

## ARTICLE 7

### FINAL PLAT

#### SECTION

- 30-07-01: Filing and Requirements for Application
- 30-07-02: Information Required for Final Plat
- 30-07-03: Review Approval or Denial
- 30-07-04: Form and Content
- 30-07-05: Recording
- 30-07-06: Record Plans

**30-07-01: FILING AND REQUIREMENTS FOR APPLICATION:** Approval of a preliminary plat by the City Council is an acceptance of the general layout, as submitted, and indicates that the developer may proceed toward final plat approval in accordance with the City Council approval of the preliminary plat, including conditions and the City growth management policy.

- A. A complete application for final plat shall be submitted no later than one (1) year after the date of approval of the preliminary plat, or a time as provided in the developers agreement. Otherwise, the preliminary plat approval shall be considered void, unless an extension is requested in writing, and for good cause, is granted by the City Council.
- B. The final plat applications for subsequent phases, as described by the approved phasing plan, shall be submitted within one (1) year of approval of the final plat for the previous phase. An extension may be requested in writing for City Council approval.
- C. The final plat application shall have incorporated all the conditions of City Council approval of the preliminary plat. Formal review of the final plat shall not occur until such a time as a complete set of preliminary plat documents and maps, incorporating all City Council conditions of approval, is received by the City. In all other respects, the final plat shall substantially conform to the preliminary plat. It may constitute only that portion of the approved preliminary plat which the developer proposes to record and develop at that time, provided that such portion conforms with all the requirements of this Chapter and further provided that the remaining phases of the development are platted as outlots and developed according to the approved phasing plan identified in the development agreement.
- D. Approval of the engineering specifications required by this Chapter pertaining to water supply, drainage, domestic waste water, potable water, street lighting, gas and electric service, grading, roadway standards, widths, and surfacing of

streets, shall be completed by the City Engineer and appropriate development contracts prepared prior to approval of the final plat by the City Council.

**30-07-02: INFORMATION REQUIRED FOR FINAL PLAT:**

- A. The City may require ten (10) large scale copies (22" by 34") and one (1) reproducible reduction at 11 by 17 inches and one electronic copy in a digital format as approved by the City Engineer, of the preliminary plat and supporting documents illustrating all changes and conditions that were required as part of preliminary plat approval. This revised preliminary plat will provide the historical record of the subdivision approval by which subsequent final plats shall be considered.
- B. One (1) up-to-date (within three (3) months) commitment of title insurance certificate of title or title opinion showing ownership for the property being subdivided, as the City Attorney may require.
- C. Owner's power of attorney to developer, if owner is not the developer.
- D. Other data, certificates, affidavits, and endorsements that may be required by the City Attorney.
- E. Names and addresses of owners, lien holders, applicant, surveyor, and designer.
- F. Two (2) copies of any title declaration, conservation easements, deed restrictions, restrictive covenants, homeowner's association documents, or common interest community documents.
- G. Documents and information necessary to fulfill the conditions of approval of the preliminary plat.
- H. Final Plat General Information.
  - 1. Name of the subdivision. The first phase of a development shall be called out as the "First Addition." Subsequent phases shall be consecutively numbered.
  - 2. Location by section, township, range, county, and state as well as descriptive boundaries of the subdivision based upon an accurate traverse, giving angular and linear dimensions.
  - 3. Scale (engineering only) not larger than one (1) inch equals one hundred (100) feet.
  - 4. North point indication.

5. Location and accurate dimensions of all lots, blocks, outlots, streets, and other features. Lots and blocks shall be consecutively numbered, starting with the figure “1” in each block.
6. A listing of the total area of each lot and outlot measured in gross square feet per lot, area per block and total area of the plat.
7. A listing of the lot width of all lots, measured at the front yard setback line.
8. The exact location, widths and names of all proposed streets. Street names shall conform to street naming and numbering standards of Wright and Hennepin Counties.
9. The location, width and purpose of all easements to be dedicated.
10. Land dedicated as public park shall be labeled as outlot(s) on the final plat and the deed for said outlot(s) shall be given to the City with the final plat.
11. Name and address of the registered surveyor of the plat with certification by in the form required by Minnesota Statutes Section 505.03, as may be amended.
12. Statement dedicating to the public all easements for installation and maintenance of utilities and drainage facilities over, under, and along the areas designated as drainage and utility easements.
13. Statement of purpose and dedication of all streets, rights-of-way, public areas and any other sites to the public.
14. Final grading, utility and construction plans and specifications of all improvements to be installed by the applicant shall be submitted in accordance with City standards.
15. Copies of permits from Department of Natural Resources (DNR), Army Corps of Engineers, Minnesota Pollution Control Agency (MPCA) and other agencies as applicable. Such permits shall be obtained prior to City approval of the final plat.
16. Development Contracts.
  - a. The City Engineer shall have a development financial requirement worksheet prepared and attached to the development contract.
  - b. The developer shall meet with the City staff to finalize the terms of the development contract.

- c. Upon finalization of the development contract, the City Administrator shall have the final copy of the contract signed by all appropriate parties. The development contract shall be recorded against the property in the office of Wright or Hennepin County Recorder.
- d. Financial securities shall be posted with the City as outlined in the development contract.
- e. Final grading and utility plans shall be approved by the City Engineer and made a part of the development contract.
  - (1) No grading shall be allowed until after approval of a preliminary plat and a development contract for the grading.
  - (2) No construction/installation of sanitary sewer or water facilities or streets shall be allowed until approval of a final plat and a development contract for the sewer, water, and streets.

I. Additional Final Plat Information.

- 1. Accurate angular and lineal dimensions for all lines, angles, and curvatures used to describe boundaries, streets, easements, areas to be reserved for public use, and other important features. Lot lines to show dimensions in feet and hundredths.
- 2. True angles and distances to the nearest established street lines or official monuments (not less than two (2)), which shall be accurately described in the plat.
- 3. Primary control points, approved by the City Engineer or designated authority, or descriptions and "ties" to such control points, to which all dimensions, angles, bearings, elevations and similar data shall be referred.
- 4. Subdivision boundary lines, side and center lines of streets and other rights-of-way, lines of easements, lot lines, lines of all other sites and off reservations; with accurate dimensions, bearing or deflection angles, and radii, internal angles, points and curvatures, and lengths of all areas and central angles of all curves.
- 5. Accurate location and descriptions of all monuments. Pipes or steel rods shall be placed at the corners of each lot and at the edge of wetlands as

required by Article 20-61-00 (Wetlands Overlay District) of the Zoning Ordinance.

6. Accurate legal descriptions of any areas to be dedicated or reserved for public use, or for the exclusive use of property owners within the subdivision with the purposes indicated therein.
7. Certification by a registered land surveyor, to the effect that the plat represents a survey made by him and that monuments and markers shown thereof exist as located and that all dimensional and geodetic details are correct.
8. Notarized certification by owner, and by any mortgage holder of record, of the adoption of the plat, and the dedication of streets and other public areas.
9. Approval by signature of City and County officials concerned with the approval of the plat.
10. The form of approval by the City Council is as follows:

Approved by the City of Hanover, Minnesota this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signed: \_\_\_\_\_ Attest: \_\_\_\_\_  
Mayor City Administrator

**30-07-03: REVIEW, APPROVAL, OR DENIAL:**

- A. The final plat application shall be considered to be officially filed when the Zoning Administrator has received and examined the application and has determined that the application is complete.
  1. The following requirements shall be met before consideration of the final plat by the City Council:
    - a. The final plat shall substantially conform to the approved preliminary plat and phasing plan.
    - b. For plats that consist solely of individual single family residential lots, final plat applications for subsequent phases shall not be approved until building permits have been issued for fifty (50) percent of lots in the preceding phase. This paragraph applies only when the preceding phase consists of fifty (50) or more lots.

- c. City Attorney acceptance of the status of title/property ownership related to the final plat.
  - d. Completed development contract including all required financial securities and timeframe for final plat and final grading completion.
  - e. No final plat or large lot subdivision shall be approved by the City Council without first receiving a report from the City Engineer, or other designated authority, certifying that the improvements described herein, together with the agreements and documents required, will meet the minimum requirements of all applicable ordinances.
  - f. Conditions attached to approval of the preliminary plat shall be fulfilled or secured by the development contract, as appropriate.
  - g. All fees, charges, and escrows related to the preliminary or final plat shall be paid in full.
2. The City Council shall act on the final plat by motion within sixty (60) days of submittal of a complete final plat application. The motion shall include findings of fact supporting the approval or denial, and shall be entered in the proceedings of the City Council. The lack of a simple majority Council vote to affirmatively approve the final plat shall be a denial of the requested application.
3. Sewer, water, and streets shall only be installed in the area included in the approved final plat. No construction/installation of sanitary sewer or water facilities or streets shall be allowed until: approval of a final plat, and approval of a development contract for the sewer, water, and streets, and recording of the contract.

**30-07-04: FORM AND CONTENT:** The final plat shall be of the form and content as prescribed by Wright or Hennepin County.

**30-07-05: RECORDING:**

- A. After approval of the final plat by the City Council, the developer shall submit three (3) full size mylar copies of the final plat, one (1) 11" x 17" reduction of the final plat and dedication page, and one (1) electronic copy in a format compatible with the City's computer system.

- B. After approval and execution of the development contract, the contract shall be recorded with Wright or Hennepin County.
- C. The developer shall record the plat within ninety (90) days after the date of City Council approval, otherwise the approval of the final plat shall be considered void, unless the developer requests an extension, in writing, and receives approval from the City Council. The applicant shall, immediately upon recording, furnish the City Administrator with a print and reproducible mylar of the final plat showing evidence of the recording. No building permits shall be let for construction of any structure on any lot in said plat until the City has received evidence of the final plat being recorded by Hennepin or Wright County.
  - 1. When the land for which the final plat abuts a state highway, county road, or county highway, a certificate or other evidence showing submittal of the preliminary plat to the Minnesota Department of Transportation, Hennepin or Wright County Highway Department shall be filed with Hennepin or Wright County Recorder of Deeds, with the final plat.
  - 2. When the land for which the final plat is located within a Shoreland Management Overlay District or Floodplain Overlay District, the Department of Natural Resources shall be notified of the disposition of the final plat within ten (10) days of the decision to approve, deny or conditionally approve the application by the City Council.
- D. Recording Final Plats of Multi-Phased Plats: If a preliminary plat is final platted in phases unless otherwise provided in the development contract, all phases must be final platted into lots and blocks, not outlots, within two (2) years after the first phase final plat approval by the City Council. Failure to final plat said phases within the timeframe identified herein or by the development contract, shall render the subsequent phases null and void.

**30-07-06: RECORD PLANS:** Upon completion of construction of roads, sanitary sewer, water mains, storm sewer facilities, and grading, the developer shall submit two (2) sets of record plans, and one (1) electronic copy in a format compatible with the City's computer system, indicating all changes in the work, including accurate locations, dimensions, elevations, grades, slopes and all other pertinent information concerning the complete work.