

**6105.0140 SUBDIVISIONS.**

Subpart 1. **Land suitability.** No land may be subdivided which is held unsuitable by the local authority, or the commissioner, for the proposed use because of flooding, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, unfavorable topography, inadequate water supply or sewage disposal capabilities, or any other feature likely to be harmful to the health, safety, or welfare of the future residents of the proposed subdivision or of the community.

Subp. 2. **Subdivision standards.** The provisions otherwise set forth in parts 6105.0080 to 6105.0200 shall apply to all plats except planned cluster developments.

Subp. 3. **Planned cluster developments.** Local ordinances shall contain provisions for allowing planned cluster developments when the proposed clustering provides a means of preserving agricultural land, open space, woods, scenic views and other features of the natural environment. Smaller lot sizes than those permitted in part 6105.0110, subpart 2 may be allowed for planned cluster developments provided:

A. Preliminary plans are approved by the commissioner of natural resources prior to their enactment by the local authority.

B. Central sewage facilities are installed which at least meet the applicable standards, criteria, or rules of the Minnesota Department of Health and the Minnesota Pollution Control Agency.

C. Open space is preserved. This may be accomplished through the use of restrictive deed covenants, public dedication, granting of scenic easements, or other methods.

D. There is not more than one centralized boat launching facility for each cluster.

**Statutory Authority:** *MS s 104.34*

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