

## **SECTION 5: FINAL PLAT**

### **5-1 INFORMATION REQUIRED FOR FINAL PLAT**

Approval of a preliminary plat by the 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 the City Council approval of the preliminary plat, including conditions and the City growth management standards.

A complete application for final plat shall be submitted no later than one (1) year after the date of approval of the preliminary plat, or a time as provided in the developers agreement. Otherwise, the preliminary plat approval shall be considered void, unless an extension is requested in writing, and for good cause, is granted by the City Council.

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 with all the requirements of this Ordinance.

Approval of the engineering specifications required by this Ordinance pertaining to water supply, drainage, domestic waste water, 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 the City Council.

#### **A. Revised Preliminary Plat**

1. The City may require seven (7) large scale copies (22" by 34"), one (1) reproducible reduction at 11" by 17", and one digital electronic copy in a format compatible with the City's computer system of the preliminary plat 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 final plats shall be considered.

#### **B. Title Restrictions**

The City may require one (1) copy of any title declaration, conservation easements, deed restriction, restrictive covenant, or homeowner's association documents.

#### **C. Final Plat General Information**

Twelve (12) large scale (22" X 34") 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 (1) reproducible copy reduced to 11" x 17".

- 1 Name of the subdivision.
- 2 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.
- 3 Scale (engineering only) one (1) inch equals one hundred (100) feet or less.
- 4 North point indication.
- 5 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.
6. Location and accurate dimensions of all lots, outlots, streets, and other features. Lots and blocks shall be numbered.
7. A listing of the total area of each lot measured in gross square feet per lot and total area of the plat.
8. The exact location, widths and names of all proposed streets to be dedicated.
9. The location and width of all easements to be dedicated.
10. 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.
11. Name and address of the registered surveyor of the plat with certification by in the form required by Minnesota Statutes 505.03, as may be amended.
12. Statement dedicating all easements as follows: easements for installation and maintenance of trails, utilities and drainage facilities are reserved over, under, and along the areas designated as drainage and utility easements.
13. 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.

14. Final grading, construction plans shall be prepared and submitted in accordance with City standards.

**D. Development Contracts**

1. The developer shall meet with the City staff to finalize the terms of the development contract.
2. Upon finalization of the development contract, the City Clerk shall have the final copy of the contract signed by all appropriate parties.
3. Financial guarantees shall be posted with the City as outlined in the development contract.
4. 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.
5. 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.

**E. Additional Final Plat Information**

1. 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 that all dimensional and geodetic details are correct.
2. Notarized certification by owner, and by any mortgage holder of record, of the adoption of the plat, and the dedication of streets and other public areas.
3. Approval by signature of City and County officials concerned with the approval of the plat.
4. Form for approval of the Council as follows: Approved by the Council of the City of Delano, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
Signed \_\_\_\_\_ (Mayor)  
Attest \_\_\_\_\_ (City Clerk)

## **5-2 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 Planning Commission shall consider the final plat and the Zoning Administrator shall forward the Planning Commission recommendations to the City Council.
- C. 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 timeframe 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.
- D. 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 the City Council. The lack of a majority Council vote to affirmatively approve the final plat shall be a denial of the requested application.
- E. Within sixty (60) days upon receiving a complete final plat application, the City Council shall certify final plat approval or denial. If the City Council approves the final plat, it may impose conditions it considers necessary to protect the public health, safety and welfare. If the City Council denies the final plat, it must state in writing the reasons for the denial at the time it denies the request.
- F. No site work, including grading, shall be allowed until final plat approval and recording.

## **5-3 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.

#### **5-4 RECORDING**

If the final plat and development contract are approved by the City Council, the developer shall record the plat within ninety (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 the City Council. The City may record the development contract immediately upon receipt of signatures.

#### **5-5 RECORD PLANS**

The developer shall submit for review and approval all proposals to change the original plans regarding road construction, drainage, and stormwater management. The developer shall obtain written approval by the City prior to changes to the plans. The developer shall submit the following:

- A. One (1) mylar copy of the final plat.
- B. Seven (7) 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.