

**SUBDIVISION
ORDINANCE
NO. 168**

FOR THE

**CITY OF
ARLINGTON**

THE COUNCIL OF THE CITY OF ARLINGTON SIBLEY COUNTY, MINNESOTA, DOES ORDAIN AS FOLLOWS:

SECTION 1 PURPOSE:

All subdivisions of land hereafter submitted shall fully comply in all respects with the regulations to:

- A. Provide for and guide the orderly, economic and safe development of land, urban services and facilities.
- B. Encourage well-planned, efficient and attractive subdivisions by establishing adequate and impartial standards for design and construction.
- C. Provide for the health, safety and welfare of the residents of the City of Arlington by requiring the necessary services such as properly designed streets and adequate sewage and water service.
- D. Place the cost of improvements against those benefiting from their construction.
- E. Set the minimum requirements necessary to protect the public health, safety, comfort, convenience and general welfare.

SECTION 2 JURISDICTION:

These subdivision regulations shall apply to all subdivisions of land, as defined herein, located within the corporate limits of the City of Arlington.

No land shall be subdivided within the corporate limits of the City of Arlington until:

- A. The subdivider or his/her agent shall submit a preliminary plat of the parcel to the Planning Commission through the City Administrator;
- B. Obtain approval of the preliminary and final plat by the City Council; and
- C. The approved plat is filed with the Sibley County Register of Deeds.

SECTION 3 AMENDMENTS:

The provisions of this Ordinance may be amended by the City following a legally advertised public hearing before the Planning Commission and in accordance with the law, including the rules and regulations of any applicable state or federal agency.

SECTION 4 BUILDING PERMITS:

No building permit or certificate of occupancy shall be issued for any parcel or plat of land which was created by subdivision after the effective date of, and not in conformity with, the provisions of these subdivision regulations.

SECTION 5 SEPARABILITY:

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason found to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6 INTERPRETATION:

The language set forth in the text of this Ordinance shall be interpreted in accordance with the following rules:

- A. The singular number includes the plural, and the plural the singular.
- B. The present tense includes the past and the future tenses, and the future the present.
- C. The word "shall" is mandatory while the word "may" is permissive.
- D. Where the conditions imposed by any provisions of this Ordinance are either more restrictive or less restrictive than comparable condition imposed by any other law, ordinance, code, statute, resolution, or regulation, the regulations which are more restrictive or impose higher standards or requirements shall prevail.
- E. All measured distances shall be expressed in feet and decimals of feet.

SECTION 7 DEFINITIONS:

The following words and terms, wherever they occur in this Ordinance, shall be interpreted as herein defined:

- A. **Alley** – A public right-of-way which affords a secondary means of access to abutting property.
- B. **Block** – An area of land within a subdivision that is entirely bounded by streets or a combination of streets, exterior boundary lines of the subdivision and/or bodies of water.
- C. **Boulevard** – That portion of a street right-of-way between the curb or curb line and the property line.
- D. **Building** – Any structure built for the support, shelter or enclosure of persons, animals or movable property of any kind, and includes any structure.
- E. **City** – The City of Arlington.
- F. **Comprehensive Plan** – A compilation of policy statements, goals, standards, and maps for guiding the physical, social and economic development of the City of Arlington.
- G. **Design Standards** – The specifications to landowners or subdividers for the preparation of plats, both preliminary and final, indicating among other things, the optimum, minimum or maximum dimensions of such items as right-of-way, blocks, easements and lots.
- H. **Easement** – Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his/her property.
- I. **Final Plat** – The final map of a subdivision and any accompanying materials presented to the City Council for approval and which, if approved, will be duly filed with the Sibley County Register of Deeds.
- J. **Improvements** – The construction or installation of public or private utilities including, but not limited to, potable water, sanitary sewer systems, storm sewers, roads and other thoroughfares, sidewalks, curbs and gutters, paving, barricades, trees and other plantings, lighting, fuel or energy and the transmission thereof, transportation systems or facilities connected therewith and communication systems which are necessary, desirable or convenient in the maintenance of the health, safety and the general welfare

of the City of Arlington.

- K. **Lot** – A parcel, piece or portion of land designated by metes and bounds, registered land survey, auditor's plat, or other means and separated from other parcels or portions by said description for the purpose of sale, lease or separation thereof, abutting a public street.
- L. **Metes and Bounds Description** – 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 describing the bearings and distances of the lines forming the boundaries of the property or delineating a fractional portion of a section, lot or area by described lines or portions thereof.
- M. **Outlot** – A lot remnant or parcel of land left over after platting, which is intended as open space or other future use, for which no building permit shall be issued.
- N. **Parks and Playgrounds** – Public lands and open space in the City of Arlington dedicated or reserved for recreational purposes.
- O. **Planning Commission** – The planning agency or planning department as created by the City of Arlington.
- P. **Preliminary Plat** – A detailed drawing or map of a proposed subdivision meeting the requirements herein and submitted to the Planning Commission and City Council for their consideration, in compliance with the Comprehensive Plan and Zoning Ordinance, along with the required supporting data.
- Q. **Protective Covenants** – Contracts made between private parties as to the manner in which land may be used with the view to protecting and preserving the physical and economic integrity of a given area.
- R. **Right-of-Way** – Land acquired by reservation or dedication intended for public use, and intended to be occupied by a street, trail, utility lines, oil or gas pipeline, storm sewer or similar uses.
- S. **Streets** – A public right-of-way affording primary access by pedestrians and vehicles abutting properties whether designated as a street, highway, thoroughfare, parkway, road, avenue, or however otherwise designated. Types include:
 - a. **Arterial Street** – A street carrying larger volumes of traffic and serving as a link between various areas of the City.
 - b. **Collector Street** – A street which carries traffic from local streets to the major system of arterials and highways. It includes the principal entrance streets of a residential development and streets for circulation within such a development.
 - c. **Cul-de-Sac Street** – A local street having only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.
 - d. **Local Street** – A street whose primary function is to provide direct access to abutting property and the local needs of the neighborhood.
 - e. **Frontage Road Street** – A local street which is parallel and adjacent to an arterial street or highways; and which will provide access to abutting properties and protect from through traffic.
 - f. **Private Street** – A street serving as vehicular access to two (2) or more parcels of land which is not dedicated to the public and is owned by one or more private parties.
 - g. **Street Width** – The shortest distance between the lot line delineating the right-of-way of a street.
- T. **Subdivider** – Any person, firm or corporation commencing proceedings under these regulations to effect a subdivision of land hereunder for himself/herself or another.
- U. **Subdivision** – The division of a parcel of land into two or more lots or parcels of land 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.

- V. **Zoning Ordinance** – The Zoning Ordinance as adopted by the City Council of the City of Arlington controlling the use of land.

SECTION 8 PRELIMINARY PLAT:

Subd. 1 Procedure

Prior to dividing any tract of land into two or more lots or parcels of land, the owner or subdivider shall proceed as follows:

- A. The subdivider shall file ten (10) copies of the preliminary plat with the City Administrator.
- B. At the time of the filing of the preliminary plat, the subdivider shall pay to the City a fee as provided for by City Council resolution.
- C. The City Administrator shall refer copies of the preliminary plat to the Planning Commission and one (1) copy to the City Engineer.
- D. The City Engineer shall submit a written report, or be present for an oral report, to the Planning Commission, which shall deal with drainage, street and other engineering matters pertinent to said preliminary plat.
- E. The Planning Commission shall hold a public hearing on the preliminary plat within 45 days after said preliminary plat is filed with the City Administrator. At said hearing, all persons interested in the plat shall be heard. Notice of the time and place of the said hearing and the full legal description of the area to be subdivided shall be published once in the official newspaper of the City at least ten (10) days before the day of the hearing. The City Administrator shall send notice at least ten (10) days prior to the day of said hearing to all property owners within 350 feet of the boundaries of the preliminary plat.
- F. The Planning Commission shall conduct the hearing on the preliminary plat and shall make its recommendation to the City Council. It shall be the duty of the Planning Commission to determine whether the preliminary plat is compatible with the Comprehensive Plan and conforms with or exceeds the design standards established by this Ordinance.
- G. After the City Council has received the recommendation of the Planning Commission, the Council shall act to approve or disapprove the preliminary plat.
- H. Approval of a preliminary plat by the City Council is tentative only, subject to the compliance with all requirements and recommendations as a basis for the preparation of the final plat.

- I. At the time of the filing of the preliminary plat, the subdivider of the land included in the plat shall submit to the City Administrator an application for rezoning, should this be needed.
- J. The City Council shall act on the preliminary report within 30 days after the conclusion of the public hearing.

Subd. 2 Data Standards

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

A. Identification and Description

1. Proposed name of subdivision, which name shall not duplicate or be alike in pronunciation of the name of any plat theretofore recorded in Sibley County.
2. Legal description of property according to the records in the Sibley County Recorder of Deeds office.
3. Names and addresses of the owner and subdivider of the land, and the designer and surveyor of said plat. If the subdivider is not the fee owner of the land, the subdivider shall submit the written consent of the fee owner with the filing of the preliminary plat.
4. Graphic scale of not more than 100 inches to an inch.
5. North point, designated as true north.
6. Date of preparation.
7. Certification by registered surveyor certifying to the accuracy of the survey.

B. Existing Conditions

1. Boundary line survey, including measured distances and angles, which shall be tied to the nearest quarter section or section line by traverse.
2. Existing zoning classification for tract of land in and abutting the preliminary plat.
3. Total acreage to tenths.
4. Location and names of existing or platted streets and other public way, parks and public open spaces, permanent buildings and structures, easements, and section and municipal boundary lines within the plat and to a distance of 100 feet beyond.
5. If the preliminary plat is a rearrangement or a replat of any recorded plat, the lot and block arrangement of the original plat, its original name, and all revised or vacated roadways shall be shown by dotted or dashed lines.
6. Location and width of existing streets including type of surfacing, railroads, sanitary sewers, water mains, storm sewers, culverts, grades, invert elevations and locations of catch basins, manholes and hydrants and any underground facilities within the plat and to a distance of 100 feet beyond shall be shown.
7. Topographic data within the tract and 100 feet beyond its boundaries, including contours at vertical intervals of not more than two (2) feet, except that where the horizontal contour interval is 100 feet or more, a one (1) foot vertical interval shall be shown. Water courses, lakes, marshes, wooded areas, rock outcrops and other significant physical features shall be shown. U. S. Geodetic survey data shall be used for all topographic mapping.
8. If applicable, limits of flood plain, floodways and flood areas.
9. Slope analysis. Identify in map form the following slope categories: 0 to 6%, 6 to 12%, 12 to 18% and over 18%.

10. A copy of the soil survey map covering the proposed plat issued by the Soil Conservation Service of the U. S. Department of Agriculture.

C. Subdivision Design Features

1. Layout of proposed streets, showing right-of-way widths and proposed names of streets. The name of any street heretofore used in the City shall not be used, unless the proposed street is an extension of an already named street, in which event said name shall be used.
2. Locations and widths of alleys, pedestrian ways and utility easements.
3. Profiles of existing and proposed centerline grades of streets, alleys, sanitary sewers, water mains, storm sewers, drainage ditches and culverts.
4. Layouts of lots and blocks with numbers of each, square footage of lots and lot dimensions scaled to the nearest tenth of a foot.
5. Areas, other than streets, pedestrian ways and utility easements, intended to be dedicated or reserved for public use, including the size of such areas.
6. Minimum front and side yard building setback lines as required by the Zoning Ordinance.
7. Proposed method of disposing of surface water discharge within and beyond the limits of the plat.
8. Whenever a portion of a tract of land is proposed for subdividing and said tract is large enough or is intended for future enlargement, a tentative plan for the future subdivision of the entire tract shall be submitted to the Planning Commission.
9. Proposed method of controlling soil erosion and sedimentation within and beyond the limits of the plat during all phases of construction and thereafter.

D. Additional Information to be Furnished

1. Statement of proposed use of lots, i.e., whether residential, commercial, industrial or combination thereof. If residential, state type and number of dwelling units. Furnish sufficient details for all types of usage in order to give perspective to the effect of the development on traffic, fire protection and density of population.
2. Source of water supply.
3. Facilities for sewage disposal.
4. If zoning changes are contemplated, the proposed zoning plan for the area.
5. In areas affected by inadequate surface drainage or subjected to periodic flooding, furnish proposals designed to make the area safe for occupancy and to provide for adequate street and lot drainage.
6. Proposals for street lighting, curb, gutter, sidewalks and boulevard improvements.
7. Such other information as shall be requested by the Planning Commission or City Engineer.

SECTION 9 FINAL PLAT:

Subd. 1 Procedure

Prior to City Council approval of a final plat, the following procedures shall be followed:

- A. Within six (6) months following approval of the preliminary plat, unless an extension of time is requested in writing by the subdivider and granted by the City Council, the subdivider shall file ten (10) copies of the final plat with the City Administrator and pays any fees so established by the City Council. The final plat shall incorporate all changes required by the City Council, and in all other respects it shall conform to the preliminary plat as approved. If the final plat is not filed within six (6) months following approval of the preliminary plat, the approval of the preliminary plat shall be considered void.
- B. The final plat may constitute only that portion of the preliminary plat which the subdivider proposes to record and develop at that time, provided that such portion shall conform to all requirements of this ordinance, and provided further that the remaining portion or portions of the preliminary plat not submitted as a final plat shall be subject to the right of the City of Arlington to adopt new or revised platting and subdivision regulations.
- C. At the time of filing of the final plat with the City Administrator, the subdivider shall also file with said Administrator as abstract of title or registered property abstract, certified to date, evidencing ownership of the premises involved in the plat.
- D. The City Administrator shall refer copies of the final plat to the City Engineer, and shall refer the abstract to the City Attorney for their examination.
- E. The City Engineer and the City Attorney shall submitted either written or oral comments to the Planning Commission. The City Engineer shall state whether the final plat and the improvements conform to the engineering and design standards and specifications of the City of Arlington. The City Attorney shall state his/her opinion as to the title of the property involved.
- F. The subdivider shall pay the fees of the City Engineer and City Attorney for their services rendered in connection with the final plat.
- G. The final plat shall be prepared in accordance with all applicable State laws and County ordinance.
- H. The Planning Commission shall review the final plat and make its recommendation to the City Council.
- I. Prior to the approval of a final plat, the applicant shall have executed a Development Agreement with the City of Arlington, which controls the installation of all required improvement and assures compliance with all conditions of approval. Said agreement will require all improvements and approval conditions to comply with approved engineering standards and applicable regulations.
- J. The City Council shall act on the final plat within 60 days of the date on which it was filed with the City Administrator. The final plat shall not be approved if it does not conform to the preliminary plat including all changes required by the City Council, or does not meet the engineering and design standards and specifications of the City of Arlington.
- K. Following approval of the final plat by the City Council, the City Administrator shall promptly notify the subdivider of said approval and within 90 days thereafter, the final plat shall be recorded with the Sibley County Register of Deeds.
- L. Space for certificates of approval and review to be filled in by the signatures of the Planning Commission Chairperson and the Mayor and City Administrator shall be included.
- M. The subdivider shall, within 30 days of recording, furnish the City Administrator with two (2) blue or black line prints and one mylar of the final plat showing evidence of the recording. Failure to furnish such copies shall be grounds for refusal to issue building

permits for lots within a plat.

SECTION 10 SUBDIVISION DESIGN STANDARDS:

Subd. 1 General Requirements

- A. The Planning Commission in its review of a preliminary plat shall determine whether the proposed subdivision is in conformity with the Comprehensive Land Use Plan of the City of Arlington. They shall also take into consideration the requirements of the community and the best use of the land. Particular attention shall be given to the arrangement, location and widths of streets, drainage and lot sizes and arrangements.
- B. The preliminary plat shall cover all of the owner's contiguous land, but the final plat may cover only a portion of the preliminary plat provided it is conformity with an approved preliminary plat.
- C. Where the parcel of land is subdivided into tracts larger that required for building lots, such tracts shall be divided so as to allow for the opening of streets and the ultimate extension of adjacent streets.
- D. Subdivisions indicating unplatted portions of land or private easements controlling access to public ways shall not be approved.

Subd. 2 Lot and Block Standards

- A. The maximum length of blocks shall be 1,800 feet. Pedestrian ways at least eight (8) feet wide may be required at the approximate center of blocks over 900 feet in length. Provisions for additional accessways to schools, parks, and other public grounds may be required. All blocks shall be so designed to provide for two (2) tiers of lots unless conditions exist to render this requirement undesirable.
- B. The minimum lot area and dimension shall be as specified in the respective zoning districts of the City of Arlington Zoning Ordinance. All lots shall have at least the minimum required frontage, as established by the Zoning Ordinance, on a publicly dedicated street. Lots with frontage on two (2) parallel streets shall not be permitted except where lots back on arterial streets or highways. In such cases, no direct vehicular access shall be permitted from individual lots to such street or highway. Lot remnants which are below minimum lot area or dimension must be added to adjacent or surrounding lots rather than to be allowed to remain as an unusable outlot or parcel, unless the subdivider can provide acceptable plans for the future use of such remnants.

Subd. 3 Street Design Standards

- A. All streets shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic, to topographical convenience and safety, and in their appropriate relation to the proposed uses of the area to be served.
- B. The arrangement of streets in new subdivisions shall make provision for the continuation of existing and future streets in adjoining areas.
- C. Access shall be given to all lots and portions of the tract in a subdivision, unless the topography clearly indicates that such connection is not feasible. Reserved strips and land-locked areas shall not be created.
- D. Where adjoining areas are not subdivided, but may be at some point in the future, the arrangement of streets in a new subdivision shall make provision for the proper projection of streets into adjoining areas by carrying the streets to the boundaries of the new subdivision at appropriate locations. A temporary turn-around facility shall be

provided at the closed end, in conformance with cul-de-sac requirements. Construction standards for temporary facilities shall be recommended by the City Engineer and approved by the City Council. Construction of said streets shall be to the boundary of the subdivision.

- E. Local streets shall be proposed so as to discourage their use by through traffic. The arrangement of arterial and collector streets shall be considered in their relation to reasonable circulation of traffic, to topographic conditions, to runoff of storm water, to public convenience and safety, to their appropriate relationship to the proposed uses of the area to be served and in compliance with the City of Arlington's Comprehensive Plan.
- F. Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts with temporary cul-de-sacs, or when designed as cul-de-sac streets.
- G. 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.
- H. Street Intersections shall intersect as right angles, insofar as practical. In no case shall the angle formed by the intersection of two (2) streets be less than 75 degrees. Intersections having more than four (4) corners shall be prohibited.
- I. A tangent of at least 100 feet in length shall be introduced between reverse curves on arterial and collector streets, and a tangent of at least 50 feet in length shall be introduced on all other streets.
- J. Boulevard sodding shall be required.
- K. Cul-de-sac streets permanently designed as such, shall maintain the following standards:
 - a. The maximum length of cul-de-sac streets shall be 500 feet measured along the centerline from the intersection of origin to the center point of the cul-de-sac turnaround.
 - b. Each cul-de-sac shall have terminus of nearly circular shape with a minimum right-of-way diameter of 60 feet.
 - c. Where a temporary cul-de-sac is required, the turnaround right-of-way shall be placed adjacent to a plat boundary and a right-of-way of the same width as the street shall be carried to said property line in such a way as to permit future extension of the street into the adjoining tract. At such time as a street is extended, the acreage covered by the turnaround outside the boundaries of the extended street shall revert in ownership to the property owner fronting on the temporary turnaround.

Subd. 4 Street Widths and Grades

The following standards of street widths and grades shall be observed by the subdivider:

Street Category	Minimum Width Right-of-Way	Maximum Grade	Minimum Grade
Arterial	100-120 feet	6%	0.5%
Collector	66-80 feet	6%	0.5%
Local	50-66 feet	6%	0.5%
Cul-de-Sac	60 foot radius	6%	0.5%
Frontage Road	40 feet	6%	0.5%

Subd. 5 Easements

All easements shall be dedicated by appropriate language on the final plat as required by law and provisions of this Chapter.

- A. Utility easements shall be at least ten (10) feet, centered on rear and side lot lines of abutting lots. In those instances where a side or rear lot line abuts unplatted land, said easement shall be at least ten (10) feet wide. Utility easement shall have a continuity of alignment from block to block and lot to lot.
- B. Drainage easements shall be provided along each side of the centerline of any natural watercourse or drainage channel to a width sufficient to provide proper maintenance and protection and to provide storm water runoff.

Subd. 6 Erosion and Sediment Control

The following guidelines shall be applied to the subdivision:

- A. The development shall conform to the natural limitations presented by topography and soil so as to create the least potential for soil erosion
- B. Appropriate control measures, as determined by the City Engineer, shall be installed prior to development when necessary.
- C. Where the topsoil is removed, sufficient arable soil shall be set aside for re-spreading over the areas to be planted. The soil shall be restored to a minimum depth of four (4) inches or a depth as may be established by the City Engineer and shall be a quality at least equal to the soil quality prior to development
- D. Natural vegetation shall be protected wherever possible.
- E. As determined by the City Engineer, runoff water shall be diverted to a sedimentation basin before allowed to enter the natural drainage system. Storm water runoff from the developed site shall not, at any time, exceed the runoff rate existing prior to development except as may be approved by the City Council. The City shall apply National Urban Runoff Program (NURP) standards for the design of required stormwater ponds.

Subd. 7 Public Land Dedication, Open Space

The following requirements shall be applied to all new residential subdivisions and are the responsibility of the subdivider and/or owner:

- A. The City of Arlington shall require that a sufficient portion of such land be set aside and dedicated to the public for parks, schools, playgrounds or other public use exclusive of property dedicated for streets and other public ways. It shall be presumed that a sufficient amount of land has been dedicated for parks, schools and playgrounds for the present and future residents of the subdivision if the subdivider dedicates at least ten (10) percent of the land in the subdivision. The City Council, upon consideration of the particular type of development proposed in the subdivision, may require larger or lesser amounts of land to be dedicated if it determines that the present and future residents of the subdivision would require greater or lesser amounts of land for such purposes. No areas may be dedicated as parks, playgrounds, or public lands that include wetlands, questionable soils or golf courses which would not allow for the construction of said parks, playgrounds or public lands. Such dedication of land for public use shall be without restrictions or reservations and shall be transferred by deed to the City of Arlington or to a homeowners association approved by the City Council. The subdivider shall leave such dedicated land in a condition suitable to the City Council.
- B. If, in the judgment of the City Council, the area proposed is not suitable or desirable for park/playground, because of location, size or other reason, the City Council may require, in lieu of land dedication, a payment to the City of Arlington of a sum **equal to five (5) percent** of the average value of the land to be subdivided..... more, check averages, include dedication for industrial. Land, which is zoned or planned to be either commercial or industrial, will pay, in lieu of land dedication, a set fee of \$500.00 per acre of the entire plat. This money shall be placed in the Park and Recreation Fund and shall be used for improvement and/or creation of parks within the City of Arlington.
- C. As a requirement of subdivision approval, the subdivider shall plant shade trees on the property of the subdivision. Such trees are to be planted within five (5) feet of the right-of-way of the streets within and abutting the subdivision, or, at the discretion of the City Council or other governing body, within the right-of-way of such streets. One (1) tree from the below list shall be planted for every forty feet of frontage along each street unless the City Council, upon recommendation of the City Engineer, shall grant a waiver. Such waiver shall be granted only if there are existing trees which, in the opinion of the City Council comply with these regulations.

List of Acceptable Shade Trees

<u>Common Name</u>	<u>Latin Name</u>
Ash, White	<i>Fraxinus americana</i>
Ash, Marshall's Seedless	<i>Fraxinus pennsylvanica</i>
Ash, Mountain	<i>Sorbus spp.</i>
Birch, River	<i>Betula nigra</i>
Birch, Paper	<i>Betula papyifera</i>
Catalpa, Northern	<i>Catalpa speciosa</i>
Ginkgo (male only)	<i>Ginkgo biloba</i>
Hackberry	<i>Celtis occidentalis</i>
Hawthorne, Thornless	<i>Crataelus spp.</i>
<u>Common Name</u>	<u>Latin Name</u>
Hickory, Shagbark	<i>Carya ovata</i>
Honeylocus, Thornless	<i>Gleditsia triacanthos</i>

Ironwood (Basswood)
Linden, American
Locust, Black
Maple, Sugar or hard
Maple, Red
Oak, Bicolor
Oak, Bur
Oak, Red
Oak, White
Ohio Buckeye
Walnut, Black

Ostrya virginiana
Tilia americana
Robinia pseudoacacia
Acer saccharum
Acer rubrum
Quercus bicolor
Quercus macrocarpa
Quercus rubra
Quercus alba
Aesculus glabra
Juglans nigra

A petition may be granted to plant trees other than the above listed, provided the subdivider has obtained approval of City Council for the substitution prior to planting. No street shall be accepted for dedication until the City Engineer shall inform the City Council that compliance has been made with these regulations.

- D. Planting strips shall be placed along highways and railroad lines to screen the view and to reduce noise levels in residential areas.

Subd. 8 Public Improvements

The improvements to be furnished and installed by the subdivider pursuant to this Subdivision Ordinance shall be furnished and installed at the sole expense of the subdivider and at no expense to the City of Arlington. If any improvement installed within the subdivision will be of substantial benefit to lands beyond the boundaries of the subdivision, the City Council may make provisions for causing a portion of the cost of the improvement, representing benefit to such lands, to be assessed against the same and in such case the subdivider will be required only to pay for such portions of the whole cost of said improvements as will represent the benefit to the property within the subdivision.

Prior to the approval of a final plat by the City Council, the applicant shall have agreed, in the manner set forth below, to install the following improvements to the site, in conformity with approved construction plans and in conformity with all applicable standards and ordinances:

- A. Monuments shall be placed at all block and lot corners, angle points, points of curves in streets and at intermediate points as shall be required by the City of Arlington. Monuments shall be metal and shall be placed by a Registered Engineer or Registered Land Surveyor. All lot corners and survey control shall be set and in place at the time the plat is recorded. An exception to this requirement may be granted for up to one (1) year by the City Council. Stakes showing the locations of easements shall be provided by the applicant upon request of the City. The stakes shall be wood laths and will be used only to insure the proper location of utilities on easements. The stakes shall not be intended to be permanent survey monuments.
- B. The width of the right-of-way of each street shall be graded, including the subgrade of the areas to be paved, in accordance with the standards and specifications established by the City of Arlington.
- C. All streets shall be improved with concrete or bituminous surfacing in accordance with the standards and specifications approved by the City Engineer.
- D. Concrete curb and gutter shall be installed on both sides of the paved surface of all streets. Standard B-618 curb and gutter shall be installed on all collector streets; surmountable type of curb and gutter shall be installed on minor, cul-de-sac and service

streets.

- E. All private driveways providing access to public right-of-ways shall approach at grade level.
- F. Street signs of a design approved by the City shall be installed at each street intersection.
- G. Storm sewers, culverts and water drainage facilities shall be required when, in the opinion of the City Engineer, such facilities are necessary to insure adequate drainage for the area. All such drainage facilities shall be constructed in accordance with standards and specifications approved by the City Engineer.
- H. Where connection with the City water and sanitary sewer systems is feasible, the subdivider shall be required to install water and sanitary sewer mains in the subdivision and connect the same with the City systems.
- I. All telephone, electric or gas service lines shall be placed underground within dedicated public ways or recorded easements in such manner as not to conflict with other underground services. All underground installation of service lines within street rights-of-way shall be completed to street surfacing. Upon completion of the installation of underground service lines in dedicated public ways, a tracing and two (2) copies of plans and specifications showing the completed installation shall be filed with the City Administrator.
- J. Utility poles, except those providing street lighting, shall be placed in rear lot line easements.
- K. Street lighting shall be installed by the subdivider. All street light poles and fixtures shall conform to City specification.

Subd. 9 Construction of Improvements

- A. Construction plans for the required improvements conforming in all respects with the standards and ordinances for the City shall be prepared at the applicant's expense by a professional engineer who is registered in the State of Minnesota, and said plans shall contain professional certification. Such plans together with the quantities of construction items shall be submitted to the City Engineer for an estimate of the total costs of the required improvements and recommendation to the City Council. Upon City Council approval, such plans shall become a part of the required subdivider's agreement. The tracings of the plans approved by the City Engineer, plus two (2) prints, shall be filed with the City Administrator.
- B. Prior to the approval of the final plat, if the subdivider is to undertake the installation of the required improvements, he/she shall make an escrow deposit of, in lieu thereof, furnish a performance bond equal to 120% of the total construction costs including the cost of inspection by the City. If the City undertakes that installation of said improvement, and if requested by the City, the subdivider shall make an escrow deposit or, in lieu thereof, furnish a surety bond in the amount of the sum he/she has agreed to pay the City for the installation of said improvements. Any such deposit or bond shall accrue to the City in case of default of the subdivider. In case of default, the City shall appropriate any such deposit and pursue its remedies provided by any such bond. The term of any deposit or bond shall be specified by the City. Any bond must be subject to approval by the City. Deposits shall be made with the City. The City may agree to provide for reduction of the amount of any bond or deposit by reason of completion of, or in payment for, the improvements for which said bond or deposit has been made. Nothing herein shall preclude the City from making special assessments against benefited property for improvements made on it.
- C. All required improvements on the site that are to be installed under the provisions of

these regulations shall be inspected during the course of construction by the City Engineer at the subdivider's expense, and acceptance by the City shall be subject to the City Engineer's certificate of compliance with the contract.

- D. Upon completion of installation of all required improvements, the subdivider shall file with the City Administrator a tracing and two (2) copies of plans and specifications showing all improvements as finally constructed and installed.

This ordinance shall become effective immediately upon publication.

First Reading: April 2, 2001
Second Reading: April 16, 2001
Published: April 26, 2001

For City of Arlington

/s/ David Czech

By David Czech
Its Mayor

/s/ Lowell C. Enerson

By Lowell C. Enerson
Its City Administrator