

ORDINANCE NO. 11

AN ORDINANCE REGULATING THE SUBDIVISION AND PLATTING OF LAND IN THE TOWN OF EUREKA AND REPEALING ORDINANCES INCONSISTENT THEREWITH

The Town Board of the Township of Eureka, County of Dakota, State of Minnesota, ordains as follows:

Section 1

There is hereby adopted for the purpose of regulating the subdivision and platting of land that certain model code known as Model Subdivision Regulation Code for Communities in Dakota County as adopted January 20, 1972, by the Dakota County Planning Advisory Commission, except as hereinafter modified, of which not less than three copies have been and now are filed in the Office of the Clerk of Eureka Township

Section 2

- A. Wherever the word “community” is used in the code hereby adopted, it shall mean the Town of Eureka, Dakota County, Minnesota.
- B. Wherever the words “governing body” are used, it shall mean the Town Board of the Township of Eureka, Dakota County, Minnesota.

Section 3

The Model Subdivision Ordinances of Dakota County, adopted January 20, 1972, is hereby modified as follows:

- A. Subsection N of Section II shall provide as follows:

“Subdivision” is the division of a lot, tract, or parcel of land more than five acres in area into three or more lots, plats, sites or other division of land, one or more of which are less than five acres in area, and having a width of not less than 30 feet, for the purpose, whether immediate or future, of sale or building development. It is also a division of a lot, parcel, or tract of land, five acres or less in area into two or more

lots, tracts or parcels of land. It is also the division of a lot, parcel or tract of land into two or more lots, plats, sites or other divisions of land if such subdivision provides, or there is shown on a plat thereof, a new street or highway. It also includes re-subdivision of land, and when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

B. Subsection B (2) of Section IV shall provide as follows:

Soil absorption tests where septic tanks are proposed, and any other sub-soil information requested by the Town Engineer, including soil borings and/or percolation tests.

C. Subsection B (1) of Section VI, shall provide as follows:

1. Widths. Street right-of-way widths shall be as shown in the comprehensive plan and official map and, where applicable, shall conform to county and state standards for trunk highways. If there is no such plan or standard, right-of-way widths shall conform to the following minimum dimensions; major street - 100 feet; collectors - 66 feet; minor street - 50 feet; marginal access streets - 50 feet; cul-de-sacs - 50 feet, with a minimum radius of the turn-around of 100 feet.

D. Subsection F (2) of Section VI shall provide as follows:

1. Size. Lots shall be at least two and one-half acres in area with a minimum of two-hundred-fifty feet frontage.

E. Subsection F (9) of Section VI is deleted.

F. Subsection F of Section VIII shall provide as follows:

In areas which may not be provided public sanitary sewer service within the next five years, minimum lot sizes shall be determined by suitable soil, percolation or other tests indicating the minimum amount of land required to prevent pollution prior to connection to a public sewer system, but in no event shall be less than provided in Section VI (F) (2), as modified by Subsection D of Section 2 of this Ordinance. In areas in which the subdivider desires to further subdivide once public sanitary sewer

has been extended to the subdivision, a potential re-subdivision plan shall be filed, clearly indicating how the large lot may be re-subdivided in future years to permit higher density development to occur in a logical manner. Smaller lots than permitted in Section VI (F) (2), as modified by Subsection D of Section 2 of this Ordinance may be platted, but building permits will be issued only on alternating lots or in such other approved fashion as to assure adequate open area for private sewage disposal systems until such time that public sewer is made available. The soil absorption test, percolation test, and any other sub—soil information requested by the Town Engineer, including soil borings, shall be furnished by the subdivider at his expense.

Section 4

Ordinances or parts thereof in force at the time that this Ordinance shall take effect, and inconsistent herewith, are hereby repealed.

Section 5

Any firm, person or corporation who violates any of the provisions of this Ordinance shall be punished by a fine not less than \$25.00 and not more than \$100.00 or by imprisonment for not less than 30 days. Each day that a violation is permitted to exist shall constitute a separate offense.

Section 6

This Ordinance shall take effect and be in force from and after its passage and publication according to law.

Passed by the Town Board of Eureka Township this 14th day of February, 1972.

Albert J. Wachter
Eureka Town Chairman

ATTEST:
H.O. Leine
Eureka Town Clerk

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