

## ARTICLE 6

### PRELIMINARY PLAT

#### SECTION:

- 30-06-01: Preliminary Plat
- 30-06-02: Information Required for Preliminary Plat
- 30-06-03: Determination of Requirement for Environmental Review Documents
- 30-06-04: Additional Information Required
- 30-06-05: Filing and Review of Application

**30-06-01: PRELIMINARY PLAT:** After the completion of the concept plan process, the owner or developer shall file with the City of Hanover an application for preliminary plat. The preliminary plat stage is the point in the process that all information pertinent to the proposed development is furnished by the developer for review by the City Staff, City advisory committees, and the City Council, any other applicable agencies, and the public. The information provides a basis for approval or denial of the application. The information submitted in the application shall address both existing conditions and changes that will occur during and after development. The preliminary plat is a plan of how property will be subdivided and developed.

- A. Additional information or modifications may be required by the City Staff, City advisory committees, or City Council and additional information may be requested during the review process. In certain cases, some information required by these standards may not be appropriate or may need to be modified in order to provide an adequate basis for making a decision.

**30-06-02: INFORMATION REQUIRED FOR PRELIMINARY PLAT:** Preliminary plat information is typically furnished on plan sheets. However, some information is more appropriately submitted in other forms. The plat, and associated information, shall be submitted in a form that is legible, organized and understandable. The preliminary plat application shall consist of maps and accompanying documents.

- A. Upon filing of the preliminary plat the applicant will also be required to make a deposit as set by the City Council by Ordinance into an escrow account. All time, services, and material will be billed to the escrow account, and shall be itemized. Upon completion of payments of all required engineering, legal, planning and other fees the remainder in the escrow account shall be refunded to the applicant. If at any time it appears that a deficit will occur in an escrow account, the Clerk-Treasurer may then require an additional deposit made to the escrow account to sufficiently cover additional expenses. Failure by the applicant to make such deposits or to pay the City money owed for legal, engineering,

planning or other services for which the applicant is responsible, shall be grounds for denial or cessation of work on the particular project.

- B. An owner or applicant shall submit ten (10) large-scale copies (not less than one (1) inch equals one hundred (100) feet) and one (1) reduced scale copy (11” by 17”) of detailed written materials, plans and specifications to include the following information:
- C. Additional large-scale copies shall be provided for each of the following, if applicable:
  - 1. Project is adjacent to a county road or county state aid highway (2)
  - 2. Project lies within a Shoreland Management Overlay District or Floodplain Overlay District (1)
  - 3. Project lies adjacent to Rockford or Hassan Township or within an Orderly Annexation Area (2)
  - 4. Project lies next to a county or regional park (1).
- D. Plans:
  - 1. Certificate of survey.
  - 2. Resource inventory.
  - 3. Preliminary plat.
  - 4. Preliminary grading, drainage and erosion control plan.
  - 5. Storm Water Pollution Control Plan.
  - 6. Preliminary utility plan.
  - 7. Wetland delineation and mitigation plan.
  - 8. Yield plan (if determined necessary by the Zoning Administrator).
  - 9. Environmental evaluations (if determined necessary by the Zoning Administrator).
- E. Certificate of Survey prepared by a licensed land surveyor identifying the following:

1. Scale (engineering only) at not larger than one (1) inch equals one hundred (100) feet.
  2. North point indication.
  3. Existing parcel boundaries to be platted with dimensions and area.
  4. Existing legal description.
  5. Easements of record.
  6. Delineated wetland boundary, to include the ordinary high water level (OHWL) of any lakes or Department of Natural Resources (DRY) waters. Floodplains as shown on Federal Emergency Management Agency (FEMA) FIRM map.
  7. Shoreland Tier locations if the project is a Planned Unit Development located within a Shoreland Management Overlay District.
  8. All encroachments.
  9. Existing buildings structures and improvements within the parcel to be platted and those three hundred (300) feet outside the boundaries of the subject parcel.
  10. Location, widths and names of all public streets, rights-of-way or railroad rights-of-way showing type, width and condition of the improvements, if any, which pass through and/or are within three hundred (300) feet.
  11. The outside boundary of the subject property is to be clearly marked with survey monuments.
- F. Resource Inventory.
1. Topographic contours at two (2) foot intervals and showing slopes of more than twelve (12) percent.
  2. Soil type locations and identification of soil type characteristics such as hydric soils, agricultural capability, depth to bedrock, and suitability for wastewater disposal systems, if applicable. (General soils information available from Hennepin and Wright County Soil Survey). Soil borings are to be provided at reasonable intervals, both within the area to be subdivided and within 300 feet of the perimeter, in sufficient quantity to indicate water table level and soil types.

3. Hydrologic characteristics, including surface watercourses, floodplains, delineated wetlands, natural swales, and drainage ways. Ordinary high water level and 100 year storm elevations of adjoining water courses, lakes, wetlands, streams, etc. at the date of the survey and approximate high and low water elevations.
4. Tree inventory identifying vegetation of the site, according to general cover type (pasture, woodland, etc.), defining boundaries of woodland areas and individual significant trees as defined by this Chapter and a tree preservation plan as required by this Chapter. Vegetative types shall be classified as generally deciduous, coniferous or mixed and described by plant community, relative age and condition.
5. Neighborhood Context. General outlines of existing buildings, land use, and natural features such as water bodies or wooded areas, roads, driveways, and property boundaries within three hundred (300) feet of the tract. This information may be presented on an aerial photograph at a scale of no less than one (1) inch to two hundred (200) feet.
6. Photographs, identifying camera location, directions of views, and key numbers.

G. Preliminary Plat

1. The proposed name of the plat which name shall not duplicate the name of any plat theretofore recorded in the County. The first phase of the development shall be called out as the "First Addition." All subsequent phases shall be consecutively numbered.
2. Date of application, name, address, phone number and applicable license or registration number of the owner, developer, agent, applicant, engineer, surveyor, planner, attorney lien holders or other principle involved in the development of the plat.
3. Proof of ownership or legal interest in the property in order to make application.
4. Existing Comprehensive Plan land use and zoning designation within and abutting the proposed plat. Any zoning changes needed, or reference to any zoning or similar land use actions that are pertinent to the proposed development.
5. Proposed uses of the lots and parcels, and an outline of proposed deed restrictions or protective covenants.

6. Total acreage of the land to be subdivided and total upland area (land above the ordinary high water mark of existing wetlands, lakes and rivers).
7. Boundary line survey and legal description.
8. North arrow and graphic engineering scale of one (1) inch equals one hundred (100) feet.
9. Existing covenants, liens, or encumbrances.
10. Proposed lot lines, dimensions, and the gross and buildable acreage of all lots. When lots are located on a curve in a road or cul-de-sac, the lot width at the building setback line shall be shown. Proposed lot and block numbers.
11. Building pad, minimum building setbacks shown on each lot indicating dimensions of the setbacks. Location and width of buffer yards where the subdivision adjoins a collector or arterial street, railroad right-of-way or overhead transmission lines.
12. Layout of streets, showing right-of-way widths, centerline street grades (proposed grade of center lines of streets shall be shown at intervals of not more than fifty (50) feet on preliminary plat and profiles) and approximate radii of all curbs, proposed contours within the entire plat, and names of streets. The name of any street heretofore used in the City or its environs shall not be used, unless the proposed street is an extension of an already named street, in which event the name shall be used. Street names shall conform to the respective Hennepin or Wright County street naming and numbering system.
13. Access, right-of-way widths, driveways, and street classifications shall be consistent with the Hanover Transportation Plan.
14. Parks, trails, or other areas intended for public use or common ownership and their stated purpose.
15. Any additional information as requested by the Zoning Administrator.
16. Dates of plan preparation and revision dates.
17. All delineated wetlands, the ordinary high water level (OHWL) of public waters and location of all watercourses and drainage ditches, including floodways, flood fringe, floodplain and Shoreland Management Overlay District boundaries.

H. Preliminary Grading, Drainage, Storm Water Pollution Control Plan and Erosion Control Plan. The developer shall submit a preliminary grading, drainage and erosion control plan utilizing a copy of the current certificate of survey as a base for the site in question, prepared by a licensed engineer. The grading plan shall be designed to avoid premature disruption of land and long-term storage of excess materials. The grading plan shall depict the following information:

1. Scale (engineering only) not larger than one (1) inch equals one hundred (100) feet.
2. North point indication.
3. Location of natural features including, but not limited to, tree lines, delineated wetlands, water courses, ponds, lakes, streams, drainage channels, ordinary high water level (OHWL) and 100 year storm elevations, bluffs, steep slopes, etc.
4. Existing contours at two (2) foot intervals shown as dashed lines for the subject property and extending three hundred (300) feet beyond the outside boundary of the proposed plat.
5. Proposed grade elevations at two (2) foot intervals shown as solid lines.
6. Proposed plan for surface water management, ponding, drainage and flood control, including the normal water level and high water level of all ponds and watercourses.
7. Provision for groundwater management including sub-surface drains, disposals, ponding, and flood controls.
8. Location of all existing storm sewer facilities including pipes, manholes, catch basins, ponds, swales and drainage channels within three hundred (300) feet of the subject property. Existing pipe sizes, grades, rim and invert elevations and normal and high water elevations must be included.
9. If the subject property is within or adjacent to a floodplain, flood elevation and locations must be shown.
10. Spot elevations at drainage break points and directional arrows indicating site, swale and lot drainage.
11. Lot and block numbers, building style, building pad location and elevations at the lowest floor and garage slab for each lot.
12. Locations, sizes, grades, rim and invert elevations of all proposed storm water facilities, including ponds, proposed to serve the subject property.

13. Phasing of grading.
  14. The location and purpose of all oversize, non-typical easements.
  15. All soil erosion and sediment control measures to be incorporated during and after construction must be shown. The plan shall include gradients of waterways, design of velocity and erosion control measures, design of sediment control measures, and landscaping of the erosion and sediment control system. Such plans are to be in accordance with the technical standards and specifications of the Soil Conservation Service, as provided by the Wright or Hennepin County Soil and Water Conservation District Office and the Minnesota Department of Transportation.
  16. All re-vegetation measures proposed for the subject property must be included on the plan, including seed and mulch types and application rates.
  17. Drainage plan, including the configuration of drainage areas and calculations for one (1) year, ten (10) year, and one hundred (100) year storm events.
  18. Layout of proposed streets showing centerline gradients, section widths, and typical cross sections.
  19. Date of plan preparation and dates of all revisions.
- I. Preliminary Utility Plan. The developer shall submit a preliminary utility plan utilizing a copy of the current certificate of survey as a base for the site in question, prepared by a licensed engineer, depicting the following information:
1. Scale (engineering only) not larger than one (1) inch equals one hundred (100) feet.
  2. The location, dimensions, and purpose of all easements.
  3. Location and size of existing sanitary sewers, water mains, culverts, or other underground facilities within the subject property and to a distance of three hundred (300) feet beyond the outside boundary of the proposed plat. Data such as grades, invert elevations, and location of catch basins, manholes and hydrants shall also be shown.
  4. Location and size of proposed sanitary sewers, water mains, culverts and other stormwater facilities, or other underground facilities within the subject project and to a distance of three hundred (300) feet beyond the outside boundary of the proposed plat. Data such as grades, invert

elevations, and location of catch basins, manholes and hydrants shall also be shown.

5. Water mains shall be provided to serve the subdivision by extension of an existing municipal system.
  6. Municipal sanitary sewer trunk facilities, laterals and service connections shall be designed and installed in accordance with the design standards approved by the City Engineer.
  7. The location of hydrants and valves for all proposed water mains.
  8. All other utilities shall be located and designed in accordance with the requirements of the City Engineer.
  9. Date of plan preparation and dates of all revisions.
- J. Yield Plan. If the project includes a conservation subdivision design or cluster planned unit development, the applicant shall submit a yield plan showing the maximum number of dwelling units that would be permitted given the minimum lot size and lot widths for conventional subdivisions and other requirements of the Hanover Zoning Ordinance and Subdivision Ordinance. The yield plan need not be engineered, however, it shall be drawn to scale and it shall identify all the major physical features on the parcel and shall include:
1. Any required zoning changes.
  2. Minimum lot areas and widths shall conform to the proposed zoning for the site.
  3. Lot areas shall consist of buildable land as defined by the Hanover Zoning Ordinance.
- K. Property corners, proposed parks and trails shall be staked in the field to allow City Staff, Board and Commission Members and the City Council to view the subject site and areas proposed to be dedicated for public parks, open space and trails.

**30-06-03: DETERMINATION OF REQUIREMENT FOR ENVIRONMENTAL REVIEW DOCUMENTS:**

- A. The Zoning Administrator shall review the preliminary plat and shall determine if the project crosses any mandatory thresholds for an Environmental Assessment Worksheet (EAW), Environmental Impact Statement (EIS), or Alternative Urban

Area-Wide Review (AUAR) pursuant to Minnesota Rules. If such documents are required, the Zoning Administrator shall notify the developer of the requirement.

- B. An escrow deposit in addition to the standard requirements shall be submitted by the applicant to cover City costs reviewing and administering an EAW, EIS or AUAR.

**30-06-04: ADDITIONAL INFORMATION REQUIRED:**

- A. Evaluation by the applicant that the subdivision would not be determined to be premature pursuant to the criteria outlined by the Comprehensive Plan and this Chapter.
- B. Phasing Plan. All preliminary plats shall include a phasing plan that includes:
  - 1. The sequence of development and approximate areas, number of lots in each phase, and total area and buildable area per phase serially numbered with a description of each phase. Information shall be provided regarding the number of dwelling units, proposed improvements, and common facilities for each.
  - 2. Any trail/sidewalks within the approved phase of the preliminary plat shall be constructed along with streets and utilities and shall be clearly marked on a site map that shall be an attachment to all sales agreements for individual lots.
  - 3. A site grading plan that is coordinated with the phasing plan to avoid premature disruption of land or long-term storage of excess materials.
  - 4. A development agreement that includes a financial security to ensure completion of common facilities, trails, and landscaping shall be provided.
- C. Documents outlining the content of proposed conservation easements, restrictive covenants, deed restrictions, and establishment of homeowners associations for review. Where the plat is intended to include common open spaces, these documents shall address ownership and long-term maintenance of open space areas.
- D. Information or easements showing how public utilities, drainage, and roads can be extended to serve adjacent property.
- E. Landscape and screening plans showing landscape plantings for street boulevards, subdivision entrances, and buffer yards, and specifying plant locations, varieties, sizes, including elevations of monument signs and the location, ownership, and maintenance responsibilities for the monument signs.

- F. Traffic study for the subdivision including traffic generation, traffic distribution of the existing capacity of existing streets, and resulting level of service (LOS) of existing streets at the subdivision build out.
- G. Examples of Housing Product. Illustration of typical building footprint, floor plans, and building elevations.
- H. Soil tests for areas where streets are proposed and other soil information as requested by the City Engineer.
- I. Three (3) copies of a wetland replacement plan shall be provided (if applicable).
- J. The preliminary plat submittal must include a build out plan illustrating a realistic future urban lot and block layout and street system in the following situations. Development represented by this build out plan must be consistent with the future land use as depicted in the Comprehensive Plan.
  - 1. If the proposed development would fully or partially isolate adjacent land such that development of the adjacent land would involve access through the proposed development, a build out plan for the adjacent land shall be submitted to show that the proposed development will not isolate the adjacent land and make it undevelopable according to City standards.

**30-06-05: FILING AND REVIEW OF APPLICATION:**

- A. Procedure:
  - 1. Pre-Application Meeting. Prior to submitting a preliminary plat application (following concept plan review), the property owner/applicant shall meet with the City Staff to discuss the preliminary plat application. Through this meeting, the Zoning Administrator may summarize the City's concept plan review comments and offer suggestions pertaining to additional information or design changes that may assist in expediting the preliminary plat review.
  - 2. Neighborhood Meeting. The City strongly recommends the property owner/applicant hold a neighborhood meeting for informal comment and feedback prior to preliminary plat application.
  - 3. The person applying for preliminary plat approval shall submit to the City a complete application and all other information required according to the deadline and meeting schedule established by the City. The application shall address the informational requirements of this Chapter and issues identified through the concept plan review procedure.

4. A complete preliminary plat application shall include:
  - a. A graphic and written description of the information requirements outlined in this Chapter.
  - b. Applications shall be accompanied by a fee and processing escrow established by the City Council.
5. The Zoning Administrator, upon receipt of the application, shall notify the applicant in writing within fifteen (15) business days if the application is found to be incomplete.
6. The Zoning Administrator shall refer copies of the preliminary plat to other staff, committees, consultants, or agencies as appropriate.
7. A preliminary plat abutting upon any existing or proposed trunk highway, county road or highway or county state-aid highway shall be subject to review of the Minnesota Department of Transportation and/or Hennepin or Wright County Highway Department. Written notice and a copy of the proposed preliminary plat shall be filed with the Minnesota Department of Transportation and/or Hennepin or Wright County Highway Department for review and comment. Final action on a preliminary plat shall not be taken until the minimum thirty (30) day review period has elapsed.
8. Preliminary plats located within a Shoreland Management Overlay District or Floodplain Overlay District shall be subject to review of the Minnesota Department of Natural Resources. Written notice and a copy of the proposed preliminary plat shall be filed with the Minnesota Department of Natural Resources at least ten (10) days prior to the public hearing.
9. Inconsistent Plats Reviewed by Commission of Natural Resources. All plats that are inconsistent with the City's Floodplain Overlay District and/or Shoreland Management Overlay District Articles of the Zoning Ordinance shall be reviewed by the Commissioner before approval by the City may be granted. Such review shall require that the proposed plats be received by the Commissioner at least ten (10) days prior to a public hearing for preliminary plat.
10. Upon receipt of a complete application, the Zoning Administrator shall prepare a report and refer the application to the City Engineer, City Attorney, City Planner and City advisory committees, including but not limited to the Park Commission, Economic Development Authority, the Planning Commission, as well as the City Council.

11. The application shall be reviewed by City advisory committees consultants and applicable agencies. The recommendations will be forwarded to the Planning Commission for their consideration of the application at a public hearing. The recommendation(s) of the Planning Commission shall be forwarded to the City Council for formal review of the preliminary plat.
12. The Planning Commission shall hold a public hearing on the proposed preliminary plat. Notice of the public hearing shall be published in the official newspaper designated by the City Council at least ten (10) days prior to the hearing. The City shall mail written notification of the proposed preliminary plat to property owners located within three hundred fifty (350) feet of the subject site. Timing of the mailed notice shall be the same as that for the published notice. The failure to give mailed notice to individual property owners or defects in the notice shall not invalidate the proceedings, provided a bona fide attempt to comply has been made.
13. The Planning Commission shall take public testimony at the public hearing and evaluate the requested preliminary plat against the premature subdivision criteria of this Chapter, the performance standards of this Chapter, the performance standards of the Hanover Zoning Ordinance, policies of the Comprehensive Plan, and other City requirements. The Planning Commission shall make findings and offer a recommendation for either preliminary plat approval or denial. The Planning Commission may offer a recommendation of approval with conditions necessary to satisfy City regulations.
14. The Zoning Administrator shall prepare a staff report of the findings and recommendations of the Planning Commission. The findings may include specific conditions of approval or findings related to denial of the plat.
15. The City Council shall take action on the application within one hundred twenty (120) days following delivery of a complete application in accordance with the regulations of this Chapter, unless an extension is agreed to in writing by the applicant. If it approves the preliminary plat, the City Council may impose conditions it considers necessary to protect the public health, safety and welfare.
  - a. Conditional approval of a preliminary plat shall not constitute approval of the final plat. Rather it shall be deemed to be an expression of approval to the layout submitted on the preliminary plat, and act as an authorization and guide to proceed with the preparation of the final plat.
  - b. The approval of the preliminary plat shall be effective for a period of one (1) year, unless an extension is granted by the City Council. The developer may file a final plat limited to such portion of the

preliminary plat that is proposed to be recorded and developed at the time, provided that such portion must conform to all requirements of this Chapter and the phasing plan approved as part of the preliminary plat.

16. Denial of Plat. The City Council may deny the subdivision if it makes any one or more of the following findings:
  - a. That the proposed subdivision is in direct conflict with adopted applicable general and specific Comprehensive Plans of the City, Hennepin or Wright County.
  - b. That the physical characteristics of this site, including but not limited to topography, percolation rate, soil conditions, susceptibility to erosion and siltation, susceptibility to flooding, water storage, drainage and retention, are such that the site is not suitable for the type of development, design, or use contemplated.
  - c. That the site is not physically suitable for the proposed density of development.
  - d. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage.
  - e. That the design of the subdivision or the type of improvements are likely to cause serious public health problems.
  - f. That the design of the subdivision or the type of improvements will conflict with easements of record or with easements established by judgment of a court.
  - g. That the proposed subdivision, its site, or its design adversely affects the flood-carrying capacity of the floodway, increases flood stages and velocities, or increases flood hazards within the floodway fringe or within other areas of the City.
  - h. The proposed subdivision is inconsistent with the policies and standards of the State defined Shoreland, Floodplain and/or Wetland Overlay Districts.
17. The City Council shall take action on the application that shall include findings of fact, and shall be entered in the proceedings of the City Council and transmitted to the applicant in writing. The lack of a simple majority Council vote to affirmatively approve a preliminary plat shall be a denial of the requested application.

18. Grading of the site included in the preliminary plat may occur after approval of the preliminary plat and the approval and recording of a development agreement for the grading work, including financial securities. The grading development agreement shall comply with the requirements of this Chapter.