

Title XV Land Usage

Chapter 152: Subdivisions

Division 03 Improvements

Part 1 General Provisions

152.03.11 Purpose

Improvements are required in order to protect the public health, safety, convenience, and general welfare of the population by providing greater assurance to public health, assuring reliability of water supply, and providing more effective firefighting through hydrants.

152.03.12 Improvements Required

The City may require the following improvements of any development:

- A. 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 federal, state, county and other official bench marks, monuments, or triangulation stations in or adjacent to the property shall be preserved in precise position unless a relocation is approved by the controlling agency;
- B. Drainage system;
- C. Sidewalks and trails;
- D. Streets;
- E. Street lighting;
- F. Street name signs;
- G. Traffic control signs;
- H. Tree planting;
- I. Utilities;
- J. Over-sized utility trunk lines; and
- K. Other improvements not listed.

152.03.13 Installation; Payment

- A. The required improvements to be furnished and installed by the subdivider, which are listed and described, are to be furnished and installed at the sole expense of the subdivider.
- B. In the case of an improvement for which the cost would be divided between an assessment of the improved property and general levy funds, provision may be made for payment of a portion of the cost by the City.
- C. Improvement costs shall include all construction costs incurred in making the improvements, all expense incurred by the City for engineering, planning and legal fees, and all other expense in connection with the making of the improvements.

152.03.14 Required Agreements; Proper Installation

- A. Prior to installation of any required improvements and prior to approval of the Final Plat, the subdivider shall enter into a development contract in writing with the City requiring the subdivider to furnish and construct the improvements at his or her sole cost and in accordance with plans and specifications and usual contract conditions.

- B. The development contract shall include provision for supervision of details of construction by the City Engineer and grant to the City Engineer authority to correlate the work to be done under the development contract by any subcontractors authorized to proceed thereunder and with any other work being done or contracted by the City in the vicinity.
- C. The developer shall provide to the City a written warranty that all required improvements on the site meet or exceed all City standards and that such improvements have been inspected and tested in regards to the City standards. The developer is responsible for having all such inspections and testing completed at their expense.
- D. The developer shall be required to maintain all improvements and provide for snow removal and maintenance of streets, if required, until acceptance of said improvements by the City Council in coordination of the development contract.

152.03.15 Construction Plans

- A. Construction plans for the required improvements conforming in all respects with the standards of the City Engineer and the ordinances of the City shall be prepared or approved at the subdivider's expense by a professional engineer who is registered in the State and the plans shall contain his or her seal. The plans, together with the quantities of construction items and estimate of total costs, shall be submitted to the City Engineer for his or her approval.
- B. Upon approval, they shall become a part of the contract required.
- C. The construction plans approved by the City Engineer and marked "For Construction" plus two (2) prints shall be furnished to the City to be filed by the City Engineer as a record.

152.03.16 Inspection

All required improvements on the site that are to be installed under the provisions of this Chapter shall be inspected during the course of construction by the City Engineer, Zoning Administrator, or Building Inspector.

152.03.17 Improvements Completed Prior to Approval

Improvements within a subdivision which have been completed prior to application for approval of the Final Plat shall be accepted as equivalent improvements in compliance with the requirements only if the City Engineer certifies that he or she is satisfied that the existing improvements conform to applicable standards.

152.03.18 Incomplete Improvements

In the event of small subdivisions or in subdivisions in which development may proceed slowly, or in other events in which the provision of surfaced streets, utility lines or other improvements is clearly not feasible immediately following approval of the Final Plat, the City may elect to commence assessment proceedings, utilize funds of a cash escrow agreement, or otherwise move to finance and install improvements when the subdivision is developed to the point of warranting the improvements.

152.03.19 Utility Charges

The following utility area and unit connection charges shall be collected with any new subdivisions and housing units in accordance with the public improvement financing policy of the City of Lindstrom, as may be amended:

- A. Sewer Availability Charges (SAC); and
- B. Water Availability Charges (WAC).