

## CHAPTER THREE

### SUBDIVISION ORDINANCE

**An Ordinance relating to, and regulating the subdivision of lands within Lent Township, Chisago County, Minnesota for the purpose of promoting and protecting the public health, safety, order, convenience, prosperity, and general welfare of Lent Township.**

Lent Township ordains as follows:

#### SECTION 1. GENERAL PROVISIONS

##### 1.01 Title

This ordinance shall be known as the LENT TOWNSHIP SUBDIVISION ORDINANCE, except as referred to herein as “this Ordinance.” The provisions of this Ordinance shall apply to all lands and properties within Lent Township, Chisago County, Minnesota.

##### 1.02 Purpose

The purpose of this Ordinance is to:

- A. Protect the public health, safety and welfare.
- B. Protect the natural resources of the County.
- C. Encourage well-planned, efficient and attractive subdivisions with appropriate standards for design and construction.
- D. Establish minimum standards for right-of-way and park dedication.
- E. Provide for the health and safety of residents by requiring properly designed streets and environmentally sound sewer and water systems.
- F. Ensure that the costs of new development are borne by benefited properties and not the community at large.
- G. Protect existing and future investments and property values.
- H. Secure the rights of the public with respect to access to public lands and waters.
- I. Promote and protect the compatibility of land uses.
- J. Implement the Lent Township Comprehensive Guide Plan.

##### 1.03 Interpretation

The provisions of this Ordinance shall be interpreted to be the minimum requirements necessary to promote and protect the public health, safety and general welfare.

##### 1.04 Scope

This Ordinance shall apply to the subdivision or resubdivision of all land within Lent Township, as permitted by law. No land within this jurisdiction shall be subdivided in a manner inconsistent with this Ordinance. No permits for any improvements will be issued on any land which has been subdivided in a manner inconsistent with this Ordinance. In the event the provisions of this Ordinance conflict with any other ordinances or regulations having jurisdiction, the more restrictive provisions shall apply.

##### 1.05. Conformance with Comprehensive Plan and Zoning Ordinance

The subdivision or resubdivision of land shall not be inconsistent with the Lent Township Comprehensive Plan and Lent Township Zoning Ordinance.

##### 1.06 Platting Required

No parcel of land shall be permitted to be conveyed by metes and bounds description after June 1, 1999, except in accordance with the circumstances and provisions described below:

- A. The parcel is a single parcel of residential or agricultural land of not less than 20 acres and having a width of not less than 500 feet in any dimension, and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than 20 acres in area or 500 feet in width;
- B. The parcel is created by “minor subdivision” which shall be defined as the separation of a single parcel of land separated from an original parent parcel, when the following circumstances exists:

- 1. The new parcel is not less than five acres in size, with a minimum width of 300 feet fronting on a public road;

2. The minor subdivision is for the purpose of separating a residence and accessory buildings from the balance of the larger parcel, provided that:
  - a. The residence and buildings existed upon the date of enactment of this ordinance.
  - b. The minor subdivision results in no substandard yard and/or structure setback, other substandard dimensional element, or any new nonconformity.
3. The resulting remainder parcel is not less than 20 acres in size, and/or 500 feet in width;
4. A minimum of one acre of buildable land is demonstrated to exist on the newly created residential parcel;
5. The new parcel is surveyed and legally described by a Minnesota-licensed land surveyor;
6. The certificate of survey and legal description are presented to the Township Zoning Administrator and reviewed by the Planning Commission for approval by the Township Board.
7. The certificate of survey and legal description are recorded at the office of the Chisago County Recorder.

#### **1.07 Deadline for Action**

It is the intent of the Township to comply with State requirements for timely review and actions requiring formal approval by the Township. Information submissions and applications must be determined by the Township to be complete before a timeline for action is initiated. A preliminary plat shall be approved or disapproved by the Town Board within sixty (60) days of the date a completed application was received by the Township, unless a written extension is granted by the applicant. A final plat shall be approved or disapproved by the Town Board within sixty (60) days of the date of a completed application, unless a written extension is granted by the applicant. A final plat shall be approved when conditions of the preliminary approval have been met. The timeframe for all other subdivisions shall not exceed the above timetable; however, the Township may combine the preliminary and final review. In the event that multiple approvals are involved in any action, such as Zoning Ordinance amendment, Comprehensive Plan amendment, environmental review, preliminary plat and final plat, each action shall require a separate, independent timeline for action.

#### **1.08 Lot Reconfiguration**

The Zoning Administrator is hereby authorized to approve a division of land where a portion of a lot of record is conveyed to the owners of the adjoining lot of record for the purpose of enlarging the latter provided the size of the remaining lot meets the minimum lot size and area requirements for the Zoning District. The Zoning Administrator may require such restrictive language on the document of conveyance as is deemed appropriate to protect and maintain the provisions of this Ordinance or any other Township ordinances. The Zoning Administrator shall verify approval of the conveyance by stating thereon: "Approved under Section 1.08 of Lent Township Subdivision Ordinance" and thereunder providing the date and signature. Upon approval, the document may be recorded with the County Recorder.

#### **1.09 Lot Line Adjustment**

When a proposed subdivision realigns common lot lines and by so doing does not create additional buildable lots and does not create any lot which is substandard for the applicable zoning district, or any overlay district, in which it lies and for which is not created a need for a new road, such new property description may be approved by the zoning administrator if it is found the resulting configuration will not have adverse effects on surrounding property. Should the zoning administrator determine that the realignment of common lot lines may have an adverse effect on adjoining property, the zoning administrator shall require the subdivision to proceed pursuant to applicable provisions of this Code.

#### **1.10 Exceptions for Single Lot Division**

Upon recommendation of the Planning Commission, the Town Board may waive some of the platting requirements for a single lot subdivided from a large parcel. This provision is not intended to allow piecemeal subdivision of land; rather, it is intended to allow one-time exceptions to some of the requirements of this Ordinance for one-time, single lot divisions. Under these circumstances, the Township may limit ordinance and platting requirements to the parcel being separated and exempt the larger remnant from surveying, topographic or wetland delineation, and other platting requirements.

#### **1.11 Transfer of Development Rights**

The use of transferred development rights or credits to achieve smaller lot sizes or increased development density, not conforming with this Ordinance, shall be prohibited.

## SECTION 2. DEFINITIONS

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted with the same meaning they have in common usage. For the purpose of this Ordinance, the words “must” and “shall” are mandatory and not permissive. All distances, unless otherwise specified, shall be measured horizontally. The following words and terms wherever they occur in this Ordinance are defined as follows:

<u>Alley</u>	A dedicated public right-of-way providing a secondary means of access to abutting property.
<u>Applicant</u>	The owner of land proposed to be subdivided or a representative. Consent shall be required from the legal owner of the premises.
<u>Attorney</u>	The Township Attorney of Lent Township, Minnesota or an authorized representative.
<u>Block</u>	The enclosed area within the perimeter of roads, property lines or boundaries of the subdivision.
<u>Bond</u>	Any form of security including a cash deposit, collateral, property, or instrument or credit in an amount and form satisfactory to the Governing Body. All bonds shall be approved by the Governing Body wherever a bond is required by these regulations.
<u>Boulevard</u>	The portion of the street right-of-way between the traveled road surface and the property line.
<u>Butt lot</u>	A lot at the end of a block and located between two corner lots.
<u>Certificate of Survey</u>	A graphic representation of the boundary survey of a parcel of real property along with the description of the land and the signed certification of a Registered Minnesota Land Surveyor.
<u>Clustered or Clustering</u>	A development pattern and technique whereby structures or building sites are arranged in close proximity to one another in non-linear groups, adjacent to permanently preserved common open space, so as to make the most efficient and visually aesthetic use of the natural features of the landscape and maximize visualization of permanently preserved open space.
<u>Collector street or road</u>	A road intended to move traffic from local roads to secondary roads.
<u>Comprehensive Plan</u>	The plan or plans for the orderly growth of Lent Township as adopted and amended from time to time by the Planning Advisory Commission and the Town Board.
<u>Condominium plats</u>	The condominium law given in State Statutes Chapter 515 specific procedures for surveying condominium subdivisions.
<u>Conservation Subdivision</u>	A method of subdivision characterized by common open space and clustered compact lots, with the purpose of protecting natural resources to the greatest extent possible, while allowing for increased residential densities. Site designs incorporate standards of low impact development, such as maximum road setbacks for structures, and preservation of trees, shoreline, unique resources, and scenic vistas, and these developments use stormwater designs that emphasize on-site retention and infiltration through the preservation of native vegetation, use of pervious surfaces, rain gardens, and swales.

## Lent Township Land Use Regulations

<u>Contour line</u>	A line connecting points that are at the same elevation. Contour interval is the vertical height between contour lines.
<u>Corner lot</u>	A lot bordered on at least two (2) adjacent sides by streets.
<u>Covenants</u>	Legal restrictions, usually recorded, which govern uses and dimensional standard of land or structures or both.
<u>Cul-De-Sac</u>	A minor street with only one outlet and having a turnaround.
<u>Design Standards</u>	Minimum requirements for the preparation and layout of plats, planned unit developments, other subdivisions, and public improvements.
<u>Developer</u>	The owner of land proposed to be subdivided or his representative. Consent shall be required from the legal owner of the premises.
<u>Double frontage lot</u>	A lot which has a front line abutting on one street and a back or rear line abutting on another street.
<u>Drainage course</u>	A water course or indenture for the drainage of surface water. This includes natural waterways as well as man-made waterways.
<u>Easement</u>	A grant by an owner of land for the specific use by persons other than the owner, or the public.
<u>Engineer</u>	An engineer registered in the State of Minnesota.
<u>Escrow</u>	In lieu of an amount required and still in force on a letter of credit, performance bond or maintenance bond. Such escrow funds shall be deposited by the Township Treasurer Inspector in a separate account.
<u>Final plat</u>	The map or plan or record of a subdivision and any accompanying material, as described in these regulations.
<u>Frontage road</u>	A local street parallel to and adjacent to a highway or major thoroughfare, designed to provide direct access to land in lieu of direct access from a highway or major thoroughfare.
<u>Governing Body</u>	The Lent Township Board of Supervisors.
<u>Grade</u>	The slope of a road, street, or other public way, specified in percentage (%) terms.
<u>Land Survey</u>	The process of determining boundaries and areas of tracts of land.
<u>Lot</u>	A single parcel of land within a subdivision marked as a numbered tract to be offered as a unit of land for sale, lease, or separate use thereof. Outlots are included, but are designated by alphabetical letters.
<u>Major subdivision</u>	All subdivisions not classified as minor subdivisions, including but not limited to subdivisions of four (4) or more lots, or any size subdivision requiring any new street or extension of the local government facilities, or the creation of any public improvements.
<u>Metes and bounds</u>	A description of real property which is not described by reference to a lot or block shown on a map, but is described by starting at a known point and

## Lent Township Land Use Regulations

describing the bearings and distances of the lines forming the boundaries of the property, or a description which delineates a fractional portion of a section, lot or area by described lines or portions thereof.

### Minimum subdivision design standards

The guides, principles, and specifications for the preparation of subdivision plans indicating among other things, the minimum and maximum dimensions of the various elements set forth in the preliminary plat.

### Minor street

A street of limited continuity used primarily for access to the abutting properties.

### Outlot

A lot remnant or any parcel of land included in a plat, which may be used as open space. Such outlot may be a large tract that could be subdivided in the future or may be too small to comply with the minimum size requirements of zoning and subdivision ordinances or otherwise unsuitable for development and therefore not usable as a building site as it currently exists.

### Owner

An individual, firm, association, syndicate, partnership, corporation, trust, or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under these regulations.

### Park

Public land utilized for active or passive recreational purposes or natural resource management.

### Park dedication

Land or cash in lieu of land which is dedicated for public use through the platting process, in a size or amount commensurate with the magnitude of the subdivision.

### Pedestrian Way or Trail

A public right-of-way across or within a block, to be used for non-motorized use and pedestrians.

### Person

Any individual, firm, association, syndicate or partnership, corporation, trust or any other legal entity.

### Plat

A map or drawing, conforming to State statutes, which graphically delineates the boundaries and dimensions of land parcels for the purpose of identification and record or title.

### Planned Unit Development

A type of subdivision and development characterized by a unified site design for a number of dwelling units on a parcel, also involving clustering of these units to provide areas of common open space, density increases, and a mix of structure types and land uses.

### Planning Commission

A group of individuals appointed by the Lent Township Board of Supervisors to serve as the planning agency for the Township .

### Preliminary plat

A preliminary map or drawing indicating the proposed layout of a subdivision of land.

### Private street

A privately owned street not dedicated to the public which serves two (2) or more parcels of land.

### Protective 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

## Lent Township Land Use Regulations

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

### Registered Land Survey

A method of surveying Torrens (or Registered) land following the procedures in State Statutes Chapter 508.47, as amended.

### Remnant parcel

An irregular tract of land, which serves no public purpose and is not in conformance with Township Ordinances. Remnant parcels shall not be permitted.

### Reserve Strip

A narrow strip of land placed between lot lines and streets to control access.

### Resubdivision or Replat

A change in any parcel of an approved or recorded subdivision plat.

### Right-of-way

Land dedicated for public use including, but not limited to, streets, pedestrian ways and authorized utilities.

### Riparian

Pertains to lands connected with or adjacent to the banks of a stream, lake or other body of water.

### Service lane

A frontage road or internal street, which provides access to abutting properties and protects through traffic.

### Sketch plan

A drawing which shows the conceptual subdivision of property.

### Street

A right-of-way for vehicular movement, including bicycle and pedestrian movement when appropriately designed.

### Street width

The distance between the lines delineating the traveled portion of a street.

### Subdivider

The owner, agent, or person having control of such land as the term is used in this Ordinance.

### Subdivision

The division of a parcel of land into two (2) or more lots or parcels, for the purpose of transfer of ownership or building development. The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

### Surveyor

A land surveyor registered under Minnesota state laws.

### Thoroughfare

A street primarily designated to carry large volumes of traffic and provide for vehicular movement between and among large areas.

### Township

Lent Township, Minnesota

### Town Board

The Lent Township Board of Supervisors

### Watercourse

A passage way in the surface of the earth so situated having such a topographical nature that surface water flows through it from other areas before reaching a final ponding area. The term includes both natural passage ways and drainage structures that have been constructed or placed for the purpose of conducting water from one place to another.

### Vicinity map

Also known as a key map or location map. A map drawn to comparatively small scale which shows the area proposed to be platted in relation to known geographical features, i.e. town centers, lakes, roads.

Zoning Administrator

A person or persons appointed by the Town Board of Supervisors to administer and enforce this Ordinance.

Zoning Ordinance

Chapter Two (2) of the Official Lent Township Land Use Regulations. The Ordinance regulating the use and development of lands within Lent Township.

**SECTION 3. PLATTING PROCEDURE**

**3.01 Sketch plan**

In order to ensure that all applicants for subdivisions are informed of the platting procedure and the requirements of this Ordinance and related ordinances, the subdivider is encouraged to consult with the Township Zoning Administrator and the Township Surveyor. At the time of this initial conference, the subdivider should present a sketch plan for review. The plan need not be drawn to scale, but should show the proposed subdivision of the property, the street layout, significant topographical and physical features and adjacent land use. The developer should make use of quadrangle maps, air photo maps, half-section maps or other maps or plats to construct the sketch plan.

**3.02 Preparing and Submitting the Preliminary Plat**

The owner or subdivider shall file with the Zoning Administrator:

- A. Completed application forms for the proposed subdivision.
- B. A cash platting fee and deposit to be determined by resolution of the Town Board.
- C. A minimum of twelve (12) copies of the preliminary plat.
- D. A copy of any protective covenants in the proposed subdivision.
- E. If the subdivider requests, or the Township requires that any existing special assessments which have been levied against the premises described in the subdivision be divided and allocated to the respective lots in the subdivision plat, the Assessor shall estimate the clerical cost of preparing the revised assessment roll, filing the same with the Township auditor, and making such division and allocation, and upon approval by the Township of such estimated cost the same shall be paid to the Township treasurer in addition to the fee mentioned in subparagraph 3.02A above, to cover the cost of preparing and filing such revised assessment.

**3.03 Preliminary Plat Requirements**

A. Identification and Description.

The preliminary plat of the proposed subdivision shall contain and have attached thereto the following information:

- 1. Proposed name of subdivision, which name shall not duplicate or be similar in pronunciation of the name of any other plat on record in the Township.
- 2. Legal description of property.
- 3. Names and addresses of the owners, and any agent having control of the lands, subdivider, surveyor, engineer and designer of the plat.
- 4. Graphic scale not less than one (1) inch to one hundred (100) feet, except for large subdivisions where a smaller scale may be acceptable.
- 5. North point and vicinity map of area showing well known geographical points for orientation within a one-half mile radius.
- 6. Date of preparation.

B. Existing Conditions.

The preliminary plat shall have the following information concerning the property in and surrounding the proposed subdivision:

- 1. The outside boundary lines of the subdivision clearly shown.
- 2. Existing zoning classifications for land in and abutting the subdivision.
- 3. Approximate total acreage.
- 4. Location, right-of-way width and names of existing or platted streets or other public ways, parks and other public lands, permanent buildings and structures, easements and section and corporate lines within the preliminary plat and to a distance of one hundred (100) feet beyond shall also be indicated.

## Lent Township Land Use Regulations

5. Location and size of existing sewers, water mains, culverts or other underground facilities within the preliminary plat area and to a distance of one hundred (100) feet beyond. Such data as grades, locations of catch basins, manholes, hydrants and street pavement width and type shall also be shown.
6. Boundary lines of adjoining unsubdivided or subdivided land, within one hundred (100) feet, identified by name and ownership, but including all contiguous land owned or controlled by the subdivider.
7. Topographic data, including contours at vertical intervals of not more than two (2) feet except where the horizontal contour interval is one hundred (100) feet or more, a one (1) foot vertical interval shall be shown. Water courses, marshes, wooded areas, rock outcrops, power transmission poles and lines, and other significant features shall also be shown.
8. National Geodetic Vertical Datum 1927 adjustment shall be used for elevations and topographic mapping, unless deemed unnecessary by the Township. The source of the topographic contours shall be given, whether done by survey crew methods, aerial photography, or using existing topographical maps and then only by identifying the source and date of such maps.
9. A copy of all proposed private restrictions (also known as Protective Covenants).
10. Description of the soils on the site and soil test results demonstrating the adequacy of the property for proposed development in terms of ground water level, load bearing quality and percolation rate.
11. On all lakes, ponds, wetlands (including delineation required in the Wetland Conservation Act), rivers and other waterways, present water surface elevations, water depth, natural ordinary high water elevations and proposed 100-year flood elevations (if available) shall be denoted.

### C. Design features.

The following design features of the proposed subdivision shall be shown on the preliminary plat as follows:

1. Layout of proposed streets, showing right-of-way widths and proposed names of streets. Street names shall conform to the Lent Township uniform street naming and property numbering system as applicable.
2. Locations and widths of proposed alleys, pedestrian ways and utility easements.
3. Lot and block numbers and preliminary dimensions of lots and blocks and area of each lot.
4. Minimum front, side and rear building setback lines, and including setback lines from lake shores and river fronts.
5. Bluff lines and the minimum setback lines from the bluff line.
6. Location and size of proposed sanitary sewer lines and water mains if applicable.
7. Gradients of proposed streets, sewer lines and water mains. Plans and profiles showing locations and typical cross-sections of street pavement including curbs, gutters, sidewalks, drainage easements, servitude right-of-ways, manholes and catch basins.
8. Areas, other than streets, alleys, pedestrian ways and utility easements, intended to be dedicated or reserved for public use, including the size of such areas.
9. Grading and drainage plan for entire subdivision. The grading plan shall identify existing vegetation and woodlands on the site and clearly delineate areas where vegetation will be removed. If any fill or excavation is proposed in a wetland or lake, approval must be obtained from the Minnesota Department of Natural Resources, the Army Corps of Engineers and the Township, if applicable. The drainage plan shall include the current rate storm water is conveyed from the site and the receiving water for the runoff. The plan shall reveal that there will be no net increase in the rate or quantity of runoff leaving the site as a result of development.
10. Erosion and sediment control plan, incorporating Minnesota Pollution Control Agency "best management practices."
11. In subdivisions where public water and sewer services are not presently available, the Township may require the developer to submit a preliminary resubdivision plan showing a potential and feasible way in which the lot or lots may be re-subdivided in future years when public facilities may be provided. The undeveloped lots may be conveyed to other persons or entities and building development may be permitted on the previously undeveloped lots at the setbacks described in the district in which it is located.

### D. Other information.

The following additional information shall be provided concerning the proposed subdivision:

1. A statement of the proposed use of lots stating type of residential buildings with number of proposed dwelling units; type of business or industry so as to reveal the effect of the development on traffic, fire hazards and congestion of population.
2. Source of water supply.
3. Provisions for sewage disposal, surface water, drainage and flood control.
4. If any zoning changes are contemplated, the proposed zoning plan for the areas including dimensions.
5. Such other information as may be requested by the Zoning Administrator, Engineer, Surveyor or Planning Commission.



6. Where the subdivider owns property adjacent to that which is being proposed for the subdivision, the Planning Commission may require that the subdivider submit a preliminary plat of the remainder of the property so as to show the possible relationships between the proposed subdivision and future subdivision. In any event, all subdivisions must be shown to relate well with existing or potential adjacent subdivisions and land use.

E. Developer's Agreement.

Where the subdivider has negotiated with the Town Board or Planning Commission to dedicate public or private park land, trails, or other specifically dedicated lands, or provide any public services or utilities, or vacate, create, dedicate, modify or relocate a Township road, or make the Township responsible for any other aspect of the development, use or operation of the proposed subdivision, the subdivider shall prepare a Developer's Agreement which fully sets forth all conditions, obligations, specifications and responsibilities to be placed upon the developer and the Township.

1. Any Developer's Agreement shall be considered to be an integral part of the proposed subdivision and any actions taken by the Planning Commission and Town Board shall include any associated Developer's Agreement.
2. No preliminary plat shall be submitted to the Town Board until any associated Developer's Agreement has been reviewed and approved by the Planning Commission pursuant to Section 3.04 of this Ordinance.
3. The Town Board shall retain full discretion to accept, reject or modify any or all provisions of any proposed Developer's Agreement reviewed and approved by the Planning Commission.

F. Environmental Review.

An environmental review may be required for projects that may have the potential for significant environmental effects. The Minnesota Environmental Policy Act of 1973 and 6 MCAR 3.021 allows for the preparation of Environmental Impact Statements and Environmental Assessment Worksheets for mandatory development thresholds or discretionary environmental reviews ordered by the responsible government unit.

1. No preliminary plat may be approved, nor may any land disturbance activity be allowed, until such Environmental Assessment Worksheet or Environmental Impact Statement, whether mandated by the State or ordered by the responsible government unit, has been prepared, referred for review and acted upon.
2. The Township or responsible government unit shall prepare, at the developer's expense, any state mandated Environmental Assessment Worksheet or Environmental Impact Statement for the project. The Township or responsible government unit shall prepare, with the developer's input and assistance, any discretionary Environmental Assessment Worksheet or Environmental Impact Statement.

**3.04 Review of Preliminary Plat**

Upon receipt of the preliminary plat, completed application form and application fee, the Zoning Administrator shall refer copies of the preliminary plat as follows:

- A. Seven (7) copies to the Planning Commission
- B. One (1) copy to the Township Engineer
- C. Two (2) copies to the Township Surveyor
- D. One (1) copy to the Town Board
- E. One (1) copy retained by the Zoning Administrator
- F. If the proposed subdivision abuts any Federal or State trunk highway, one (1) copy to the Minnesota Department of Transportation.
- G. If the proposed subdivision abuts any County highway, one (1) copy to the Chisago County Engineer.
- H. The Zoning Administrator shall set a date for a public hearing on the plat. The Planning Commission shall conduct the hearing and report upon the findings. The Zoning Administrator shall cause notice of said hearing to be published in the official newspaper at least ten (10) days prior to the hearing.
- I. The Planning Commission shall have the preliminary plat on its agenda at a regular meeting following referral. This meeting date may serve as the public hearing date.

J. After the public hearing, the Planning Commission shall determine whether the preliminary plat conforms to design standards set forth in this Ordinance and conforms to the Comprehensive Guide Plan and the Zoning Ordinance. The Commission shall recommend approval or denial of the preliminary plat, or may recommend approval, subject to certain conditions, and forward its findings to the Town Board.

K. The Town Board shall act on the preliminary plat within sixty (60) days of the date on which the completed application was received, unless a delay is consented to by the applicant in writing. If the report of the Planning Commission has not been received in time to meet these requirements, the Town Board may act on the preliminary plat without such a report.

L. If the preliminary plat is not approved, the reasons for such action shall be recorded in the proceedings. If the preliminary plat is approved, such approval shall not constitute final acceptance of the subdivision. Final approval is not granted until all conditions of preliminary plat approval have been met and the final plat is approved and recorded.

M. Should the subdivider desire to amend the preliminary plat as approved, the amended plan must be resubmitted and shall repeat the same procedure. If in the opinion of the Planning Commission, the modifications are incidental to the original plat, the requirements for a public hearing and fees may be waived.

### **3.05 Preparing and Filing the Final Plat**

A. After the approval and endorsement of a preliminary plat, the final plat shall be prepared by a land surveyor who is registered in the State of Minnesota and shall conform to all the requirements of State and County law.

B. Unless an extension of time is requested by the subdivider and granted by the Town Board upon recommendation of the Planning Commission, the subdivider shall within one (1) year, following approval of the preliminary plat, submit to the Zoning Administrator twenty (20) copies of the final plat, together with an up-to-date abstract of title or Certificate of Title, title opinion by the subdivider's attorney and the surveyor's worksheet or computation sheet for the subdivision. If the subdivider fails to submit the final plat to the Zoning Administrator within the designated period without requesting and receiving an extension of time, the approval and endorsement of the preliminary plat, including any rezoning necessitated by the preliminary plat, will be deemed void, and the subdivider shall initiate a new proceeding in the manner provided in Section 3.02.

C. Extensions of the period in which to file the final plat may be granted where the preliminary plat, because of its size, is to be developed in stages. The subdivider must submit an estimated time schedule for future staging of the platting and recording of each stage of the development. Final plats for the portion of the approved plan which is proposed for immediate development, conforming to all requirements of this Ordinance, must be filed within the required time, and the final plat for each succeeding stage of the development must be filed in accordance with the extensions granted by the Town Board. Each final plat shall incorporate all changes, modifications and revisions of the preliminary plat as recommended by the Planning Commission and approved by the Town Board. Except as so modified, the final plats shall conform to the preliminary plat. Where the subdivision is to be developed in stages, the final plat may constitute only that portion of the preliminary plat which the subdivider proposes to record and develop at that time.

D. The final plat shall comply with the provisions of Minnesota Statutes, Chapter 505.

E. The taxes on the parcels of land being platted must be paid in full in the year the plat is recorded. Along with submission of the final plat, the subdivider shall furnish proof of payment of these taxes.

F. The land surveyor shall certify on the plat that the plat is a correct representation of the survey, that all the distances are correctly shown on the plat, that all monuments have been correctly placed on the ground as shown, that the outside boundary lines are correctly designated on the plat. The surveyor shall also state on the plat if there are no wetlands or public highways to be designated in accordance with Minnesota Statutes, Section 505.02.

### **3.06 Review of the Final Plat**

A. The Zoning Administrator shall refer copies of the final plat to the Planning Commission and the Township Attorney. The Township Attorney shall also receive an up-to-date abstract of title or a Certificate of Title and the opinion of title prepared by the subdivider's attorney and addressed to the Lent Township Board.

- B. The following reports shall be submitted to the Town Board within forty-five (45) days after the submission of the final plat to the Zoning Administrator:
1. Before a final plat is filed, the applicant shall submit a letter from an acceptable Registered Minnesota Land Surveyor stating the final plat was checked for mathematical accuracy, conforms with Minnesota State Statutes, Chapter 505, and conforms to the provisions of the Township Ordinances;
  2. Before a final plat is filed, the applicant shall submit a letter from an acceptable Registered Professional Engineer stating the final plat was checked and the proposed improvements conform to all engineering standards, including requirements of the Minnesota Department of Transportation, if applicable;
  3. Before a final plat is filed, the applicant shall submit a letter from their attorney stating that the fee simple title to the platted property is in the names of the subdividers;
  4. The Zoning Administrator shall confirm that the final plat substantially conforms to the preliminary plat as modified and approved by the Town Board.
- C. If any of the reports required by Section 3.07B cannot be made within the prescribed period because of the non-conformity of the final plat to the preliminary plat or the non-compliance with any applicable Statute or Township ordinance, the Town Board shall refer the final plat to the Planning Commission. Within forty-five (45) days after the final plat is received by the Planning Commission from the Town Board, the Planning Commission shall report its recommendations to the Town Board.
- D. The Town Board shall act on the final plat within sixty (60) days of the date on which it was accepted by the Zoning Administrator, except that if the final plat is referred back to the Planning Commission pursuant to Section 3.07C, final action must be taken within sixty (60) days after the date on which it was referred to the Planning Commission.
- F. Prior to the approval of the final plat, the subdivider shall either have installed all required improvements or executed agreement with the Township for their installation. Required improvements shall conform to standards set forth in this Ordinance or other applicable standards.
- G. When the final plat is approved by the Town Board, the subdivider shall submit hard copies of the final plat for recording and plat data in an electronic format. In addition to one of the full size reproducible copies, a transparent reproducible copy of a scale of one (1) inch to two hundred (200) feet shall be filed with the Zoning Administrator.
- F. The subdivider shall record the final plat in the office of the County Recorder within one hundred twenty (120) days of its approval by the Town Board. Any plat not recorded within the prescribed period shall be void.

## **SECTION 4. MINIMUM DESIGN STANDARDS**

### **4.01 Land Requirements**

Each lot created through subdivision must be suitable in its natural state for the proposed use with minimal alteration. No preliminary plat shall be approved if the site is not suitable for the proposed purposes. Reasons for rejecting a preliminary plat include, but are not limited to, potential flooding, protected waters and wetlands, adverse earth or rock formations, poor soil suitability, excessive slopes and inaccessibility. The following specific requirements shall also apply to all proposed subdivisions:

- A. A lot intended as a buildable site shall meet the minimum standards of the Lent Township Zoning Ordinance and contain sufficient buildable area to accommodate the construction of two standard on-site sewage treatment systems.
- B. Land subject to hazards to life, health or property shall not be subdivided for residential purposes until all such hazards have been eliminated or unless adequate safeguards against such hazards are provided by the subdivision plan.
- C. Proposed subdivisions shall be compatible with existing land uses and consistent with the Lent Township Comprehensive Plan.
- D. Proposed land uses shall conform to the Lent Township Zoning Ordinance.
- E. All development activities shall be constructed and maintained in a manner consistent with area surface water management plans. The Township may refer all construction plans to the local watershed management agency for review and approval. Drainage and ponding requirements shall be consistent with the Nationwide Urban Runoff Program standards and the Minnesota Pollution Control Agency's "Best Management Practices."

F. All construction plans shall include erosion control and sedimentation control plan, which are consistent with the Minnesota Pollution Control Agency's "Best Management Practices." Plans shall identify locations of temporary construction and earthen material stockpiles and the beginning and ending dates of all construction and land disturbance activities.

G. All development activities involving wetlands shall be conducted in a manner consistent with the Wetland Conservation Act of 1991, as amended.

#### **4.02 Block Requirements**

Blocks shall meet the following standards:

A. Block size and dimensions within bounding streets shall accommodate the size of residential lots required in the area by the Lent Township Zoning Ordinance and shall provide for convenient access, circulation control and safety of street traffic.

B. In residential areas, other than water frontage, blocks longer than one thousand, three hundred twenty (1,320) feet in length measured along the greatest dimension of the enclosed block area may be required to include future street easements or rights-of-way to reduce excessive block length and accommodate future access provisions, unless minor exceptions are necessitated by topography or conformance with an adjoining plat.

C. Blocks for commercial and industrial areas may vary from the elements of design contained in this section if the nature of the use requires other treatment. In such cases, off-street parking for employees and customers shall be provided along with safe and convenient limited access to the street system. Space for off-street loading shall also be provided with similar access. Extensions of right-of-way for road, railroads, and utilities shall be provided as necessary.

D. Blocks shall be wide enough to allow two tiers of lots with a minimum depth as required by the Lent Township Zoning Ordinance except when adjoining a lake, stream, railroad or thoroughfare or where one tier of lots is necessary because of topographic conditions.

#### **4.03 Lot Requirements**

Lots shall meet the following standards:

A. Side lot lines shall be substantially at right angles to straight road lines or radial to curved road lines or radial to lake or stream shores unless topographic conditions necessitate a different arrangement.

B. Each lot shall front upon a public street for the minimum lot width required, except as otherwise provided in this Ordinance.

C. No lot shall have less area or width than is required by zoning regulations applying to the area in which it is located, except as herein provided. In Conservation Subdivisions or Planned Unit Developments the lot area requirements may be calculated to include the land areas to the centerline of the platted road.

D. Lots designed for commercial or industrial purposes shall provide adequate off-the-street service, loading and parking facilities.

E. Lots abutting upon a watercourse, drainage way, channel or stream shall have an additional depth or width, as required to obtain the height necessary to assure building sites that are not subject to flooding.

F. Lots with lakeshore frontage shall be designed so that the lot lines extended shall maintain the closest approximation to riparian rights.

G. In the subdividing of any land, amenities such as tree growth, water courses, historic spots or similar conditions, shall be preserved to the maximum extent practicable.

H. No remnants of lots shall be permitted, unless a plan identifying a legitimate future use of the remnant is approved by the Township.

I. In the case where a proposed plat is adjacent to a limited access highway, other major highway or thoroughfare, there

shall be no direct vehicular access from individual lots to such streets and roads. In the platting of small tracts of land fronting on limited access highways or thoroughfares where there is no other alternative, a temporary entrance may be granted. As neighboring land becomes subdivided and more preferable access arrangements become possible, such temporary access permits shall become void.

J. Lots extending over political subdivision boundaries shall be prohibited.

K. The lot size, width, shape and orientation shall be appropriate for the proposed type of development and shall meet the minimum requirements of the Zoning District according to the Lent Township Zoning Ordinance.

L. The depth of a lot shall not be greater than five (5) times the width.

#### **4.04 Park Land Dedication**

In all new subdivisions, the subdivider shall make a park land dedication prior to final approval of the subdivision. The following requirements shall apply to all Park Land dedication:

A. Park land dedication shall be considered adequate if at least five (5) percent of the total land area in the subdivision is dedicated for public park or recreation purposes.

B. The Township shall determine, whether a land dedication or cash in lieu of land is appropriate. Only buildable land shall qualify for dedication purposes. The Township shall determine the location of any park land dedication as a condition of subdivision approval. All land transfers shall be by warranty deed.

C. If a cash contribution is made in lieu of land dedication, the amount shall be as prescribed in the schedule of fees established by the Township for actions and activities governed by Lent Township Land Use Regulations. Any payment in lieu of park land dedication shall be made prior to final subdivision approval.

D. All park land dedications, whether land or cash, shall be used solely for park, trail and recreation purposes.

#### **4.05 Street Plan**

Streets shall meet the following requirements:

A. Proposed streets shall conform to State, County and Township street plans as have been prepared, adopted and/or filed as prescribed by law.

B. Streets shall be logically related to the topography to produce usable lots and reasonable grades.

C. Access shall be given to all lots and portions of the tract in the subdivision, and to adjacent unsubdivided territory unless the topography clearly indicates that such connection is not feasible. Reserved strips and land-locked areas shall not be created.

D. Minor streets shall be laid out to discourage their use by through traffic, and where possible, thoroughfares shall be protected for use by through traffic by marginal access streets, lots served by an interior street or other means.

E. Half or partial streets will not be permitted, except where essential to reasonable subdivision of a tract in conformance with the other requirements and standards of these regulations and, in addition, satisfactory assurance for dedication of the remaining part of the street can be secured.

F. Wherever a tract to be subdivided borders an existing half, or partial street, the other part of the street shall be platted within such tract.

G. Dead-end streets, including cul-de-sacs, shall be prohibited, except as stubs to permit future street extension into adjoining tracts.

H. Private streets and reserve strips shall be prohibited and no public improvements shall be approved for any private street. All streets shall be dedicated for public use except where otherwise exempted in this Ordinance.

I. The arrangement of streets in new subdivisions shall make provision for the appropriate continuation of the existing streets in adjoining areas.

J. Where adjoining areas are not subdivided, but are suitable for future subdivision, the arrangements of streets shall make provision for the proper projection of streets into adjoining areas by carrying the new streets to the boundaries of the new subdivision at appropriate locations.

K. Where a subdivision abuts or contains an existing or planned right-of-way of a major thoroughfare or railroad, the proposed new streets which parallel the right-of-way may be required to be designed with adequate separation from such thoroughfare or railroad. The service streets shall be located at a distance suitable for appropriate use of the intervening land for park purposes or for commercial or industrial purposes if in appropriate districts. The distances shall be determined considering the requirements of approach grades.

L. Street arrangements shall not cause hardship to owners of adjoining property in platting their own land and providing convenient access to it.

#### **4.06 Street Design**

A. The minimum right-of-way width for all Township roads shall be sixty-six (66) feet.

B. The minimum roadway width for all Township roads shall be determined by traffic needs.

C. Where a subdivision abuts or contains an existing street of inadequate width, sufficient additional width shall be provided to meet the above standards.

D. Additional right-of-way and roadway widths may be required to promote public safety and convenience when special conditions require it or to provide parking space in areas of intensive use.

E. Extensions of existing roads with lesser right-of-way than prescribed above may be permitted exceptions in special cases.

#### **4.07 Restriction of Access**

Access of private roads onto State highways, County roads and Township roads shall not be allowed at intervals of less than 500 feet. The Planning Commission may recommend and the Town Board may require that the right of access from any portion or lot of platted land to any property in which the public has or will have an interest, including, but not limited to public roads, be dedicated to the Township. Where required, the plat shall contain a full and accurate description of the dedication of the right of access, and indicate thereon that said right of access has been dedicated to the Township. The dedication shall thereafter become a condition of any transfer or conveyance of a parcel or lot affected by the dedication.

#### **4.08 Street Jogs**

Street jogs with center line offsets of less than five hundred (500) feet shall be discouraged.

#### **4.09 Deflections**

When connecting street lines deflect from each other at any point by more than ten (10) degrees, they shall be connected by a curve with a center line radius of not less than one hundred (100) feet.

#### **4.10 Grades**

Centerline gradients shall not exceed the follows:

Thoroughfares and collector streets	5% gradient
Minor streets, marginal access streets	8% gradient

#### **4.11 Vertical Curves**

Different connecting street gradients shall be connected with vertical curves. Minimum length, in feet, of these curves shall be twenty (20) times the algebraic difference in the percent of grade of the two adjacent slopes.

#### **4.12 Intersections**

Intersections shall meet the following standards:

- A. Angle of intersection: The angle formed by the intersection of streets shall not be less than ninety (90) degrees.
- B. Intersections of more than four corners shall be prohibited.
- C. Constructed roadways of street intersections shall be rounded by a radius of not less than fifteen (15) feet. Corners at the entrances to the turnaround portions of cul-de-sacs shall be rounded by a radius of not less than fifteen (15) feet.

#### **4.13 Curb and Gutter on Urban Design Streets**

Curb and gutter may be required as a part of the required street surface improvement under certain conditions.

#### **4.14 Public Utilities**

- A. When available, extensions of the public water supply system shall be designed so as to provide public water service to each lot.
- B. When available, extensions of the public sanitary sewer system shall be designed to provide public sewer service to each lot.

#### **4.15 Drainage**

A complete and adequate drainage system shall be required for the subdivision and may include a storm sewer system or system of open ditches, culverts, pipes and catch basins, or both systems. The subdivision should be designed to utilize existing natural flows and drainage routes. Storm water ponds and conveyance systems shall be sized to ensure there is no net increase in the rate of storm water runoff from the development. Where existing storm water from adjacent areas naturally pass through a subdivision, adequate provision shall be included in the subdivision to route the storm water through the subdivision.

#### **4.16 Ditch Crossings**

- A. Special culverts and permits are required for all streets or driveways which cross a Public ditch.
- B. Easements.
  - 1. Easements shall be provided for utilities where necessary.
  - 2. Where underground utilities are being installed, a ten (10) foot wide front or side or rear yard easement may be required.
  - 3. On residential streets a ten (10) foot wide front yard easement may be required.
  - 4. On State and Township Highways additional right-of-way width shall be dedicated as deemed necessary by Minnesota Department of Transportation and/or the Lent Township Engineer and no utility easement will be given adjacent to the highway (whether on front, side or rear yard of any lot), unless approved by the above-described agencies.
  - 5. Easements shall be provided along each side of the center line of any water course or drainage channel to a sufficient width to provide proper maintenance and protection and to provide for storm water run-off and installation and maintenance of storm sewers.
  - 6. Utility and drainage easements shall be dedicated on the final plat for the required use.

#### **4.17 Vacation, relocation or modification of Township Roads**

- A. Where a subdivider seeks to have any existing Township road vacated, relocated or modified, the subdivider shall be responsible for all costs associated with such action, and shall be responsible to provide the Township, in suitable legal form, any and all necessary petitions, resolutions, signatures and other documents required for the Town Board to take action upon the subdividers request. The subdivider shall also be responsible for all of the Township's costs incurred in reviewing and considering the request, including, but not limited to, legal, surveying, engineering, and consultant costs. The Town Board shall retain full discretion in deciding to accept or reject such a request, and shall not be obligated to approve a request regardless of submission of appropriate documentation and/or payment of any costs or fees by the subdivider.
- B. The Town Board and the subdivider shall fully set forth the details of any agreements and arrangements to vacate, relocate or modify any existing Township road within any Developer's Agreement required pursuant to this Ordinance.

#### **4.18 Street Names**

Names of new streets shall conform to the Chisago County Street Naming and Property Numbering System.

### **SECTION 5. IMPROVEMENTS**

#### **5.01 Required Improvements**

Prior to the approval of a plat by the Town Board, the subdivider shall agree to install, in conformity with all applicable standards and ordinances, the following improvements on the site:

A. Survey Monuments. All subdivision boundary corners, block and lot corners, road intersection corners and points of tangency and curvature shall be marked with survey monuments meeting the minimum requirements of state law. All U.S., State, County and other official benchmarks, monuments or triangulation stations in or adjacent to the property shall be preserved in their precise position unless a relocation is approved by the controlling agency.

B. Grading. Streets shall be graded to secure proper drainage, prevent erosion and prevent hazardous access to the public right-of-way.

C. Storm Water Drainage. A drainage system design shall be required, and may include a storm sewer system or a system of open ditches, culverts, pipes, catch basins and ponding areas, or both systems. Such facilities and easements shall be installed so as to adequately provide for the drainage of surface waters, as needed in the public interest for the purposes of flood control, property drainage, prevention of erosion, pedestrian access to water bodies, or other public purposes.

D. Street System. Streets must meet the minimum requirements set forth in Section 4 of this Ordinance. Streets shall not be accepted until they have been inspected and approved by the Town Board.

E. Trunk Facilities. Where a larger size water supply system, sewage and wastewater treatment system, storm drainage system or similar facility is required to serve areas adjacent to, but outside of the subdivision, the larger facility must be constructed. Additional cost is to be borne by the owners of benefiting properties, and the assessments shall be determined by the owner of the facilities.

#### **5.02 Areas served by public sewage treatment and water supply systems**

A. Sewer Lines. No public sanitary sewer facilities shall be extended which are not in conformance with the standards and requirements of the owner/operator of the public sanitary sewer facilities.

B. Where adequate public sanitary sewer facilities are available, the subdivider shall install sanitary sewers and connect such sanitary sewers to trunk line sewers. Extensions of the public sewer system shall be designed to provide public sewer service to each lot.

C. Water Mains. Where mains from a public water system are available, the subdivider shall install water mains and connect such mains to the public water system. Extensions of the public water supply system shall be designed to provide public water service to each lot.

D. Where the subdivision is located within the service area of a public water supply system, water mains not less than six (6) inches in diameter shall be constructed throughout the entire subdivision in such a manner as to provide all lots and tracts with connection to such public system together with shut-off valves and fire hydrants at intervals in accordance with recommendations of the Fire Insurance Underwriters Bureau.

E. When pipelines and buried transmission services exist within a subdivision, plat easements, field monuments and signage shall be provided according to State law or Township requirements.

#### **5.03 Areas not served by public sewage treatment and water supply systems**

A. Where lots cannot be connected with a public sewage treatment system, provisions must be made for sanitary sewage facilities, consisting of a central sewage treatment facility or individual on-site sewage treatment systems for each lot. This does not mean that the installation of individual sewage treatment systems shall be at the expense of the subdivider.

B. Any subdivision or lot to be served by an on-site water supply and/or on-site sewage treatment system shall be subject to soil and percolation tests to determine whether or not the proposed lot size will meet minimum standards of health and sanitation due to limitations of soils. Such tests shall be made at the expense of the subdivider after consultation with the Zoning Administrator. The preliminary plat or a sketch map shall identify the specific locations where tests were made. All individual on-site sewage treatment systems shall comply with the standards of the Minnesota Department of Health, and the Minnesota Pollution Control Agency.

C. All water supply systems shall be designed and constructed to meet the regulations and standards of the Minnesota



Department of Health.

D. Individual wells shall be constructed according to Minnesota Department of Health standards.

#### **5.04 Street Signs**

All street signs shall be provided and installed by the subdivider.

#### **5.05 Miscellaneous Facilities**

Tree planting, traffic control signs, over-sized utility trunk lines, pedestrian ways, and other improvements may be required and shall be installed by the subdivider.

#### **5.06 Payment for Installation of Improvements**

All improvements required by this Ordinance are to be furnished and installed at the sole expense of the subdivider.

#### **5.07 Development Contract Providing for the Installation of Improvements**

Prior to the installation of any required improvements and prior to approval of the plat, the subdivider shall enter into a contract in writing with the Township requiring the subdivider to furnish and construct said improvements at his sole cost and in accordance with plans and specifications and usual contract conditions. This shall include provisions for supervision of details of construction by the Township and shall grant to the Township authority to correlate the work to be done under said contract by any subcontractor authorized to proceed thereunder and with any work being done or contracted by the any other unit of government in the vicinity. The agreement shall require the subdivider to make a cash escrow deposit in an amount and form determined by the Town Board. In general, the surety shall represent no less than one hundred and twenty-five (125) percent of the cost of the improvements, including all inspections.

#### **5.08 Special Approval Required for Subdividers Who Have Previously Defaulted**

No subdivider shall be permitted to start work on any other subdivision without special approval of the Town Board if that subdivider has previously defaulted on work or commitments.

#### **5.09 Construction Plans and Inspection**

A. Construction plans for the required improvements shall conform in all respects with the standards and ordinances of the Township and shall be prepared at the subdivider's expense by the appropriate professional engineer, architect, land surveyor or landscape architect who is registered in the State of Minnesota, and said plans shall contain such certification.

B. Such plans together with the quantities of construction items shall be submitted to the Town Board for approval and for an estimate of the total costs of the required improvement.

C. Upon approval, such plans shall become a part of the required contract.

D. Two (2) prints of approval plans shall be furnished to the Town Board to be filed as a public record.

E. All required improvements on the site that are to be installed under the provisions of this Ordinance shall be inspected during the course of construction by the appropriate Township inspector.

#### **5.10 Improvements Completed Prior to Approval of the Plat**

Improvements within a subdivision which have been completed prior to application for approval of the plat or execution of the development contract may be accepted as the required improvements, subject to the inspection, approval and acceptance by the Town Board.

#### **5.11 Alternate Installation and Incomplete Improvements**

A. The Township may elect to install any or all of the required improvements pursuant to a cash escrow agreement with the developer.

B. It is the policy of the Township that no certificates of compliance or occupancy shall be granted to lots within the subdivision until full and complete public improvements have been installed and terms of any Developer's Agreement have been met.

C. In the event of default, the Town Board may elect to commence assessment proceedings, utilize funds of any cash

escrow, or otherwise move to finance and install improvements when the subdivision is developed to the point of warranting the improvements. Such improvements and procedures may be required in order to protect the public health, safety, convenience and general welfare.

#### **5.12 Responsibility for Costs**

The subdivider shall be responsible to pay all reasonable costs incurred by the Township or its agents in the review and inspection of the subdivision and enforcement of this Ordinance, including but not limited to administrative, planning, engineering and legal fees.

### **SECTION 6. OTHER TYPES OF DEVELOPMENT**

#### **6.01 Conservation Subdivision and Planned Unit Development**

A. Upon receiving a report from the Planning Commission, the Town Board may accommodate Conservation Subdivisions or Planned Unit Developments, as defined in the Lent Township Zoning Ordinance, provided that the Town Board shall find that the proposed development is fully consistent with the purpose and intent of these regulations. This provision is intended to provide the necessary flexibility for new land use planning and land development trends and techniques.

B. A detailed plan shall be submitted for any proposed Conservation Subdivision or Planned Unit Development, showing all proposed structures, uses, trafficway, sidewalks, landscaping, off-street parking, common open spaces and other features and facilities prior to approval by the Town Board. Conservation Subdivisions or Planned Unit Developments shall include preliminary and final plats and follow the subdivision platting process contained in this Ordinance. The Planning Commission and Town Board may waive certain dimensional standards in approving a Conservation Subdivision or Planned Unit Development when consistent with the Lent Township Zoning Ordinance.

#### **6.02 [Reserved for future use]**

### **SECTION 7. ADMINISTRATION AND ENFORCEMENT**

#### **7.01 Administering Officer**

This Ordinance shall be administered and enforced by the Zoning Administrator who shall be appointed by the Town Board and have those authorities, duties and powers granted pursuant to the this ordinance and the procedures and requirements of Chapter Six (6) of the Lent Township Land Use Regulations.

#### **7.02 Permits and Certificates**

No building permit, other land use permit, or certificate of compliance or occupancy shall be issued for the construction or use of any building, structure or improvement on any land required to be subdivided by this Ordinance until final subdivision approval has been granted and all required improvements have been completed and accepted by the Town Board.

#### **7.03 Fees and Administrative Charges**

In order to defray the costs associated with administrative requests and actions, the Township shall charge fees and administrative costs for applications and other administrative actions as established within this Ordinance and Chapter Six (6) of the Lent Township Land Use Regulations

#### **7.04 Violations and Penalties**

A. Any firm, person or corporation who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine and/or imprisonment as provided by law.

B. Any firm, person or corporation who violates any of the provisions of this Ordinance shall be guilty of an administrative offense and shall be subject to the administrative penalties established in Chapter Six (6) of the Lent Township Land Use Regulations.

C. Each day that a violation continues to exist shall constitute a separate offense.

D. In the event of a violation or threatened violation of any of the terms of this ordinance, the Township may take appropriate action to enforce this Ordinance, including application for injunctive relief, action to compel performance or other appropriate action to court if necessary to prevent, restrain, correct or abate such violations or threatened violations.

E. Upon motion, the court may award costs, disbursements and reasonable attorney's fees and witness fees, which costs and fees can be assessed against the property.

**7.05 Variances**

The Board of Appeals and Adjustments shall have the authority to grant variances from the requirements of this Ordinance, subject to the procedures, conditions and findings required by the Lent Township Zoning Ordinance and the procedures and requirements of Chapter Six (6) of the Lent Township Land Use Regulations.

**7.06 Amendments**

The Town Board may amend, supplement or repeal the provisions of this Ordinance, subject to the procedures, conditions and findings required by the Lent Township Zoning Ordinance and the procedures and requirements of Chapter Six (6) of the Lent Township Land Use Regulations.

**7.07 Repealer**

This Ordinance repeals all other subdivision regulations and ordinances previously adopted or enacted by Lent Township, and all amendments thereto.

**7.08 Validity**

Should any section, subdivision, or provision of this Ordinance be declared by the courts to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof than the part so declared to be invalid.

**7.09 Date of Effect**

This Ordinance shall be in full force and effect after its approval and publication as provided by law.

Passed and approved this 16<sup>th</sup> day of \_\_\_\_\_January, 2007, by the Lent Township Board of Supervisors.

Ordinance No. 2018-02 passed the 15<sup>th</sup> day of May of 2018.

Ordinance No. 2019-04 passed the 16<sup>th</sup> day of July of 2019.