

FROM PUBLIC NOTICES, PAGE 20

in conjunction with the previous subdivision.

D. Land area conveyed or dedicated to the city shall not be used in calculating density requirements of the city zoning ordinance and shall be in addition to and not in lieu of open space requirements for planned unit developments.

E. Where private open space for park and recreation purposes is provided in a proposed subdivision, such areas may be used for credit, at the discretion of the city council, against the requirement of dedication for park and recreation purposes, provided the city council finds it is in the public interest.

F. The city, upon consideration of the particular type of development, may require larger or lesser parcels of land to be dedicated if the city determines that present or future residents would require greater or lesser land for park and playground purposes.

G. In residential plats either a cash donation equal to fifteen (15) percent of the fair market value of the undeveloped property or fifteen (15) percent of the gross land being platted or a combination thereof shall be conveyed to the City.

H. In plats other than residential plats, either a cash donation equal to ten (10) percent of the fair market value of the undeveloped property or ten (10) percent of the gross area of land being platted or a combination thereof shall be conveyed to the city.

I. In lieu of a park land donation, the city may require an equivalent cash donation based upon average undeveloped land value in the city. The cash dedication requirement shall be established annually by the city council.

J. In lieu of a trail donation, trail construction, or trail easement dedication, the city may require a cash donation for the trail system. The cash dedication requirement shall be established annually by the city council.

K. The city may elect to receive a combination of cash, land, and development of the land for park use. The fair market value of the land the city wants and the value of the development of the land shall be calculated. That amount shall be subtracted from the cash contribution required by subsection (k) above. The remainder shall be the cash contribution requirement.

L. "Fair market value" shall be determined as of the time of filing the final plat in accordance with the following:

1. The city and the developer may agree as to the fair market value, or
2. The fair market value may be based upon a current appraisal submitted to the city by the subdivider at the subdivider's expense.
3. If the city disputes such appraisal the city may, at the subdivider's expense, obtain an appraisal of the property by a certified real estate appraiser, which appraisal shall be conclusive evidence of the fair market value of the land.

M. Planned developments with mixed land uses shall make cash and/or land contributions in accordance with this section based upon the percentage of land devoted to the various uses.

N. One hundred percent (100%) of the park and trail cash contribution shall be paid immediately upon approval and execution of the Development Agreement.

O. The cash contributions for parks and trails shall be deposited in either the city's park and recreation development fund or multipurpose pedestrian trail fund and shall be used only for park acquisition or development and trail acquisition or development.

P. Wetlands, ponding areas and drainage ways accepted by the city shall not be considered in the park land and/or cash contribution to the city.

Q. Subdividers of land abutting streets that have been designated in the city's comprehensive plan for the installation of a trail shall be required to dedicate the land for the trail to the city and construct the trail.

Subdivision 3. Determination of Land to be Dedicated.

A. Land to be dedicated shall be reasonably suitable for its intended use and shall be at a location convenient to the people to be served. Factors used in evaluating the adequacy of proposed park and recreation areas shall include size, shape, topography, geology, hydrology, tree cover, access and location.

B. When a proposed park, playground, recreational area, school site or other public ground has been indicated in the city's official map or comprehensive plan and is located in whole or in part within a proposed plat, it shall be designated as such on the plat and shall be dedicated to the appropriate governmental unit.

C. Land dedication shall be selected based upon the policies and recommendations provided within the Comprehensive Plan. Active parkland areas shall be exclusive of wetlands, slopes exceeding twelve (12) percent, ponding areas, or other features unsuitable for active park development. The City may accept natural open space or passive parks containing unique natural environmental features as part of the parkland dedication. Selection of park land for dedication shall be at the discretion of the City Council based upon the policies and recommendations of the Comprehensive Plan and Comprehensive Park, Trails, and Open Space Plan. The City Council may vary from these requirements if a development demonstrates unique attributes sufficient for parks and open space included in the development.

D. Lands to be dedicated shall not be located in drainage ways, floodplains, or ponding areas after the site has been developed.

Subdivision 4. Land in Excess of Dedication Requirements.

Where land requested for public use exceeds the amount legally and reasonably required by the City and the developer will not dedicate the additional amount, the City may consider an option or purchase of said additional amount of land.

Subdivision 5. Standards for Accepting Dedication of Land.

In addition to all the other requirements of this Section, all land to be dedicated to satisfy the park dedication requirements shall meet the following standards:

A. The area dedicated shall meet the needs of the City as identified within the Comprehensive Plan and Comprehensive Parks, Trails, and Open Space Plan;

B. The applicant, prior to Final Plat Approval, deliver to the City Attorney an Abstract of Title or Registered Property Abstract for all land to be dedicated, evidencing good marketable title without liens or encumbrances of any kind. It shall have a marketable title, free and clear of any mortgages, liens, encumbrances, assessments and taxes. The conveyance documents shall be in a form acceptable to the City;

C. The required conveyance of land to be dedicated and any payment of cash equivalency in lieu of land dedication shall be made prior to filing of the final plat or granting of final approval;

D. The removal of trees, topsoil, storage of construction equipment, burying of construction debris, or stockpiling of surplus soil on dedicated land is strictly forbidden without the written approval of the City.

Subdivision 6. Required Improvements to Dedicated Lands.

A. Applicants shall provide finished grading and ground cover for all park, playground, and public open spaces within their development contract; and,

B. Where dedicated park areas fall outside a developer's plat or subdivision, the developer shall establish monumental irons on all dedicated park properties for the purpose of identifying park boundaries. The developer shall also provide a certificate of survey, prepared by a registered land surveyor to the park and recreation department.

ARTICLE 11. REQUIRED IMPROVEMENTS

Subdivision 1. Dedication of Land or Contribution in Cash for Public Purposes.

In every plat or subdivision the developer may be required to dedicate land or make cash contributions for public streets, easements for sewers, electric, gas, water facilities, storm water drainage, holding ponds and similar utilities and improvements.

Subdivision 2. Required Improvements.

A. The subdivider shall submit engineering plans and specifications satisfactory to the city for all required improvements, as listed or as specified in this chapter. These improvements must be initiated within one (1) year of final plat approval and completed within two (2) years.

B. The following public improvements are required in every plat:

1. All subdivision boundary corners, block and lot corners, road intersection corners and points of tangency and curvature shall be marked with durable iron or steel monuments meeting the minimum requirements of state law. The city may, when a subdivision is essentially complete, require a development to have the plat re-staked to replace the original monuments destroyed or obliterated during the construction process.
2. As a rule, the surface water discharge rate from the subdivision is to be retained at the predevelopment rate for a 2-year, 24-hour; 10-year, 24-hour; and 100-year, 24-hour rain events through the use of surface water detention/retention facilities or other appropriate means as approved by the city engineer. All stormwater requirements are outlined within the Stormwater Management Ordinance.
3. Every street shall have an adequate sub-base and shall be improved with a bituminous or concrete surface in accordance with the design standards specified by the city for urban or rural sections. Except in areas where lot widths exceed one hundred (100) feet or topography or tree cover dictates otherwise, grading shall provide for easy installation of sidewalks.
4. Concrete curb and gutter shall be required for all urban street sections.
5. Sidewalks and trails shall be required, in accordance with the standards presented herein.
6. The subdivider shall be required to provide a connection to the public water system for every lot in the subdivision.
7. Street lighting shall meet the following requirements:
 - a. Street lighting type and design shall be approved by the city prior to installation.
 - b. 100w High Pressure Sodium (HPS) lights shall be placed at intersections, cul-de-sacs and a maximum of 300 feet in-between.
 - c. All County Road intersections require a 150w HPS light.
 - d. All commercial lighting shall consist of 250w HPS lights. Total cut-off lighting fixtures (i.e. shoebox design) shall be used in commercial areas.
8. If available, public sanitary sewer main and service connections shall be approved by the city engineer and installed to serve all lots in the subdivision.
9. A system that will adequately accommodate the surface water runoff within the subdivision, as required by this chapter, shall be provided.
10. Street signs of standard design approved by the city shall be installed at each street intersection before building permits will be issued. Regulatory signs shall be installed as required.
11. Where any proposed plat adjoins a natural lake, pond, river or stream, including streams which flow only intermittently, the city may require that a strip of land running along all sides thereof which are contiguous to such lake, pond or stream, be dedicated to the city for public use, or subject to a perpetual easement in favor of the city for the purpose of protecting its hydraulic efficiency and natural character and beauty.
12. All utility lines for telephone, cable tv, internet and electrical service shall be placed underground or where this is not feasible shall be placed in rear lot line easements when carried on overhead poles.

C. Prior to the city signing the final plat and prior to the construction of any improvements, the developer shall provide the city with an irrevocable letter of credit or cash escrow to insure that all improvements required by this chapter will be installed and paid for at no expense to the City. For improvements to be installed by the developer, the developer is obligated to install and complete all such improvements at his own expense and under the supervision and inspection of the city. For improvements which the city agrees to install, the developer shall pay the cost of such improvements through payment of special assessments. As security to the city for installation of the improvements or the payment of the special assessments, the developer shall be required to file a cash escrow or an irrevocable letter of credit in an amount and form acceptable to the city to cover the cost of all public improvements and special assessments. All financial sureties shall be from a financial institution that is FDIC insured.

ARTICLE 12. REPEAL

Isanti Ordinance No. 254, as amended, entitled "An Ordinance Establishing Rules and Regulations of Plats and the Installation of Streets and Other Improvements Establishing Procedures for the Approval and Recording of Plats, and Regulating Subdivisions", is hereby repealed as of the effective date of this Ordinance No. 536

ARTICLE 13. EFFECTIVE DATE

Isanti Ordinance No. 536 shall take effect upon its adoption and publication in the City's Official Newspaper. Adopted by the Isanti City Council this 4th day of November 2020.

Mayor Jeff Johnson
Attest:
Katie Brooks Human Resources/City Clerk

Published in the Isanti-Chisago County STAR on Nov. 12, 2020

ISANTI AND CHISAGO COUNTY COURT REPORTS

The following felony charges were filed in Isanti County Court on Nov. 2 - 6. All individuals are presumed innocent until proven guilty.

Angela Marie Bennett (DOB 10/03/1975), of Braham, was charged Nov. 2 with one count financial transaction card fraud - use - no consent, and one count identity theft - transfers/possesses/uses identity of other person.

Xavier Robert Bennett (DOB 11/22/1994), of Braham, was charged Nov. 2 with one count financial transaction card fraud - use - no consent, and one count identity theft - transfers/possesses/uses identity of other person.

Joseph Louis St. Germaine (DOB 01/08/1986), of Hayward, WI, was charged Nov. 3 with one count drugs - 3rd degree - possess 10 grams or more a narcotic drug other than heroin, one count drugs - 3rd degree - possess - 3 grams or more heroin, and one count drugs - 5th degree - possess schedule 1,2,3,4 - not small amount marijuana.

Joseph Alan Fridstrom (DOB 02/18/1991), of Princeton, was charged Nov. 6 with one count domestic assault - by strangulation, and two counts domestic assault.

The following felony charges were filed in Chisago County Court on Nov. 2 - 6. All

individuals are presumed innocent until proven guilty.

Spencer Alexander Beseman (DOB 08/19/1989), of St. Paul, was charged Nov. 2 with receiving stolen property.

Erin Patrick Fuller (DOB 11/30/1980), of Mora, was charged Nov. 2 with check forgery - offer/possess w/intent to defraud.

Bridget Jaclyn Clermont (DOB 12/22/1998), of Anoka, was charged Nov. 2 with one count receiving stolen property, and one count mail theft - intentionally removes mail from depositary without claim of right.

Jessie Anne Knickerbocker (DOB 09/15/1993),

of North Branch, was charged Nov. 2 with damage to property - 1st degree - value reduced over \$1,000.

Brandon Lawrence Nelson (DOB 07/10/1998), of Osceola, WI, was charged Nov. 3 with damage to property - 1st degree - public safety motor vehicle.

Gerald Richard Jackson (DOB 09/04/1990), of Luck, WI, was charged Nov. 6 with one count fleeing a peace officer in a motor vehicle, and one count fugitive from justice from other state.

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Jake Koestler Owner

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