

# Goodhue County



# Subdivision Controls Ordinance



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This Ordinance shall be known, cited and referred to as the "Goodhue County Subdivision Controls Ordinance", when referred to herein it shall be known as "this Ordinance".

### **SECTION 1. INTENT AND PURPOSE**

The purpose of this Ordinance is to regulate the subdividing of land in Goodhue County, referred hereinafter as the County, lying outside the incorporated limits of any City, so that new subdivisions will be integrated with the development objectives of Goodhue County, as outlined in the Comprehensive Plan, and contribute to an attractive, stable and wholesome environment, adequate public services and an integrated and safe transportation system.

### **SECTION 2. SCOPE AND LEGAL AUTHORITY**

#### Subd. 1 Applicability

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of public health, safety, and general welfare. Where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this Ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Ordinance, the provisions of each statute, other ordinance, or regulation shall be controlling.

#### Subd. 2 Amendments

The County Board may amend the procedures, standards, requirements and other provisions of this Ordinance upon recommendation of the Planning Advisory Commission. The Planning Advisory Commission shall hold a public hearing on the proposed amendment prior to recommending action to the County Board as specified in MS 394.26 and 394.30.

#### Subd. 3 Enforcement

- A. The provisions of this Ordinance shall be administered by the office of the Zoning Administrator.
- B. When any work has been stopped by the Zoning Administrator for any reason whatsoever, it shall not again be resumed until the reason for the work stoppage has been completely removed.
- C. It shall be the duty of the County Attorney and the County Sheriff, when called upon by the County Board to perform such duties as may be necessary to enforce the provisions of this Ordinance.

#### Subd. 4. Severability

If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

### **SECTION 3. RULES**

- A. Words used in the present tense include the past and future tense; the singular number includes the plural and the plural includes the singular; the word "shall" is mandatory, and the words "should" and "may" are permissive.
- B. In the event of conflicting provisions in the text of these regulations, the more restrictive shall apply.

#### **SECTION 4. DEFINITIONS**

For the purpose of these regulations, certain terms and words are hereby defined as follows:

BLOCK: A tract of land consisting of one or more lots, as identified by a number, and bounded by plat boundaries, dedicated public ways, Outlots, parks, or bodies of water.

CLUSTER DEVELOPMENT: A subdivision development planned and constructed so as to group housing units into relatively tight patterns while providing a unified network of open space and wooded areas, and meeting the overall density requirements of these regulations and the Zoning Ordinance.

CONTOUR: A line connecting all points of which are at the same elevation above a specified datum surface.

CONTOUR INTERVAL: The difference in elevation between adjacent contours on a map.

CONTOUR MAP: A map depicting contour lines.

COPY: A print or reproduction made from an original.

COVENANTS: Contracts entered into between private parties and constituting a restriction on the use of all private property within a subdivision for the benefit of the property owners, and to provide mutual protection against undesirable aspects of development which would tend to impair stability of values.

CUL-DE-SAC: A road having but one end open to traffic; not a through road.

DOUBLE FRONTAGE LOTS: Lots which have a front line abutting on one road and a back or rear line abutting on another road.

DRAINAGE COURSE : A water course or indenture for the drainage of surface water.

EASEMENT: A grant by an owner of land for the specific use of said land by the public, or to a person or persons.

FINAL PLAT: The final drawing, which is in compliance with MS 505 or 515B and County Ordinances and rules, of the Subdivider's plan as presented to the County Board for approval and which, if approved, will be submitted to the County Recorder to be recorded.

LOT: A tract of land which is all or part of a block and is identified on the plat.

METES AND BOUNDS DESCRIPTION: A description of a parcel of land by references to course and distances around the tract or by reference to natural or record monuments; most common method is to recite direction and length of each line as one would walk around the perimeter.

NATURAL WATERWAY: A natural passageway on the surface of the earth so situated and having such a topographical nature that surface water flows through it from other areas before reaching a final ponding area.

OUTLOT: A lot remnant or parcel of land left over after platting, which is intended as open space or other use, for which no development is intended and for which no building permit shall be issued.

OWNER: Any individual, firm, association, syndicate, co-partnership, corporation, estate, trust, or any other legal entity having legal title in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this ordinance.

PARCEL: Land which is described by a recorded legal description and referenced by an individual and unique parcel identification number assigned by the County.

PLAT MONUMENT: A durable magnetic marker placed at all angle and curve points on the outside boundary lines of the plat and also at all block and lot corners and at all intermediate points on the block and lot lines indicating changes of direction in the lines and any witness corners (MS 505.021 subd. 10). All plat monuments placed shall have the license number of the Minnesota licensed Land Surveyor responsible for the preparation of the Final Plat inscribed thereon.

PRELIMINARY PLAT: A map or drawing indicating the proposed layout of the subdivision to be submitted to the Planning Commission and County Board for their consideration.

RIGHT-OF-WAY: Land that is prescriptively used by the public or dedicated to the public for roadway or thoroughfare purposes.

ROAD, HALF: A road with half the required right-of-way width on the bounding edge of a subdivision.

ROAD, LOCAL: A public road designed for access to abutting property and not intended to facilitate through traffic.

ROAD, MARGINAL ACCESS: A minor road which is parallel and adjacent to an arterial street or highway and which provides access to abutting properties and protection from through traffic.

ROAD, PRIVATE: A road not maintained by any public road authority intended for use by two or more parcels that do not have physical access to a public road. An access easement must be approved by the County prior to recording.

SKETCH PLAN: A concept drawing indicating a proposed subdivision which at a minimum includes the following: Significant topographical and physical features of the site; tract boundaries; north arrow; general location and number of buildings; general location of roads and accesses; and the relationship of the proposed subdivision to existing community facilities that would serve it and to neighboring subdivisions and developments.

SUBDIVIDER: Any person commencing proceedings under the Ordinance to effect a subdivision of land for themselves or as an agent of the land owner.

SUBDIVISION: The division of any parcel or land into two (2) or more lots, blocks and/or sites and includes the re-subdivision of land.

TAX PARCEL: Land which is described by a recorded legal description and referenced by an individual and unique parcel identification number assigned by the County

## **SECTION 5. SUBDIVISIONS AND COMBINATIONS**

### Subd. 1 Plats

A Minnesota Statute Chapter 505 plat **is required:** For the creation of three or more tax parcels from one tax parcel except when the tax parcels created can be described by an aliquot part of the Public Land Survey. The minimum division shall be a Quarter Quarter of the Section (i.e. SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ). Non-contiguous land must be separate tax parcels.

- A. If a subdivision of a platted lot or Outlot can result in one or more potential dwelling sites, the subdivision must be platted.
  
- B. Administrative plats. An Administrative plat is a Minnesota Statute Chapter 505 plat which is reviewed and approved by County staff and does not require approval or public hearings from the Planning Commission or County Board if all of the following conditions are met:
  - 1. The plat depicts parcels whose purpose is to simplify legal descriptions;
  - 2. The plat does not dedicate any interests to the public such as easements or roads;
  - 3. The parcels shown on the plat provide for road access for each new division or reconfiguration of land;
  - 4. There is no change of zone requested;
  - 5. No additional building sites are created other than what would be allowed under the existing zoning designation;
  
- C. All plats, except Administrative Plats, shall be subject to the requirements of Section 6 (General Procedures).

### Subd. 2 Metes and Bounds Subdivision

- A. The creation of two tax parcels from one or more tax parcel(s) requires a survey as outlined below except when the tax parcels created can be described by an aliquot part of the Public Land Survey. The minimum division shall be a Quarter, Quarter of the Section (i.e. SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ). Non-contiguous land must be separate tax parcels.
  
- B. If the parcel is not within a recorded plat a Certificate of Survey depicting information listed in Section 7, subdivision 1 (B) items 1 through 6, items 8, 11, and 12 shall accompany the subdivision and conveyance of land. The survey must be of the parcel being split and conveyed. If the split parcel is composed of more than one tax parcel, the acreages of those portions of each tax parcel contributing to the split parcel must be indicated on the survey.
  
- C. If the parcel is within a recorded plat, a Certificate of Survey depicting information listed in Section 7, subdivision 1 (B) items 1 through 6, items 8 and 11 shall accompany the subdivision and conveyance of land. The survey shall show distance and direction reference ties to each of the pertinent Lot or Block corner monuments. If the pertinent Lot or Block corner monuments do not exist, sufficient mathematical information shall be shown to enable reference of the parcel description to the plat or to the pertinent Public Land Survey corner monuments. The survey must be of the parcel being split and conveyed. If the split

parcel is composed of more than one tax parcel, the acreages of those portions of each tax parcel contributing to the split parcel must be indicated on the survey.

D. No further subdivisions will be approved for tax parcels subdivided within six months of their creation.

E. Property divisions within the unincorporated areas of Goodhue County must be submitted to the Zoning Administrator or their designee for approval. Written approval shall appear on the face of the conveyance instrument indicating that the conveyance complies with Goodhue County Zoning and Subdivision Ordinances. If a conveyance instrument is recorded without the written approval of the Zoning Administrator or their designee, the parties of the conveyance may be subject to enforcement as contained in this Ordinance.

### Subd. 3 Torrens Properties

In the instance in which a plat or metes and bounds description subdivides Torrens property:

A. Common Interest Communities in which ownership is characterized as real property cannot contain both Torrens and Abstract title.

B. All subdivisions or combinations of metes and bounds Torrens property descriptions must create a Registered Land Survey or MS 505 plat unless prior approval is obtained by the County Recorder.

C. The Land Surveyor preparing the proposed plat or parcel description will provide to the Registrar of Titles the new descriptions for the Torrens parcels and any residual parcel(s). These descriptions must accompany the filing of the Registered Land Survey, plat or certificate of survey.

## **SECTION 6. PLATTING PROCEDURES**

### Subd. 1 Procedures

The following procedures shall be followed in the administration of this Ordinance and no real property within the jurisdiction of this Ordinance shall be subdivided or a plat recorded unless approved according to this ordinance.

A. All Preliminary and Final Plats of any subdivision, as required by this Ordinance, shall be subject to review and approval by the appropriate Board and staff.

B. No lots, tracts, or parcels within any proposed subdivision may be sold prior to recording the plat with the County Recorder.

C. The County shall not issue any building permits for building development on any lot, parcel, or tract within a subdivision that has not received final approval pursuant to this Ordinance.

### Subd. 2 Pre-Application Meeting

Prior to the preparation of any preliminary plat the Subdivider shall meet with the County Land Use Management department and other officials in order to be made fully aware of all applicable ordinances, regulations, and plans in the area to be subdivided. The applicant is urged to avail themselves of the advice and assistance of the County staff at this point in order to save time and effort and to facilitate the approval of the preliminary plat.

- A. At the pre-application meeting the Subdivider shall submit a Sketch Plan of the proposed subdivision and preliminary proposals for the provision of water supply, waste treatment and storm water management.
- B. The Sketch Plan will be considered as the basis for discussion between the Subdivider and staff. A Sketch Plan does not constitute a formal filing of a Preliminary Plat.

Subd. 3 Preliminary Plat

- A. After the pre-application meeting, the Subdivider shall apply for a preliminary plat permit with the Zoning Administrator. At the time of submission of the Preliminary Plat, the required fees shall be paid by the Subdivider. The Preliminary and Final Plat may be submitted for review at the same meeting. The applicant shall be responsible to submit copies of the Preliminary Plat to the following entities:
  - 1. 3 full sized (24" x 36") copies to the Zoning Administrator;
  - 2. One digital file (legible at the 11" x 17" print size) provided to, and in a format dictated by, the Zoning Administrator;
  - 3. 1 full sized (24" x 36") copy to any city within two miles of the proposed plat;
  - 4. 1 full sized (24" x 36") copy to the Township Board in which the proposed plat is located;
  - 5. 1 full sized (24" x 36") copy to the Soil and Water Conservation District; and
  - 6. 1 full sized (24" x 36") copy to the Minnesota Dept. of Transportation (District 6) if the proposed plat abuts or is adjacent to a state or federal highway
- B. The Subdivider shall send the above copies with a letter directing all comments concerning the preliminary plat to the Zoning Administrator, and submitting such comments to the Zoning Administrator prior to the Planning Commission hearing regarding the request. The Subdivider shall provide proof of submittal of the required copies to the Zoning Administrator.
- C. The Preliminary Plat shall show the data requirements as listed in Section 7 of this ordinance.
- D. A public hearing shall be conducted at a specified Planning Advisory Commission meeting. Notice of the time, place, subject matter and purpose of said public hearing shall be published in the official newspaper of the County at least 10 days before the hearing. Written notice of said public hearing shall also be sent at least 10 days before the hearing to all owners of record within a half mile of the affected property and also to the affected Township Board and municipal Council of any municipality within 2 miles of the affected property.
- E. The Planning Advisory Commission shall express its recommended approval or conditional approval and state the conditions of such recommended approval, if any; or if disapproved, shall express its disapproval and its reasons therefore. Such recommendations shall be transmitted to the County Board.
- F. At the time of filing the Preliminary Plat, the owner of the parcel to be platted shall also submit to the Zoning Administrator a petition for rezoning to the proposed future use of said land if the land is not already so zoned. The County Board may approve a zoning change contingent upon approval of the Final Plat.

G. No preliminary or final plat shall be approved by the County Board unless said Board specifies findings in each case which establish:

1. That the physical characteristics of the site, including but not limited to topography, vegetation, susceptibility to flooding, water storage, drainage and retention, are such that the site is physically suitable for the proposed density of development;
2. That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental degradation;
3. That the design of the subdivision or the type of improvements is not contrary to public health safety and welfare;
4. That the proposed subdivision adequately addresses road arrangement, location, width, and connections with the current and future plans as outlined in the Goodhue County Transportation plan and Official Maps;
5. That the proposed subdivision is consistent with the Goodhue County Comprehensive Plan, and requirements outlined in the Goodhue County Zoning Ordinance.

H. The approval of a Preliminary Plat is an acceptance of the general layout as submitted, and indicates to the Subdivider that they may proceed toward preparation of a Final Plat in accordance with the terms of approval and provisions of this Ordinance.

I. If significant changes occur in the layout design, or other supporting information from an approved preliminary plat, the Subdivider must rescind their initial submittal and re-submit the proposal to the Planning Advisory Commission and pay any re-submittal fees. Any statutory timelines for review and approval shall terminate upon the rescission request and shall recommence upon re-submittal of the proposal.

#### Subd. 4 Final Plat

A. Final Plats shall be submitted by the Subdivider for County Board approval within 180 days of the approval of the Preliminary Plat.

B. The County Zoning Administrator, Engineer, and Surveyor shall check the Final Plat to verify that it is in substantial agreement with the approved Preliminary Plat and that it meets all ordinances and regulations of the county.

C. The Subdivider shall submit:

1. One full sized (24"x36") copy to the Zoning Administrator
2. One full sized (24"x36") copy to the County Engineer
3. Two full sized (24"x36") copy to the Surveyor
4. A current title opinion or commitment to the County Surveyor, covering the area to be subdivided.

D. Following Final Plat approval or disapproval by the County Board, the Zoning Administrator shall notify the Subdivider of the Board's action within 30 days thereafter. The Final Plat, if approved, shall be submitted by the Subdivider for recording with the County Recorder within 180 days after the date of County Board approval.

E. Final Plat approval shall be null and void if the Final Plat is not filed for recording within the timeframe herein specified. The County Board may grant an extension, for good cause,

if the extension request is in writing and presented for decision before the 180 days terminates.

## **SECTION 7. DATA REQUIRED**

### Subd. 1 Data for Preliminary Plat

This section pertains to proposed plats in which the County is the platting authority; or a plat that adjoins or is adjacent to any County Road, County State Aid Highway, or Municipal State Aid Highway.

The Subdivider shall engage a Minnesota Licensed Land Surveyor, Engineer, or Landscape Architect to prepare a Preliminary Plat of the area to be subdivided. The Preliminary Plat shall contain:

- A. Identification and Description
  1. Proof of ownership: A copy of a current Title Commitment, Title Opinion, or Certificate of Title (Torrens property) that covers the property of the proposed plat.
  2. The name of the proposed plat, which shall not duplicate or be similar in pronunciation or spelling to the name of any plat heretofore recorded in the County.
  
- B. Existing conditions: A current Certificate of Survey, which shall be used as the basis for the proposed plat, shall be prepared and executed by a Minnesota Licensed Land Surveyor, depicting the following information:
  1. Scale of drawing; 1 inch equals 100 feet or 1 inch equals 200 feet;
  2. North arrow;
  3. Date of Survey;
  4. Legal description of the boundary of the subject parcel(s);
  5. Sufficient boundary survey data and mathematical information (bearings to the nearest one second of a degree and dimensions to the nearest one hundredth of a foot) to locate and retrace the boundary;
  6. Total area in square feet or acres of the proposed plat (or tax parcel);
  7. Existing site improvements within the proposed plat and any existing improvements within 10 feet of the proposed plat boundary, or a notation indicating no site improvements exist;
  8. All encroachments along the boundary of the proposed plat (or tax parcel), or a notation indicating no evidence of encroachment was found;
  9. All easements of record, or a notation indicating the there are no easements of record;
  10. Ponds, lakes, rivers, streams, creeks, wet lands, and other waterways within or adjacent to the proposed plat, or a notation indicating none of these features are within or adjacent to the proposed subdivision. The ordinary high water elevation and 1% AEP (Annual Exceedance Probability) flood elevations shall be shown where applicable. Elevations shall be referenced to an established bench mark with a mean sea level elevation and noted on the proposed plat;
  11. Location, right of way widths, and names of public and private roads, other public ways, or railroads within or adjacent to the proposed plat boundary;
  12. Distance and direction reference ties from the boundary of the proposed plat to a minimum of 2 Public Land Survey corner monuments.

- C. The names and addresses of the fee owner, Contract for Deed purchasers, or any agent having control of the land; the Subdivider; the Minnesota Licensed professional preparing the plan.
- D. Two foot contours extending throughout the proposed plat location and within a 100 foot buffer surrounding the proposed plat.
- E. Existing and proposed zoning classifications for the land within and adjacent to the proposed plat.
- F. A tabulation of the approximated square footage/acreage and dimensions of each lot, Outlot, or park.
- G. Adjoining parcel information to include (within 100 feet of proposed boundary):
  - 1. General location of adjoining parcels; right of way widths; names of existing roads, platted roads, or other public and private ways; parks; other public lands; public utility easements; Public Land Survey lines; and corporate limits.
- H. Adjoining owners' names.
- I. Vicinity map depicting and labeling the Section, Township, and Range
- J. If applicable, soils analysis and depth to groundwater and bedrock from finished grade must be established. A plan for solving site ground water problems may be required if conditions warrant.
- K. Any other such information that is deemed necessary for review and as may be requested by the Planning Advisory Commission, County Board, or staff.
- L. If applicable, layout of proposed roads indicating the items listed under Section 8 of this ordinance.
- M. If applicable, preliminary road grades and drainage plan, including drainage structure size and location shall be shown on a copy of the contour map.
- N. If applicable, a drainage plan and flood control which includes structure size and location based upon hydraulics of a 1% AEP flood event.
- O. If applicable, source of water. Connection to municipal water is required, if available. Wells with less than 15 service connections and serving fewer than 25 people must be installed according to the Goodhue County Water Quality Ordinance.
- P. Connection to municipal sewage treatment is required, if available.
  - 1. Community sewage treatment systems must be designed and installed according to Minnesota Pollution Control Agency Standards.
  - 2. All lots served by an individual sewage treatment system must be evaluated and be able to support two standard systems.

Q. If applicable, a plan for soil erosion and sediment control both during construction and after development has been completed.

R. If the Minnesota Environmental Quality Board regulations require an EAW or EIS, such documentation shall be submitted as part of the Preliminary Plat information.

S. If applicable, a landscape plan shall accompany the application. The plan shall indicate the location of existing trees, proposed new trees and vegetative plantings, and existing trees proposed to be removed.

Subd. 2 Data for Final Plat (Planning Advisory Commission)

A. Special conditions and or restrictions pertaining to the approval of the Final Plat by the County Board shall be recorded as covenants. Recording of the special conditions or restrictions shall be the obligation of the developer.

Subd. 3 Data for Final Plat and Administrative Plat (Recording)

A. The proposed plat shall follow the requirements of Minnesota Statute 505.

B. All plat monuments shall be placed in the ground prior to recording of the plat with the County Recorder.

Subd. 4 Planned Unit Developments

Small lot sizes (lot sizes smaller than outlined in the Goodhue County Zoning Ordinance), may be allowed for planned cluster developments provided:

A. Community sewage treatment systems must be designed and installed according to the Minnesota Pollution Control Agency Standards.

B. Open space is preserved.

C. A Development Agreement may be required.

Subd. 5 Planned Unit Developments within Shoreland areas:

A. Preliminary plans are first approved by the Commissioner of the Department of Natural Resources.

B. There is not more than one centralized boat launching facility for each cluster.

C. Any attached conditions are met, such as limits on overall density, minimum size of the cluster development, restriction to residential uses, or minimum length of water frontage.

**SECTION 8. SUBDIVISION DESIGN STANDARDS**

Subd. 1 General

Design standards assure that the layout of the subdivision harmonizes with existing plans affecting the development and its surroundings and shall be in conformity with the development objectives of the County.

Subd. 2 Roads

A. The design of all roads shall give consideration to:

1. Existing and planned roads
2. Reasonable circulation of traffic within the plat
3. Topographic conditions
4. Stormwater runoff
5. Proposed uses of the area to be served

B. Where new roads extend to existing adjoining roads, their projections shall be at the same or greater width, but in no case less than the minimum required width. Where adjoining areas are not subdivided, the arrangement of roads in new subdivisions shall make provisions for the proper projection of roads. When a new subdivision adjoins unsubdivided land susceptible to being subdivided, then the new roads shall be carried to the boundaries of such unsubdivided land. Until the adjoining property is developed, a temporary cul-de-sac shall be constructed.

C. Road Design Standards:

	<b>Local Road</b>	<b>Private Road</b>
Rights of way	66'	33'
Surface width	24'	18'
Minimum horizontal curve radii	50'	50'
Minimum grade	0.5%	0.5%
Maximum grade	10%	12%
Structural Design Strength (Ton)	10	7
Shoulder	3' each side	1' each side
Inslope (V to H)	1:3	1:3
Road Type	Aggregate	Aggregate
Cross Slope	2%	2%

1. A road agreement between the Township and the Subdivider shall be recorded with a Township official's signature indicating that a Private Road shall remain private and shall not become the Township's responsibility including maintenance, improvements and traffic control measures. At their discretion, a Township may choose to modify the road agreement and assume responsibility for maintenance, improvements and traffic control measures.

D. Width:

1. All roads shall be subgraded to the minimum width to accommodate the above lane widths, shoulder width, inslopes, and the road's base and pavement thickness to meet the structural design strength as shown in the above table.

E. Structure of Roads:

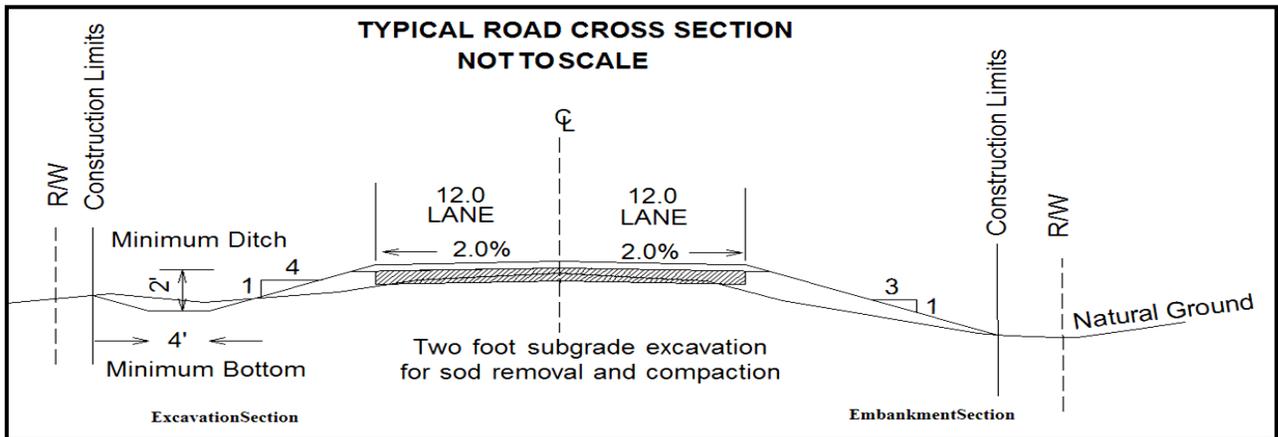
1. All Local and Private Roads may have aggregate surface.

2. Private roads that are contemplated that differ from the listed structure and ditches in this ordinance need to be designed by a Professional Engineer and approved by the County Engineer.
3. The developer shall design the pavement sections for all roads per MNDOT standards. All bituminous pavements shall have a minimum bituminous section of 3 inches.
4. There shall be a minimum of 6 inches of gravel (class 4 or 5 based on the pavement design) constructed with the initial road grading project when no bituminous will be used.
5. The road base shall be at standard design immediately prior to blacktopping and approved by a licensed Professional Engineer. Written proof must be submitted to the County Engineer within 5 working days of the blacktopping completion.
6. Curb and gutter shall meet MNDOT standards.
7. All Bike Paths and Pedestrian Ways shall be subject to review and approval by the County Engineer.
8. All intersections shall be at an angle of 90 degrees (but may vary by 10 degrees as necessary). Road jogs shall not have less than 150 feet of center line offset.
9. Maximum length of permanent cul-de-sac roads shall be 500 feet measured along the center line from the intersection of origin to end of right-of-way. Each cul-de-sac shall be provided at the closed end with a turn-around having a minimum outside roadway diameter of 80 feet and a minimum road right-of-way diameter of 100 feet.
10. Minimum tangent between curves shall be at least 50 feet.
11. Half roads shall be prohibited.
12. Where a proposed plat is adjacent to a major thoroughfare, the County may require the developer to provide a marginal access road along the right-of-way of such facilities or they may require that lots are aligned with the rear towards the thoroughfare, in which case vehicular and pedestrian access between the lots and thoroughfare shall be prohibited.
13. Road intersections shall be rounded at a radius of not less than 20 feet.
14. Sight triangles with tangent distances of 30 feet shall be provided at road intersections within the subdivision or the County may permit property lines at road intersections to be rounded with a radius deemed necessary. Sight triangles for roads tying into existing public roads shall meet the County's access control criteria.
15. Access control and road right of way dedication may be required.

16. New intersections tying into existing roads must meet the requirements of Goodhue County's Access Control Policy.

F. Ditches:

1. Ditch bottoms shall have a minimum width of 4 feet.
2. Ditch bottoms shall be at least 2 feet lower than the shoulder elevation.
3. Drainage ditches shall be sodded to prevent erosion.
4. All culverts installed shall be new.
5. Road culverts shall be a minimum of 24" in diameter.
6. Driveway culverts shall be a minimum of 18" in diameter.
7. Any culvert over 48", or at locations requested by the County Engineer, shall have a hydraulic analysis and risk assessment performed.
8. Centerline culverts shall be provided to accommodate all natural water flow and shall be sufficient length to permit full-width roadways and required side slopes.



The preceding sketch is to be used as a typical cross section through embankment and excavation sections for all normal road construction. Wherever side roads and branch roads lead off of the main road, such roads shall have the crown of the branch road meeting the shoulder elevation of the main road. Side slopes shall retain a 1:3 or a 1:4 slope depending on the functional classification of the road.

**Subd. 3 Easements**

- A. All public easements shall be dedicated by appropriate language on the plat as required by M.S. 505.021, Subdivision 7.
- B. Utilities easements shall connect with existing easements in adjoining properties to the extent possible.
- C. Where 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, as will be adequate for storm water runoff based on the 1% AEP flood event. The easement shall

include not only the stream channel, but also adjoining areas that have been subject to flooding in years of heavy runoff.

Subd. 4 Blocks

Road lengths shall not exceed 1,200 feet between intersections.

Subd. 5 Lots

- A. Corner lots for residential use shall have additional width to permit appropriate building setback from both roads as required by the Goodhue County Zoning Ordinance.
- B. Where possible, side lot lines shall be at right angles to straight lines or radial to curved road lines.
- C. Each lot shall have the minimum required frontage on a public or private road within the subdivision. Lots with frontage on two parallel roads shall be permitted only under unusual circumstances.
- D. The lot dimensions shall be such as to comply with the minimum lot areas specified in the Goodhue County Zoning Ordinance.
- E. Lots shall be graded so as to provide drainage away from building locations and septic drainage fields.
- F. All remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots rather than allowed to remain as unusable parcels unless the owner can show plans for the future use of such remnants wherein they shall be platted as Outlots.
- G. Outlots shall be set aside solely for non-building purposes. No Goodhue County Land Use Permits shall be issued for structures on Outlots. Outlots may be eliminated through re-subdivision approved by the County.

Subd. 6 Natural Features

- A. In the subdividing of any land, Goodhue County Zoning Ordinance regulations shall be adhered to and due regard shall be shown for all natural features, such as tree growth, wetlands, steep slopes, water courses, historic sites, or similar conditions, and plans adjusted to preserve those which will add attractiveness, safety and stability to the proposed development.
- B. In general, it is preferable to have trees, other than diseased or damaged trees, only to be cut or removed to accommodate building sites, driveways or utilities.

Subd. 7 Erosion and Sediment Control

- A. Wetlands and other water bodies shall not be utilized as a primary source of hydrologic and/or sediment traps.
- B. Any proposed alteration, filling, or creating of wetlands shall comply with the Minnesota Wetland Conservation Act Rule 8420, which is administered locally by the Goodhue County Soil and Water Conservation District.

- C. The proposed development shall not increase the runoff rate of storm water so as to cause an adverse effect upon adjacent lands. Hydraulics to verify post-development rates are at or less than pre-development rates shall be based on the 1% AEP flood event.
- D. Erosion protection measures shall make maximum use of natural in-place vegetation rather than the placing of new vegetation on-site as erosion control facilities. The use of approved natural erosion control devices shall be preferred to the maximum extent over the construction of artificial drainage devices including culverts, holding ponds and ditches.
- E. Topsoil removed from lots during construction shall be stockpiled for re-spreading over lots and shall not be sold or otherwise removed from the subdivision area unless the removal of excess topsoil is approved by the County.
- F. Topsoil shall be re-spread so as to provide at least 6 inches of cover originally existing on the site or a minimum of 4 inches of cover if the original cover was less. The site shall also be stabilized by seeding and/or sodding.
- G. Developments are subject to NPDES and SWPPP permit requirements.

Subd. 8 Public Lands and Open Spaces

Subdivision activity can create a need for a full range of public facilities. The County Board may require a portion of the subdivided land to be set aside for open space, park, recreational, or common areas and facilities (MS 394.25, Subd.7). The County Board may accept a contribution to the County Park Fund in lieu of land designation within the subdivision.

**SECTION 9. IMPROVEMENTS REQUIRED**

Subd. 1 Improvements Listed and Described

Before the County Board approves a Final Plat, the Subdivider shall have agreed in the manner set forth below to install in conformity with construction plans approved by the County Engineer and in conformity with all applicable standards and ordinances, the following improvements on the site:

- A. All plat monuments shall be placed in the ground prior to recording of the plat with the County Recorder/Registrar of Deeds. Delayed staking of any plat monument will be prohibited.
- B. Where a connection with a community water system is possible, the public water shall be used. In other instances, safe and potable water shall be provided by a central distribution system serving the subdivision or by individual wells. In all cases, water shall be supplied in accordance to the Goodhue County Water Quality Ordinance specifications.
- C. All proposed sanitary sewer systems shall be required to connect to municipal lines when available. In other instances individual SSTS or a central system approved by Goodhue County Environmental Health will follow the standards as outlined in the Goodhue County Subsurface Sewage Treatment System Ordinance shall be used.

- D. A system that will adequately take care of the surface water runoff within the subdivision shall be provided. Storm sewers and culverts shall be installed where necessary in conjunction with the grading of roads.
- E. Interim measures shall be required to ensure that drainage design functions adequately during phase developments.
- F. Each subdivision must function as independent projects, yet be flexible to integrate with surrounding needs.

Subd. 2 Financial Agreement

Before a Final Plat which consists of ten or more lots is approved by the County Board, the Subdivider shall be required to submit a performance bond, cash escrow agreement, or irrevocable letter of credit, as approved by the County Board to assure the following:

- A. The Subdivider shall pay for the cost of all improvements required in the subdivision and the subdivision's share of the costs of any trunk facilities to be extended to the subdivisions with the exception of individual wells and individual sewage disposal systems.
- B. Guarantee completion of the required improvements within a 2 year period.
- C. Payment by Subdivider for all costs incurred by the County for review and inspection. This would include preparation and review of plans and specifications by technical assistants and costs incurred by the County Attorney, County Surveyor, and County Engineer as well as other costs of a similar nature. This payment would be in addition to the subdivision fee paid with the submission of the Preliminary Plat.
- D. The County may elect to install any of the required improvements under the terms of the financial agreement.
- E. The financial agreement shall be equal to one and one-quarter (1.25) times the estimated cost of the required improvements.
- F. If the required improvements are not complete within the 2 year period, all amounts held under the financial agreement will be turned over and delivered to the County and applied to the cost of the required improvements. Any balance remaining after such improvements have been made, shall be returned to the Subdivider.

**SECTION 10. VARIANCES AND EXCEPTIONS**

The County Board may vary the requirements of this Ordinance so long as they are in harmony with the general purposes and intent of the official control in cases when there are practical difficulties as defined in Minnesota State Statutes Chapter 394. Any variance to Section 5 Subdivision 2 should be heard and acted upon by the Board of Adjustment, all other variances shall be heard and acted upon by the County Board.

**SECTION 11. CERTIFICATION OF FINAL PLAT**

- A. For approval by signature of county officials with the recording of the plat.
  - 1) Taxes payable in the year \_\_\_\_\_ on the land herein described have been paid, there are no delinquent taxes entered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Goodhue County Auditor/Treasurer  
By: \_\_\_\_\_ Deputy

2) I hereby certify that the within instrument was filed in this office for record this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_ o'clock \_\_m and was duly recorded as document number \_\_\_\_.

\_\_\_\_\_  
Goodhue County Recorder

3) Approved by the County Board of Commissioners of Goodhue County, Minnesota, at their \_\_\_\_ day of \_\_\_\_\_, 20\_\_ County Board meeting.

Signed:

\_\_\_\_\_ Attest: \_\_\_\_\_  
Chair Administrator

4) Approved by the \_\_\_\_\_ Township Board this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.  
Signed: \_\_\_\_\_  
Chairman, Township Board

5) I hereby certify:

that I have surveyed or directly supervised the survey of the property described on this plat; that I prepared or directly supervised the preparation of this plat as *(name of plat in CAPITAL LETTERS-exactly as it appears in the title)*; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been correctly set; that as of the date of this certificate, all water boundaries and wetlands, as defined in Minnesota Statutes 505.01, Subd. 3, are shown and labeled on the plat; and that all public ways are shown and labeled on the plat.

\_\_\_\_\_  
Land Surveyor  
Minnesota License No. \_\_\_\_\_

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_ 20\_\_, by \_\_\_\_\_ Land Surveyor.

\_\_\_\_\_  
Notary Public \_\_\_\_\_ County, Minnesota  
My Commission Expires \_\_\_\_\_

Pursuant to Chapter 389.09, laws of Minnesota, and Goodhue County Ordinance No.2-78, this plat has been approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Goodhue County Surveyor

I hereby approve this plat as to form.

\_\_\_\_\_  
Attorney for Goodhue County

# GOODHUE COUNTY SUBDIVISION CONTROLS ORDINANCE

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Adopted: October 14, 1966

Amended:

February 19, 1968

December 7, 1971

June 6, 1972

July 1974

March 18, 1976

May 18, 1978

September 2, 1980

September 8, 1981

May 16, 1995

February 21, 2006

February 3, 2015

February 4, 2020