application shall address the informational requirements of section 66-76 and issues identified through the concept plan review procedure.
- (3) A complete preliminary plat application shall include:
 - a. A graphic and written description of the information requirements outlined in section 66-76.
 - b. Applications shall be accompanied by a fee and processing escrow established by city council.
- (4) The zoning administrator shall refer copies of the preliminary plat to other staff, committees, consultants, or agencies as appropriate.
- (5) Upon receipt of a complete application, the zoning administrator shall have a report prepared and refer the application to the city advisory committees, the planning commission, and city council.
- (6) The application shall be reviewed by city advisory committees. The advisory committee's recommendations will be forwarded to the planning commission for their consideration of the application at a public hearing.
- (7) The planning commission shall hold a public hearing on the proposed preliminary plat. Notice of the public hearing shall be published in the official newspaper designated by city council at least ten days prior to the hearing. Written notification of the hearing shall be mailed at least ten days prior to the hearing to all owners of land within 350 feet of the boundary of the property in question in sewered districts, and 1,000 feet in RR and Ag districts. Failure of a property owner to receive said notice shall not invalidate any such proceedings as set forth within this chapter, provided a bona fide attempt has been made to comply with the notice requirements of this chapter.
- (8) The planning commission shall take public testimony at their public hearing and evaluate the requested preliminary plat against the premature subdivision criteria of section 66-16, the performance standards of this chapter, the performance standards of the city's zoning ordinance, set forth in Appendix A to this Code, and any other city requirements. The planning commission shall make findings and offer a recommendation for either preliminary plat approval or denial. The planning commission may offer a recommendation of approval with conditions necessary to satisfy city regulations.
- (9) The zoning administrator shall prepare a staff report of the findings and recommendations of the planning commission. The findings may include specific conditions of approval or findings related to denial of the plat.
- (10) The city council shall take action on the application within 120 days following delivery of a fully completed application in accordance with the regulations of this chapter, unless an extension is agreed to by the applicant. If city council approves the preliminary plat, it may impose additional conditions it considers necessary to protect the public health, safety, and welfare. If city council denies the preliminary plat, it must state in writing the reasons for the denial at the time it denies the request.

- (11) The city council shall take action on the application which shall include findings of fact, and shall be entered in the proceedings of city council and transmitted to the applicant in writing. The lack of a majority council vote to affirmatively approve a preliminary plat shall be a denial of the requested application.
- (12) If the preliminary plat is approved by city council, the subdivider shall submit a complete application for final plat in accordance with the approved phase plan within one year after approval, after which said approval or approval of the preliminary plat shall be considered void, unless a request for time extension is submitted in writing by the applicant and approved by city council.

(Ord. of 10-17-2007, § 4(4-2))

Secs. 66-78—66-97. - **Reserved.**



East Bethel Community Development
 2241 221st Ave. NE • East Bethel, MN 55011
 Phone: (763) 367-7844 • Fax: (763) 434-9578

FINAL PLAT REVIEW

APPLICANT IS REQUIRED TO MEET WITH CITY STAFF **PRIOR** TO SUBMITTAL OF THIS APPLICATION

APPLICATION FEE: \$300 ESCROW: \$1,000 + \$50/LOT IF NEW ROAD*

*CONSULTING FEES ACCRUED FROM THE CITY ENGINEER, CITY ATTORNEY, ETC WILL BE TAKEN FROM THE ESCROW AMOUNT. THE REMAINING ESCROW WILL BE REFUNDED AFTER THE PROJECT IS FINISHED AND HAS MET ALL OF THE CONDITIONS DURING FINAL INSPECTION. THE APPLICATION FEE IS NON-REFUNDABLE.

NAME OF PROJECT (IF APPLICABLE): _____

PROJECT ADDRESS: _____ PRESENT ZONING: _____

LOCATION PID: _____ LOT: _____ BLOCK: _____ SUBDIVISION: _____

DESCRIPTION OF PROJECT: _____

| <u>PROPERTY OWNER:</u> | <u>APPLICANT:</u> |
|------------------------|---|
| NAME: _____ | <input type="checkbox"/> SAME AS PROPERTY OWNER |
| PHONE: _____ | NAME: _____ |
| ADDRESS: _____ | PHONE: _____ |
| CITY/STATE/ZIP: _____ | ADDRESS: _____ |
| EMAIL: _____ | CITY/STATE/ZIP: _____ |
| | EMAIL: _____ |

I FULLY UNDERSTAND THAT I MUST MEET WITH CITY STAFF TO REVIEW ALL SUBMISSION REQUIREMENTS AND CONDITIONS PRIOR TO OFFICIAL SUBMISSION, AND THAT ALL OF THE REQUIRED INFORMATION MUST BE SUBMITTED AT LEAST THIRTY (30) DAYS PRIOR TO THE PLANNING/ZONING COMMISSION AND CITY COUNCIL SCHEDULED MEETING DATES TO ENSURE REVIEW BY CITY STAFF.

 PROPERTY OWNER SIGNATURE

 DATE

 APPLICANT SIGNATURE

 DATE

OFFICE USE ONLY

DATE SUBMITTED: _____

60 DAYS: _____

TOTAL FEE PAID: _____

120 DAYS: _____

ESCROW APPLICATION SUBMITTED: _____

SL PF LU

ARTICLE IV. – FINAL PLAT



Sec. 66-98. - Information required.

- (a) Approval of a preliminary plat by city council is an acceptance of the general layout, as submitted, and indicates that the developer may proceed toward final plat approval in accordance with city council approval of the preliminary plat, including conditions and the city growth management standards.
- (b) A complete application for final plat shall be submitted no later than one year after the date of approval of the preliminary plat, or a time as provided in the developer's agreement. Otherwise, the preliminary plat approval shall be considered void, unless an extension is requested in writing and, for good cause, is granted by city council.
- (c) The final plat application shall have incorporated all the conditions of city council approval of the preliminary plat. In all other respects, the final plat shall substantially conform to the preliminary plat. It may constitute only that portion of the approved preliminary plat which the developer proposes to record and develop at that time, provided that such portion conforms to all the requirements of this chapter.
- (d) Approval of the engineering specifications required by this chapter pertaining to water supply, drainage, domestic wastewater, potable water, street lighting, gas and electric service, grading, roadway standards, widths, and surfacing of streets, shall be completed by the zoning administrator and appropriate development contracts prepared prior to approval of the final plat by city council.
 - (1) *Revised preliminary plat.* The city may require seven large-scale (24-inch by 36-inch) copies, one reproducible reduction at 11 inches by 17 inches, and of supporting documents illustrating all changes and conditions that were required as part of preliminary plat approval. This revised preliminary plat will provide the historical record of the subdivision approval by which subsequent plats shall be considered.
 - (2) *Title restrictions.* The city may require one copy of any title declaration, conservation easements, deed restriction, restrictive covenant, or homeowners' association documents.
 - (3) *Final plat general information.* Seven large-scale (24-inch by 36-inch) copies, and one digital electronic copy in a format compatible with the city's computer system of the final plat and supporting documents, plus any additional copies deemed necessary by the zoning administrator, plus one reproducible copy reduced to 11 inches by 17 inches.
 - a. Name of the subdivision.
 - b. Location by section, township, range, county, and state, as well as descriptive boundaries of the subdivision based upon an accurate traverse giving angular and linear dimensions.
 - c. Scale (engineering only) of one inch equals 100 feet or less.
 - d. North point indication.
 - e. The location of monuments shall be shown and described. Pipe or steel rod shall be at the corners of each lot and at each intersection of street centerlines.
 - f. Location and accurate dimensions of all lots, outlots, provisions for alternative modes of transportation, streets, and other features. Lots and blocks shall be numbered.
 - g. A listing of the total area of each lot measured in gross square feet per lot and total area of the plat.
 - h. The exact location, widths, and names of all proposed streets and provisions for alternative modes of transportation to be dedicated.
 - i. The location and width of all easements to be dedicated.
 - j. Accurate outlines and legal description of land to be dedicated as parks, trails, ponds, or other public use shall be illustrated on the final plat and dedicated with the final plat.
 - k. Name and address of the registered surveyor of the plat with certification in the form required by Minn. Stats. § 505.03, as may be amended.
 - l. Statement dedicating all easements as follows: easements for installation and maintenance of methods for alternative modes of transportation, trails, utilities, and drainage facilities are reserved over, under, and along the areas designated as drainage and utility easements.
 - m. Statement dedicating all streets or other public rights-of-way as follows: streets and other public areas shown on this plat and not heretofore dedicated to public use are hereby so dedicated.
 - n. Final grading, construction plans shall be prepared and submitted in accordance with city standards.
 - (4) *Development contracts.*
 - a. The developer shall meet with city staff to finalize the terms of the development contract.
 - b. Upon finalization of the development contract, the city clerk-treasurer shall have the final copy of the contract signed by all appropriate parties.
 - c. Financial guarantees shall be posted with the city as outlined in the development contract.

- d. Final grading and utility plans shall be approved by the city engineer and made a part of the development contract. No grading allowed until final plat and development agreement is approved and the development agreement is signed and a financial security is in place with the city.
 - e. When the city has agreed to install improvements in a development, the developer shall furnish the city a financial statement satisfactory to the city. When the city has not undertaken improvement installation, it may, at its option, require the developer to furnish a financial statement satisfactory to the city.
- (5) *Additional final plat information.*
- a. Certification by a registered land surveyor, to the effect that the plat represents a survey made by him, and that monuments and markers shown thereof exist as located and geodetic details are correct.
 - b. Notarized certification by owner, and by any mortgage or lienholder or record, of the adoption of the plat, and the dedication of streets and other public areas.
 - c. Approval by signature of city and county officials concerned with the approval of the plat.
 - d. The form for approval of the council is as follows:
 - City of East Bethel, this _____ day of _____, 20 _____.
 - Signed _____ (Mayor)
 - Attest _____ (City Clerk-Treasurer)
 - e. Final smoke easement documents shall be filed with the final plat. The city council and city attorney must approve smoke easement agreements at final plat.

(Ord. of 10-17-2007, § 5(5-1))

Sec. 66-99. - Filing and review of application.

- (a) The final plat application shall be considered to be officially filed when city staff has received and examined the application and has determined that the application is complete.
- (b) The following requirements shall be met before city council consideration of the final plat:
 - (1) The final plat shall substantially conform to the approved preliminary plat and phasing plan.
 - (2) Completed development contract including all required financial securities and time frame for final plat and final grading.
 - (3) Conditions attached to approval of the preliminary plat shall be fulfilled or secured by the development agreement, as appropriate.
 - (4) All fees, charges, and escrow related to the preliminary or final plat shall be paid in full.
- (c) The city council shall act on the final plat by motion. The motion shall include findings of fact supporting the approval or denial, and shall be entered in the proceedings of city council. The lack of a majority council vote to affirmatively approve the final plat shall be a denial of the requested application.
- (d) Within 60 days upon receiving a complete final plat application, city council shall certify final plat approval or denial. If city council approves the final plat, it may impose conditions it considers necessary to protect the public health, safety, and welfare. If city council denies the final plat, it must state in writing the reasons for the denial at the time it denies the request.
- (e) No site work, including grading, shall be allowed until final plat approval and recording.

(Ord. of 10-17-2007, § 5(5-2))

Sec. 66-100. - Form and content.

The final plat shall be of the form and content as prescribed in the Minnesota Land Surveyors Association Plat Manual of Minnesota Guidelines, as may be amended.

(Ord. of 10-17-2007, § 5(5-3))

Sec. 66-101. - Recording.

If the final plat and development contract are approved by city council, the developer shall record the plat within 90 days after the date of approval. Otherwise, the approval of the final plat shall be considered void, unless the developer requests and receives an extension from city council. The city may record the development contract immediately upon receipt of signatures.

(Ord. of 10-17-2007, § 5(5-4))

Sec. 66-102. - Record plans.

The developer shall submit for review and approval all proposals to change the original plans. The developer shall obtain written approval by the city prior to changes to the plans. The developer shall submit the following:

- (1) One Mylar copy of the final plat.
- (2) Seven sets and one digital electronic copy in a format compatible with the city's computer system of record plans indicating all changes in the work, including accurate as-built locations, dimensions, elevations, grades, slopes, and all other pertinent information concerning the completed work. The record plans shall meet the requirements of the city engineering manual.

(Ord. of 10-17-2007, § 5(5-5))

Secs. 66-103—66-132. - Reserved.

Land Use Escrow Application

Property Address: _____

Owner's Name: _____ Phone: _____

Email: _____

Type of Land Use Application: _____

| Person/Company paying the escrow | Person/Company receiving returned escrow (if different from the person/company paying the escrow than permission is needed) |
|--------------------------------------|--|
| Name: _____ | Name: _____ |
| Phone: _____ | Phone: _____ |
| Email: _____ | Phone: _____ |
| Mailing Address: _____ _____ | Address: _____ _____ |
| Amount entered into escrow: \$ _____ | Email: _____ |

| | Escrow Amount |
|--|-----------------------------------|
| Type of Land Use Application | |
| Tax Increment Financing | \$12,000 |
| Preliminary Plat | \$5,000 |
| Major Mining Permit | \$1,500 |
| Admin. Subdivision, Comp Plan Amendment, Metes and Bounds Split, Minor Mining Permit, Site Plan Review, Vacation, Zoning Map Amendment | \$1,000 |
| Final Plat | \$1,000 + \$50/Lot if new road |
| Environmental Review | \$650 |
| Concept Plan Review, Conditional Use Permit, Conditional Use Permit Amendment, Grading Permit, Planned Unit Development Amendment, Variance, Zoning Text Amendment | \$500 |
| Interim Use Permit/Amendment | \$300 |

Escrow Information

Escrow is set aside for attorney, consulting, engineering, and other misc. fees. If the City of East Bethel is to acquire these fees while working on your Land Use Application, than you are authorizing the City to use this escrow to pay for those fees. The remaining escrow amount will be returned once the work has been approved by the Building and/or Community Development Director.

Escrow Payer Signature: _____ Date: _____

Community Development Staff: _____ Date: _____

East Bethel Community Development

2241 221st Ave NE | East Bethel, MN 55011

Phone: (763) 367-7844 | Fax: (763) 434-9578

Application Deadlines for 2020

Planning staff has ten (10) business days to deem an application complete. The submittal dates pertain to applications deemed complete by Planning staff. These dates do not pertain to Subdivisions applications.

| Application Deadline To be submitted by 4pm (30 days prior to PC meeting) | Planning Commission Meeting |
|--|------------------------------------|
| Friday, December 27, 2019 | January 28, 2020 |
| Monday, January 27, 2020 | February 26, 2020 |
| Friday, February 21, 2020 | March 24, 2020 |
| Friday, March 27, 2020 | April 28, 2020 |
| Friday, April 24, 2020 | May 26, 2020 |
| Friday, May 22, 2020 | June 23, 2020 |
| Friday, June 26, 2020 | July 28, 2020 |
| Friday, July 24, 2020 | August 25, 2020 |
| Friday, August 21, 2020 | September 22, 2020 |
| Friday, September 25, 2020 | October 27, 2020 |
| Friday, October 23, 2020 | November 24, 2020 |
| Friday, November 20, 2020 | December 22, 2020 |

Planning Commission meetings are held on the 4th Tuesday of the month, unless a holiday falls on that day.

City Council meetings are held on the 2nd and 4th Mondays of the month, unless a holiday falls on that day.

Changes to meeting dates will be posted on the East Bethel City website.

CONTACT LISTS FOR REVIEW OF DEVELOPMENT PROJECT

If the box is checked, you must provide a letter of approval, copy of minutes, or other documentation as it relates to your project to the City of East Bethel Planning/Building Department as part of your application for submittal.

CITY

- City Attorney**
Eckberg Lammers
1809 Northwestern Ave. S.
Stillwater, MN 55082
(651) 967-7344
www.eckberglammers.com/

- City Engineer**
Hakanson Anderson
Attn: Craig Jochum
3601 Thurston Ave.
Anoka, MN 55303
763-427-5860
www.haa-inc.com/

HIGHWAY/TRANSPORTATION

- Traffic Engineering Manager**
Anoka County Highway Department
1440 Bunker Lake Blvd.
Andover, MN 55304
763-862-4231
www.anokacounty.us/307/Highway-Department

- Development Review Coordinator**
MN Dept of Transportation
Metro Division, Waters Edge
1500 West County Road B-2
Roseville, MN 55113
651-234-7500
metrodevreviews.dot@state.mn.us

JOINT APPLICATION REQUIRED (WETLANDS/WATERWAYS)

- Anoka Conservation District**
Attn: Wetland Specialist
1318 McKay Dr NE, Suite 300
Ham Lake, MN 55304
763-434-2030, ext. 14
<https://www.anokaswcd.org/>

- Area Hydrologist**
MN Dept of Natural Resources
1200 Warner Road
St. Paul, MN 55106-6796
651-259-5802
<https://www.dnr.state.mn.us/>

- Ecological Services**
MN Dept of Natural Resources
1200 Warner Road
763-200-2581
<https://www.dnr.state.mn.us/>

- Board of Water & Soil Resources**
651-296-6736
<http://www.bwsr.state.mn.us/>

- U.S. Army Corps of Engineers**
180 Fifth St East, Suite 700
St. Paul, MN 55101
651-290-5282
<https://www.mvp.usace.army.mil/>

- Sunrise Watershed Management Organization**
19511 E. Tri Oak Cir
Wyoming, MN 55092
763-434-9652
LAM3@ISD.net

- Upper Rum River Watershed Management Organization**
19900 Nightingale St. NW
Oak Grove MN 55011
651-259-5755
<http://www.urrwmo.org/>