

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Agenda Date: 6/19/2017

Agenda Item: 7.b

Department Approval



City Manager Approval



Item Description: Request by the City of Roseville to approve a comprehensive technical update to the requirements and procedures for processing subdivision proposals as regulated in City Code Title 11 (Subdivision) and revision of the lot size standards established in City Code Chapter 1004 (Residential Districts) (PROJ-0042)

APPLICATION INFORMATION

Applicant: City of Roseville

Location: N/A

Property Owner: N/A

Open House Meeting: none required

Application Submission: N/A

City Action Deadline: N/A

PLANNING COMMISSION ACTION

The public hearing for this application was held by the Planning Commission on June 7, 2017, and voted 6 – 0 to recommend approval of the requested text amendments.

1 **BACKGROUND**

2 Since March, the Planning Commission, Parks and Recreation Commission, and City
3 Council have been reviewing and commenting on iterations of updated subdivision code
4 content, including an annotated outline of general suggestions, and a detailed side-by-side
5 presentation of existing-and-proposed language. Those documents have made it relatively
6 easy to identify and discuss proposed changes to the subdivision code, but they were less
7 helpful for understanding the overall structure of the updated code.

8 The current document presented for final review and adoption is a consolidation of the
9 previous iterations of the side-by-side presentations as well as the feedback received from the
10 Planning Commission, Parks and Recreation Commission (pertaining to the section regarding
11 Park Dedication), and the City Council. The draft subdivision code is included with this RCA
12 as Exhibit A. Please note that the *track changes* typography in this final draft reflects changes
13 discussed and recommended by the Planning Commission during the public hearing as well
14 as subsequent corrections and clarifications by staff and the City Attorney.

Minutes of the City Council's May 8 and May 15 discussions of the side-by-side drafts are included with this RCA as Exhibits B and C, respectively, and the draft Planning Commission minutes from the June 7 public hearing are included as Exhibit D.

PLANNING DIVISION COMMENT

As mentioned in previous meetings, many of the proposed amendments to the subdivision code involve modernizing outdated language, auditing definitions to include what is necessary and delete what is not, and removing technical requirements that are better regulated elsewhere. Similarly, much of what the existing code establishes for application submission requirements and review processes would be updated and relocated to the application forms themselves, rather than leaving them as codified regulations.

A significant amount of review and comment was focused on the proposed update to the park dedication requirements. Generally, amendments to the park dedication regulations pertain to adding a preamble linking statutory authorization of park dedication to the City's goals as expressed in places like the Comprehensive Plan, Parks and Recreation System Master Plan, and the pathway plans, clarifying the thresholds where park dedication is required, and cleaning up outdated information.

Feedback from the Parks and Recreation Commission and City Council led to elimination of proposed language incorporating the set of occasions when the City would seek dedications of land to include locations that could increase the connectivity of pathways open spaces identified in the community's plans, as authorized by State Statute. While the feedback from these bodies also communicated the preference to eliminate proposed references to Roseville's Parks and Recreation System Master Plan and the Pathways Master Plan (which is in the Parks and Recreation chapter of the Comprehensive Plan), such references have been left in the proposed draft, at the advice of the City Attorney.

The City Council's review of the park dedication section of the subdivision code also included changing the amount of land to be dedicated in non-residential subdivisions to 10% of the subject property's land area to equal the cash fee established in the 2017 Fee Schedule. This suggested change has not been incorporated into the current draft, however, because the discussion that yielded the suggestion also made clear that the Parks and Recreation Commission and Department staff need to reevaluate or recalibrate how the land dedication requirements align with the required fees. Therefore, any change that might be made to the land dedication requirements in advance of that reevaluation would be arbitrary, and Planning Division staff will be ready to bring forward an amendment to the land dedication figure(s) when and if that becomes necessary. Information from the League of Minnesota Cities about subdivisions, generally, and park dedication, in particular, is included as Exhibit E; the appendix at the end of the League's memo provides an example of how the Parks and Recreation Commission might reevaluate park dedication requirements based on the needs created by future subdivisions.

Also, despite having received suggestions for cleaning up the first sentence of Section 1103.06.C, which is the text establishing land dedication amounts, Planning Division staff has not yet made any edits. The reason for this is the realization that the existing distinction between "residentially zoned" and "other" areas may not adequately reflect the range of possible development situations. A subdivision for residential development in a CMU district, for example would facilitate development of residential dwelling units, but it would not be "residentially zoned". Or a subdivision of property in a Neighborhood Business district

could facilitate a mixed development with commercial uses on the ground floor and apartment units above. With further reflection, the same residential/non-residential distinction is also present in the fee schedule, where the cash dedication amounts are established. This seems to be an additional subject for the Parks and Recreation Commission's reevaluation of the need that any given subdivision might impose on the parks system.

The most significant proposed application-review-process change pertains to the minor subdivision, and it is reflected in the proposed draft as the replacement of the minor subdivision process with a "minor plat" process. The minor plat would be for all applications that:

- Result in three or fewer parcels,
- Don't qualify for park dedication,
- Don't need any new streets, sewers, or other new public infrastructure,
- Don't require any variances to zoning or subdivision requirements, and
- Don't involve any changes to comprehensive plan or zoning designations.

To make room for the proposed minor plat process, the draft subdivision code renames the familiar process for plats as the "major plat," which remains the standard process for all proposals that:

- Result in four or more parcels for new development,
- Require an open house meeting prior to application for approval,
- Might need new streets, sewers, or other new public infrastructure,
- Might require variances to zoning or subdivision requirements, and
- Might involve changes to comprehensive plan or zoning designations.

These more significant subdivision proposals would require the same process of public review, Planning Commission recommendation, and City Council approval as Roseville is used to, and simpler applications would still have a relatively direct path to final action, but would include more robust information for review at the outset. Based on the feedback received during the June 7 public hearing regarding the proposed process amendments, Planning Division is preparing updated application forms; these will be distributed as bench handouts at the June 19 City Council meeting.

Roseville's Public Works Department staff is reviewing the entire proposal to ensure that the revised subdivision code and their forthcoming design standards manual combine to provide all of the necessary regulations without unintended gaps and unnecessary redundancies. As has been discussed at length, much technical information in the existing Subdivision Code has been relocated to the recently developed Public Works Design Standards manual. Additionally, Public Works staff has amended the stormwater management standards to require full compliance with water quality treatment requirements on all new lots created through a platting or subdivision process which do not have storm water management, in order to ensure stormwater mitigation even when projects might not trigger compliance requirements in other ways. The final draft of the Public Works Engineering Department Design Standards manual is included with this report for City Council reference as Exhibit F,

and the updated Stormwater Management Standards document is included with this report as Exhibit G.

PUBLIC COMMENT

The duly-noticed public hearing for the proposed code updates was held by the Planning Commission on June 7, 2017; as noted above, draft minutes of the public hearing are included with this report as Exhibit D. At the time this report was prepared, Planning Division staff has not received any communications from the public beyond an email received prior to the Planning Commission's March 1 review of the annotated outline. That email has not been reproduced for inclusion with this report, but it remains part of the public record.

RECOMMENDED ACTIONS

A) Pass an ordinance adopting a comprehensive technical update to the requirements and procedures for processing subdivision proposals as regulated in City Code Title 11 (Subdivision) and revision of the lot size standards established in City Code Chapter 1004 (Residential Districts, based on the findings and recommendation of the Planning Commission, the content of this RCA, public input, and City Council deliberation. The proposed draft ordinance is included with this report as Exhibit H.

B) Pass a motion approving the proposed ordinance summary. The proposed draft ordinance summary is included with this report as Exhibit I.

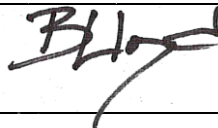
ALTERNATIVE ACTIONS

A) Pass a motion to table the item for future action. While there's no required timeline for approving City-initiated proposals such as this, deferring action into the future could have adverse consequences for property owners or potential developers who may be following this process and anticipating its conclusion.

B) Pass a motion to deny the request. Denial should be supported by specific findings of fact based on the City Council's review of the application, applicable zoning or subdivision regulations, and the public record.

Exhibits:	A: Draft code updates	E: Information Memo from League of Minnesota Cities
	B: Excerpt of 5/8 City Council minutes	F: Public Works Engineering Department Design Standards manual
	C: Excerpt of 5/15 City Council draft minutes	G: Updated Stormwater Management Standards
	D: Draft 6/7 public hearing minutes	H: Draft ordinance
		I: Draft ordinance summary

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Title 11 - Subdivisions

CHAPTER 1101: GENERAL PROVISIONS

1101.01: Purpose and Jurisdiction

1101.02: Definitions

1101.01: Purpose and Jurisdiction

A. Purpose: Each new subdivision accepted by the City becomes a permanent unit in the basic physical structure of the community and is one component of the City as a whole, as guided by the ~~comprehensive plan~~ Comprehensive Plan. All subdivisions of land lying within the incorporated limits of the City shall in all respects fully comply with the regulations set forth in this Title.

B. Jurisdiction: Roseville has the authority to make certain regulations and requirements for the subdivision of land within the City pursuant to the enabling legislation contained in Minnesota Statutes chapters 412, 429, 462, 471, 505, and 508, which the City Council deems necessary for the health, safety, general welfare, convenience and good order of this community.

1101.02: Definitions

For the purpose of this Title, certain words and terms are defined as follows.

Boulevard: The property between the back of a curb (or the edge of the street, if there is no curb) and the adjacent right-of-way line.

Consolidation: The platting or replatting of two or more lots resulting in fewer lots of record, for the transfer of ownership or building development. Where it is appropriate to the context, the term relates either to the process of consolidating or to the land consolidated.

Easement: The grant of one or more of the property rights by the owner to, or for the use by, the public, public utility, corporation, or another person or entity.

Emergency Vehicle: Any vehicle that is used for the preservation of the health, safety, and welfare of the residents, property owners, visitors, workers, and property of Roseville.

Lot: A tract of land of record, designated by metes and bounds, land survey, minor land division, or plat, which is on file at the office of Ramsey County Recorder or Registrar of Titles.

Median: The property between the backs of curbs of separated travel lanes.

Owner: A natural person, partnership, association, public or quasi-public corporation, private corporation, other lawful business entity, or a combination of any of the same, whether plural or singular.

Parcel: ~~See "Lot"~~ All or part of a lot or multiple lots.

Pathway: A public or private trail, footpath, pedestrian path, bike lane, or similar facility, across a block or providing access within a block to be used by pedestrians, or cyclists, or both.

Plat: A drawing or map of a subdivision prepared for filing of record pursuant to Minnesota Statutes Chapter 505 and containing all elements and requirements set forth in this Title.

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Right-Of-Way (R.O.W.): Land dedicated to the public or preserved for public use as roadways, sewers, electric, gas, and water facilities, storm water drainage and holding areas or ponds, and similar utilities and improvements.

Roadway: A paved public or private street, avenue, highway, road, boulevard, lane, or similar facility, which affords primary access to abutting properties.

Street: See “Roadway”.

Subdivision: A described tract of land which is to be or has been divided into two or more lots, any of which resultant lots is less than five acres in area, for the transfer of ownership, or building development, or if a new street is involved, any division of a parcel of land. The term includes resubdivision and where it is appropriate to the context, relates either to the process of subdividing or to the land subdivided.

CHAPTER 1102: PROCEDURES

1102.01: Plats

1102.02: Variances

1102.03: Acceptance of Streets

1102.04: Required Land Improvements

1102.05: Arrangements for Improvements

1102.01: Plats:

Any subdivision or consolidation of land shall adhere to the platting procedures established herein.

A. Requirements Governing Approval of a Subdivision or Consolidation

1. ~~In the subdividing of any land, due~~Due regard shall be shown for all natural features such as tree growth, water courses, historic locations, or similar conditions.
2. Conditions of Approval: ~~For all subdivisions, the~~The City may require such changes or revisions to any proposal as ~~the City deems~~deemed necessary for the health, safety, general welfare, and convenience of the City ~~to be incorporated into the final plat~~. For Major Plats, the Planning Commission may also recommend to the City Council such changes or revisions.
3. Flooding: No ~~subdivision application~~ will be approved for a site that is subject to periodic flooding, or which contains inadequate drainage facilities, unless the owner agrees to make improvements which meet the City’s storm water and drainage requirements.
4. Building Permit: No building permit shall be issued for the construction of any building, structure, or improvement to the land or any lot within ~~a~~an approved subdivision or consolidation ~~which has been approved for platting~~ until all requirements of this Title have been complied with fully.
5. Occupancy Permit: No occupancy permit shall be granted for the use of any structure within ~~a~~an approved subdivision or consolidation ~~approved for platting or replatting~~ until required utility facilities have been installed and made ready to service the

property and roadways providing access to the subject lot or lots have been constructed or are in the course of construction.

B. Platting Alternatives

1. The following processes are alternatives to the plat procedures established in this Chapter.

a. Common Wall Duplex Subdivision: This type of platting alternative shall be limited to a common wall duplex minor subdivision of a parcel in any zoning district which allows duplexes, along a common wall of the structure and common lot line of the principle structure where the structure meets all required setbacks except the common wall property line.

b. Recombination: This type of platting alternative transfers a parcel of land from one lot of record to an abutting lot. This type of platting alternative creates no new lots or streets. The proposed recombination shall not cause any portion of the existing lots, parcels, or improvements thereon, to be in violation of this Title or Title 10 (Zoning) of this Code.

c. Corrections: ~~Approval of a corrective subdivision may be requested by an owner with~~ This type of platting alternative is intended to correct a survey or legal description of a parcel or lot that has been found to be inadequate to describe the actual boundaries. This type of subdivision platting alternative creates no new lots or streets. ~~The proposed corrective subdivision may be approved by the City Manager upon recommendation of the Community Development Department.~~ The proposed parcels correction shall not cause any portion of the existing lots, parcels, or existing buildings improvements thereon, to be in violation of this ~~regulation or the zoning code~~ Title or Title 10 (Zoning) of this Code. ~~A certificate of survey illustrating the corrected boundaries shall be required on all parcels.~~

2. Applications: The owner of property on which a platting alternative is proposed shall file an application for approval of the subdivision platting alternative by paying the fee set forth in Chapter 314 of this Code and submitting a completed application form and supporting documents as set forth on the application form. Complete applications shall be reviewed and acted upon by the Development Review Committee, as established in Section 1002.06 of this Code.

3. Validation and Expiration: A platting alternative approval shall be validated by the applicant through the filing of the approved subdivision platting alternative at the office of the Ramsey County recorder or Registrar of Titles, as may be appropriate, within one year of the date of the approval. Notwithstanding this time limitation, extensions of the time allowed for validation of the approval may be granted; extension requests shall be submitted in writing to the Community Development Department and shall identify the reason(s) why the extension is necessary along with an anticipated timeline for validation of the approval. A platting alternative approval shall automatically expire if the approval is not validated as described herein.

C. Minor Plat

1. Purpose: The Minor Plat process may be ~~utilized~~ used when all of the following criteria are present. All other subdivision proposals that do not fall within the regulations listed herein

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shall be submitted for the review by the Planning Commission and the approval of the City Council in accordance with the Major Plat process established in this Chapter.

- a. The proposal subdivides or consolidates existing lots of record resulting in three or fewer lots.
- b. The subject property is adequately served by public utilities and right-of-way, and no further utility or right-of-way is necessary.
- c. The anticipated development on the lot or lots resulting from the proposed subdivision or consolidation is supported by the ~~comprehensive land use plan~~ Comprehensive Plan land use designation applicable to the subject property.
- d. The existing or anticipated development on the lot or lots resulting from the proposed subdivision or consolidation conforms, or is made to conform, to the zoning regulations applicable to the subject property.
- e. The proposed subdivision does not qualify for park dedication under the requirements established in Section 1103.07-06 of this Title.

2. Applications: The owner of property on which a Minor Plat is proposed shall file an application for approval of the plat by paying the fee set forth in Chapter 314 of this Code and submitting a completed application form and supporting documents as set forth on the application form. Required supporting documentation may include, but is not limited to, a boundary survey, topographic survey, ~~proposed~~ grading plan, storm water management plan, and tree preservation plan. Complete applications shall be reviewed in a public hearing before, and acted upon by, the City Council according to the process set forth in Chapter 108 of this Code. ~~Applications~~ Notwithstanding other restrictions, an application for Minor Plat approval shall not be accepted if: it represents the further subdivision or consolidation of a lot which, itself, is the result of any subdivision or consolidation approved within five years preceding said application.

~~a. A proposed minor plat has been denied, and an application requests approval of substantially the same subdivision on the same property within one year of the date of said denial.~~

~~b. A proposed Minor Plat represents the further subdivision of a lot which, itself, is the result of any subdivision approved within five years preceding said application.~~

3. Validation and Expiration: Adhering to Ramsey County's Manual of Guidelines for Subdivision Plats, A Minor Plat a Minor Plat approval shall be validated by the owner through the filing of the approved plat at the office of the Ramsey County Recorder within one year of the date of the approval. Notwithstanding this time limitation, the City Council may approve extensions of the time allowed for validation of the Minor Plat approval if requested in writing; extension requests shall be submitted to the Community Development Department and shall identify the reason(s) why the extension is necessary along with an anticipated timeline for validation of the Minor Plat approval. A Minor Plat approval shall automatically expire if the approval is not validated as described herein.

D. Major Plat

1. Purpose: The Major Plat process shall ~~be utilized~~ apply when any of the following criteria are present:

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- a. The proposal subdivides or consolidates existing lots of record resulting in four or more lots.
- b. The subject property is not adequately served by public utilities or right-of-way, and further utility or street right-of-way is necessary.
- c. The anticipated development on the lot or lots resulting from the proposed subdivision or consolidation would require an amendment to the ~~comprehensive land use plan~~ Comprehensive Plan land use designation applicable to the subject property.
- d. The existing or anticipated development on the lot or lots resulting from the proposed subdivision or consolidation would require an amendment to the zoning designation applicable to the subject property.
- e. The proposed subdivision qualifies for park dedication under the requirements established in Section 1103.07-06 of this Title.

2. Developer Open House Meeting

- a. Purpose: Prior to submitting an application for a preliminary plat of 4 or more lots/parcels, an applicant/owner shall hold an open house meeting with property owners and renters in the vicinity of the potential development location in order to provide a convenient forum for engaging community members in the development process, to describe the proposal in detail, and to answer questions and solicit feedback.
- b. Applicant/Owner Responsibility: The owner shall be responsible for the following items:
 - i. Completed Open House Form (application)
 - ii. Payment of application fee and escrow deposit set forth in Chapter 314 of this Code
 - iii. Provision of applicable information regarding the project/request
 - iv. Determined the open house location, date, and time
 - v. Required submittal of open house summary upon conclusion of meeting
- c. General: Applicant/Owner shall refer to the Open House Meeting Policy that is a component of the Open House Form (application) or contact the Community Development Department for additional information regarding the process.

3. Applications for Preliminary Approval: The owner of property on which a Major Plat is proposed shall file an application for preliminary approval of the plat by paying the fee set forth in Chapter 314 of this Code and submitting a completed application form and supporting documents as set forth on the application form. Required supporting documentation may include, but is not limited to, a boundary survey, topographic survey, ~~proposed~~ grading plan, storm water management plan, and tree preservation plan. Complete applications shall be reviewed in a public hearing before the Planning Commission and acted upon by the City Council according to the process set forth in Chapter 108 of this Code, except that City Council action shall occur within 120 days of the submission of a completed application.

- 201 4. Validation and Expiration of Preliminary Approval: Preliminary approval of a Major Plat
202 shall be validated by the owner through application for final approval of the plat of the
203 proposed subdivision within six months of the date of said preliminary approval.
204 Notwithstanding this time limitation, the City Council may approve extensions of the time
205 allowed for validation of the preliminary approval if requested in writing; extension requests
206 shall be submitted to the Community Development Department and shall identify the
207 reason(s) why the extension is necessary along with an anticipated timeline for validation of
208 the preliminary approval. Preliminary approval of a Major Plat shall automatically expire if
209 the approval is not validated as described herein.

210 5. Application for Final Approval

- 211 a. Applications: The owner of property on which final approval of a ~~plat~~ Major Plat is
212 requested shall file an application by paying the fee set forth in Chapter 314 of this
213 Code and submitting a completed application form and supporting documents as set
214 forth on the application form. Required supporting documentation may include, but is
215 not limited to, a Development Agreement as described in Section 1102.05 of this
216 Chapter. The City Council shall act upon an application for final approval of a ~~plat~~
217 Major Plat within 60 days of the submission of a completed application.
218 b. Required Changes Incorporated: The final plat shall have incorporated all changes or
219 modifications required by the City Council in the preliminary approval of the Major
220 Plat and shall otherwise be substantially the same as ~~the preliminary said~~ plat.

- 221 6. Validation and Expiration of Final Approval: Adhering to Ramsey County's Manual of
222 Guidelines for Subdivision Plats, Final final-approval of a Major Plat shall be validated by the
223 owner ~~by through the~~ filing of the approved plat at the office of the Ramsey County Recorder
224 within one year of the date of said final approval. Notwithstanding this time limitation, the
225 City Council may approve extensions of the time allowed for validation of the final approval
226 if requested in writing; extension requests shall be submitted to the Community Development
227 Department and shall identify the reason(s) why the extension is necessary along with an
228 anticipated timeline for validation of the final approval. Final approval of a Major Plat shall
229 automatically expire if the approval is not validated as described herein.

230 **E. Refusal to Approve:-**

- 231 ~~7.~~ The refusal ~~of preliminary or final approval of to approve~~ a plat or platting alternative
232 shall be set forth in the proceedings of the City Council and reported to the owner. If
233 approval of a ~~proposed plat~~ proposal is so denied, an application for approval of substantially
234 the same ~~subdivision plat or platting alternative~~ on the same property shall not be accepted
235 within one year of the date of said denial.

236 **1102:02: Variances**

- 237 A. Purpose: Regulations pertaining to the process of subdividing or consolidating land and to
238 the characteristics of the resulting lots ~~created by subdivisions~~ are established in Title 11
239 (Subdivisions) and Title 10 (Zoning) of this Code. There are occasions, however, where it
240 may be appropriate to vary the regulations as they apply to specific properties where an
241 unusual hardship on the land exists, ~~as defined by pursuant to~~ Minnesota Statute 462.358
242 Subd. 6.

B. Applications: The owner of property on which a ~~subdivision~~-variance is proposed shall file an application for approval of the variance by paying the fee set forth in Chapter 314 of this Code and submitting a completed application form and supporting documents as set forth on the application form. Complete applications shall be reviewed in a public hearing according to the process set forth in Chapter 108 of this Code. If a proposed ~~subdivision~~-variance is denied, an application for substantially the same variance on the same property shall not be accepted within one year of the date of the denial.

C. Approval: The City may impose conditions in the granting of ~~subdivision~~-variances. A condition must be directly related to, and must bear a rough proportionality to, the impact created by the variance. In order to approve a requested ~~subdivision~~-variance, the Planning Commission may recommend, and the City Council shall adopt, findings pertaining to the following specific grounds:

1. The proposal is consistent with the Comprehensive Plan.
2. The proposal is in harmony with the purposes and intent of the zoning and subdivision ordinances.
3. An unusual hardship on the land exists.
4. The variance, if granted, will not alter the essential character of the locality.

1102.03: Acceptance of Roadways

A. Approval of Plat or Annexation into City Not Considered Acceptance: If any plat or subdivision contains public roadways which are dedicated as such, whether located within the corporate limits of the City or outside the corporate limits or contains existing streets outside of said corporate limits, the approval of the plat by the City Council or the subsequent annexation of the property to the City shall not constitute an acceptance by the City of such roadways, nor the improvements constructed or installed in such subdivision, irrespective of any act or acts by an officer, agent or employee of the City with respect to such streets or improvements.

B. Acceptance by Resolution of City Council: The acceptance of such roadways shall be made only by the approval of a resolution by the City Council after there has been filed, with the City Manager, a certificate by the Public Works Director. The certificate shall indicate that all improvements required to be constructed or installed in or upon such roadways in connection with the approval of the plat of subdivision by the City Council have been fully completed and approved by the Public Works Director, or a cash deposit or bond is on file to ensure the installation of such required improvements. However, if it appears to the City Council that a public local improvement will be constructed in any such roadway within a reasonable foreseeable time, the City Council, upon the recommendation of the Public Works Director may, by resolution, temporarily accept such roadway for maintenance by the City, and defer the completion of the roadway by the owner until such local improvement has been constructed.

1102.04: Required Improvements

No final approval of a plat shall be granted by the City Council without first receiving a report signed by the Public Works Director certifying that the following improvements described in the owner's preliminary plans and specifications meet the minimum requirements of all ordinances

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in the City, and that they comply with the requirements of the Public Works Design Standards manual;

A. Sewers

1. Sanitary Sewers: Sanitary sewers shall be installed to serve all properties in the subdivision where a connection to the City sanitary sewer system is available or where detailed plans and specifications for sanitary sewers to serve the subdivision are available.
2. Storm Sewers: Storm sewers shall be constructed to serve all properties in the subdivision where a connection to the City storm sewer system is available or where detailed plans and specifications for storm sewers to serve the subdivision are available. Where drainage swales are necessary, the soil therein shall be stabilized in accordance with applicable standards.
3. Development Area Grading and Drainage Plan: The developer shall submit a grading and drainage plan for the entire area of anticipated development within the plat, indicating the elevation of proposed houses, surrounding ground, and the direction of flow. The developer shall not deviate from this plan without first obtaining written acceptance from the Public Works Director of such changes.

B. Water Supply: Where a connection to the City water system is presently available, water distribution facilities including pipe fittings, hydrants, valves, etc., shall be installed to serve all properties within the subdivision.

C. Right-Of-Way Grading: The full width of the right-of-way shall be graded, including the subgrade of the areas to be paved.

D. Roadway Improvements

1. All roadways shall be paved, with curb and gutter, in conformance with standards for the applicable functional classification
2. Pathways shall be constructed in accordance with the Pathways Master Plan and the applicable standards of the Public Works Department along the width of a development site abutting any roadway of functional classification Collector or greater.
3. Storm water inlets and necessary culverts shall be provided within the roadway improvement at points specified by the Public Works Department.
4. All unpaved portions of boulevards and medians within the dedicated right-of-way area shall be graded and the soil therein stabilized in accordance with applicable standards.

F. Public Utilities

1. All new electric distribution lines (excluding main line feeders and high voltage transmission lines), telephone service lines and services constructed within the confines of and providing service to customers in a newly platted residential area shall be buried underground. Such lines, conduits or cables shall be placed within easements or dedicated public ways ~~in a manner which will not conflict with other underground services. Transformer boxes shall be located so as not to be hazardous to the public. The placement of transformer boxes and other above ground facilities shall be reviewed and approved by the City Engineer.~~

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2. The City Council may waive the requirements of underground services as set forth in subsection 1 above if, after study and recommendation by the Planning Commission, the City Council establishes that such underground utilities would not be compatible with the planned development or unusual topography, soil or other physical conditions make underground installation unreasonable or impractical.

1102.05: Arrangements for Improvements

- A. Development Agreement: Prior to the acceptance of the final plat, the owner shall enter into a development agreement with the City.

1. In conjunction with this contract, the owner shall deposit with the Public Works Director either a cash deposit or a corporate surety performance bond, approved as to form by the City Attorney, in an amount equal to one and one-half (1 1/2) times the Public Works Director's estimated cost of said improvements. This bond shall also have a clause which guarantees said improvements for a period of one year after acceptance by the City of said improvements. In lieu of this clause, a separate one year maintenance bond approved as to form by the City Attorney, shall be submitted to the Public Works Director upon acceptance of said improvements by the City Council. Upon receipt of this maintenance bond the performance bond may be released.

2. Where park dedication is required pursuant to Section 1103.06 of this Title, the development agreement will identify the amount of land, or cash contribution, or combination of land and cash contribution determined necessary to satisfy the park dedication requirement. The development agreement will also specify the time and manner such required dedication is to be made.

- B. Improvements: All such improvements shall be made in accordance with the plans and specifications prepared by a Minnesota licensed ~~professional~~ engineer and approved by the Public Works Director and in accordance with applicable City standards and requirements.

- C. Bond: The owner shall deposit with the Public Works Director cash or an approved indemnity bond to cover all expenses incurred by the City for engineering, legal fees and other incidental expenses in connection with the making of said improvements listed in Section 1102.04. In the event of a cash deposit, any balance remaining shall be refunded to the owner or owner after payment of all costs and expenses to the City have been paid.

- D. Street Access to Improved Lots Required: It is not the intent of this Section to require the owner to develop the entire plat at the same time making all the required improvements, but building permits will not be granted except as to lots having access to streets on which the required improvements have been made or arranged for by cash deposit or bond as herein provided.

CHAPTER 1103: DESIGN STANDARDS

1103.01: Transportation Plan

1103.02: Rights-of-Way

1103.021: Minimum Roadway Standards

1103.03: Easements

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1103.04: Block Standards

1103.05: Lot Standards

1103.06: Park Dedication

1103.01: Transportation Plan

New roadways and related pathways shall comply to a master street plan that is based on the City's Comprehensive Plan and Pathways Master Plan to promote a safe, efficient, sustainable, and connected network for all users and modes.

1103.02: Rights of Way

A. Width: All rights-of-way shall conform to the following minimum dimensions corresponding to the functional classifications of the roadways therein.

Principal Arterial: as determined by the applicable jurisdiction governing the roadway

Minor Arterial: as determined by the applicable jurisdiction governing the roadway

Collector: 66 feet

Local: 60 feet

Marginal Access: 50 feet

B. Horizontal Lines: Where horizontal right-of-way lines within a block deflect from each other at any one point more than 10° there shall be a connecting curve. ~~Minimum center~~ Center line horizontal curvatures shall conform to the following minimum ~~dimensions~~ radii corresponding to the functional classifications of the roadways therein.

Principal Arterial: as determined by the applicable jurisdiction governing the roadway

Minor Arterial: as determined by the applicable jurisdiction governing the roadway

Collector: 300 feet

Local: 150 feet

Marginal Access: 150 feet

C. Tangents: Tangents at least 50 feet long shall be introduced between reverse curves on Collector rights-of-way.

D. Center Line Gradients: All center line gradients shall be at least 0.5% and shall not exceed the following gradients corresponding to the functional classifications of the roadways therein.

Principal Arterial: as determined by the applicable jurisdiction governing the roadway

Minor Arterial: as determined by the applicable jurisdiction governing the roadway

Collector: 4%

Local: 6%

Marginal Access: 6%

E. Jogs: Right-of-way jogs with center line offsets of less than 125 feet shall be prohibited.

RCA Exhibit A

F. Cul-De-Sacs: If there is not a looped road system provided and a proposed right-of-way is greater than 200 feet in length, an approved turnaround shall be constructed.

1. Length: Cul-de-sacs shall be a maximum length of 500 feet, measured along the center line from the intersection of origin to the end of right-of-way.

2. Standard Design: The standard cul-de-sac shall have a terminus of nearly circular shape with a standard diameter of 120 feet.

G. Roadway Standards: While not strictly pertinent to rights-of-way, per se, the following minimum dimensional standards shall apply to all existing City and private roadways when newly constructed or reconstructed. All local residential roadways shall be constructed in conformance with the Public Works Design Standards manual. In cases where the specified width is impractical, the City Council may reduce this dimension, as outlined in the City street width policy. However, for purposes of emergency vehicle access, no roadway shall be constructed to a width less than 24 feet.

1. Parking Prohibition by Roadway Width: For roadways with functional classification of Collector or greater, on-street parking shall be reviewed by the Public Works Department. For Local and Marginal Access roadways, "No Parking" signs shall be installed in accordance to the following:

≥ 32 feet Parking permitted on both sides of the street (no signs needed).

≥ 26 feet and < 32 feet No parking on one side of the street (signs on one side).

≥ 24 feet and < 26 feet No parking on both sides of the street (signs on both sides).

1103.03: Easements

A. Easements at least a total of 10 feet wide, centered on interior lot lines, and abutting rights-of-way or roadway easements, shall be provided for drainage and utilities, where the City Engineer determines they are necessary.

B. Where a subdivision is traversed by a water course, drainage way, channel or stream, drainage and utility easements shall be provided that conform substantially with the lines of such water courses, together with such further width, or construction, or both as will be adequate for the storm water drainage of the area.

C. All drainage easements shall be so identified on the plat and soils therein shall be graded and stabilized in accordance with applicable standards.

D. Pathways: Pathway easements shall be at least ~~twenty~~(20) feet wide

1103.04: Block Standards

A. Blocks over nine hundred (900) feet long shall require pathway easements at their approximate centers. The use of additional pathway easements connecting to schools, parks, or other destinations may be required by the City Council.

B. Blocks shall be shaped so that all blocks fit readily into the overall plan of the subdivision, the neighborhood, and City, and must consider lot planning, traffic flow, and public open space areas.

C. Blocks intended for commercial, institutional and industrial use must be designated as such and the plat must show adequate off-street areas to provide for parking, loading docks, and such other facilities that may be required to accommodate motor vehicles.

D. Where a subdivision abuts a railroad or limited access highway right-of-way, a Marginal Access right-of-way may be required to provide access to abutting properties and to allow for appropriate screening of the highway or railway.

1103.05: Lot Standards

A. The minimum lot dimensions in all subdivisions shall be those of the applicable zoning standards as established in Title 10 of this Code, or of the intended zoning district if the subdivision is in conjunction with a zoning change, in addition to any requirements herein defined.

B. Additional Standards for Lots for Single-Family Detached Residences: The shapes of new lots shall be appropriate for their location and suitable for residential development. Lots with simple, regular shapes are considered most appropriate and suitable for residential development.

1. Lots which are appropriate for their location and suitable for residential development often have:

- a. Side lot lines that are approximately perpendicular or radial to the front lot line(s) of the parcel(s) being subdivided, or
- b. Side lot lines that are approximately parallel to the side lot line(s) of the parcel(s) being subdivided, or
- c. Side lot lines that are both approximately perpendicular or radial to the front lot lines(s) and approximately parallel to the side lot line(s) of the parcel(s) being subdivided.

2. It is acknowledged; however, that property boundaries represent the limits of property ownership, and existing boundaries that have complex or unusual alignments are not easily changed. Subdivisions of such irregularly-shaped parcels may be considered, but the shapes of proposed new lots might be found to be too irregular, and consequently, applications can be denied for failing to conform adequately to the purposes for which simple, regular parcel shapes are considered most appropriate and suitable for residential development.

3. Flag lots, are not permitted. A flag lot is a lot with two distinct parts:

a. The “flag pole” is the part of a flag lot ~~which abut~~that abuts a street with a relatively narrow strip of land, ~~that which~~ fails to conform to the minimum required lot width (i.e., the “flag pole”), as defined in Section 1001.10 of this Code, ~~that and which~~ passes beside a neighboring parcel.

3.b. The “flag” is the buildable part of a flag lot, which is connected to the street by the flag pole, and which is ~~and have the bulk of land area (i.e., the “flag”)~~ located behind ~~that the~~ neighboring parcel, ~~are not permitted.~~

RCA Exhibit A

4. Through Lots: Where lots abut rights-of-way at the front and back, vehicular and pedestrian access to the lots shall be gained from the roadway of lower functional classification.
5. Where new principal structures are constructed on lots contiguous to roadways with functional classification of Minor Arterial or greater, driveways servicing such lots shall be designed and constructed to provide a vehicle turnaround facility within the lot.
6. Where new single-family residential lots are created on a new street, the driveway cut for the new lot must be placed within the new street.

1103.06: Park Dedication

- A. Authority: Minnesota Statutes 462.358, subdivisions 2b and 2c permits the City to require dedication of park land, or cash in lieu of land, as part of the subdivision process in order to fulfill its plans for recreational facilities and open spaces. The City Council, at its discretion, will determine whether park dedication is required in the form of land, cash contribution, or a combination of cash and land. To properly use this authority, the City will base its determination on existing development, the need created by the proposed development, and the plans and policies of the City ~~including, but not limited to, those~~ embodied by the Parks and Recreation System Master Plan, Pathways Master Plan, and Comprehensive Plan.
- B. Condition to Approval: Park dedication will be required as a condition to the approval of any subdivision of land involving ~~more than one acre~~ or more and resulting in a net increase of development sites. The Parks and Recreation Commission shall recommend, in accordance with Statute and after consulting the approved plans and policies noted herein, either a portion of land to be dedicated to the public, or in lieu thereof, a cash deposit given to the City to be used for park purposes, or a combination of land and cash deposit.
- C. Park Dedication Amount: The portion of land to be dedicated in all residentially zoned areas shall be 10% and 5% in all other areas. Park dedication fees shall be reviewed and determined annually by City Council resolution and established in the fee schedule in Chapter 314 of this Code, and the fee shall be paid as part of the Development Agreement required in Section 1102.07 of this Title.
- D. Utility Dedications Not Qualified: Land dedicated for required street right-of-way or utilities, including drainage, does not qualify as park dedication.

Title 10 - Zoning

CHAPTER 1004: RESIDENTIAL DISTRICTS

1004.08: Low-Density Residential-1 (LDR-1) District

B. Dimensional Standards

Table 1004-3	LDR-1
Minimum Lot Area	
Interior	11,000 square feet
Corner	12,500 square feet
Minimum Lot Width	
Interior	85 feet
Corner	100 feet
<u>Minimum Rear Lot Line Length</u>	<u>30 feet</u>
Minimum Lot Depth	
Interior	110 feet
Corner	100 feet
Maximum Building Height	30 feet
Minimum Front Yard Building Setback	30 feet ^{a, b}
Minimum Side Yard Building Setbacks	
Interior	5 feet
Corner	10 feet ^c
Reverse Corner	Equal to existing front yard of adj. lot but not greater than 30 feet
Minimum Rear Yard Building Setback	30 feet

a See Section 1004.04, Existing Setbacks.

b Covered entries and porches sheltering (but not enclosing) front doors are encouraged and may extend into the required front yard to a setback of 22 feet from the front property line.

c The corner side yard setback requirement applies where a parcel is adjacent to a side street or right-of-way. The required setback from an unimproved right-of-way may be reduced to the required interior side yard setback by the Community Development Department upon the determination by the Public Works Director that the right-of-way is likely to remain undeveloped.

f. Review and Provide Comment on the First Two Chapters of a Comprehensive Technical Update to the Requirements and Procedures for Processing Subdivision Proposals as Regulated in City Code, Title 11 (Subdivisions) (PROJ0042)

As detailed in the RCA dated April 24, 2017 (tabled to tonight's meeting), Senior Planner Bryan Lloyd reviewed the process in this first iteration of a side-by-side comparison of current subdivision code and preparation revisions. In the review of the first two chapters, Mr. Lloyd noted that consultant and staff comments and suggested revisions, as well as Planning Commission discussions of the first two chapters were reflected in this draft for City Council review and comment. Except in those areas highlighted, Mr. Lloyd advised that the majority of the revisions represent replacement or removal of outdated language, definitions needed or no longer relevant, and other updates as indicated. Mr. Lloyd also noted that while the more important details remain in the subdivision code, staff was recommending relocation of more technical (e.g. street types and specifications) in documents outside city code for easier and more periodic updating. Mr. Lloyd advised that this was in response to the City Council's interest in a more streamlined process but greater depth of detail similar to the preliminary plat application process, and thus approached similarly.

With the Planning Commission just having completed their review of the remaining chapters, a second look at the first two chapters at their May 3, 2017 meeting, and meeting minutes pending, Mr. Lloyd advised that a more formalized version and those minutes would be available for the City Council at their next review, May 15, 2017.

As to the proposed formatting and drafting of a new subdivision code, Mr. Lloyd advised that the intent was that, since platting alternatives are more concentrated in the last chapter of the current subdivision code, they would now be encompassed in a process-focused chapter. Therefore, Mr. Lloyd advised that revisions from the fourth chapter and final chapter of current code were not located in another portion of code that the City Council would see tonight unless found unnecessary to retain. While there remain three chapters yet to review, Mr. Lloyd advised that all content of current code would and could be accounted for in the new proposed code in some way.

Consultant Mike Lamb and Leila Bunge, Kimley-Horn

Mr. Lamb clarified that closer tracking would be accomplished in the next draft as Chapter 1104 procedure language is brought into Chapter 1102, and reducing the subdivision code from four to three chapters to make it more streamlined. Mr. Lamb suggested the City Council proceed with their review page by page, addressing each accordingly.

RCA Exhibit C

1101: General Provisions

Mr. Lamb noted that while the Planning Commission continued their interest in discussing each definition, he suggested that the City Council review only those with which they had questions or comments. Mr. Lamb noted that there were few additions, with the majority eliminated or consolidated.

Page 1 (Purpose and Jurisdiction)

In Section 6, Mayor Roe noted that Minnesota State Statute Chapter 471 was highlighted but 462 was the actual addition.

Mr. Lamb agreed that was an error, and confirmed that Chapter 471 had been in previous subdivision code, and Chapter 462 was now added.

Page 2

In Section 11, Councilmember McGehee asked if a diagram or something less cumbersome than the description for a “corner lot” could be used.

Mayor Roe agreed that illustrations are helpful.

Mr. Lloyd advised that, per the latest Planning Commission discussion, they were recommending that no definition of “corner lot” was necessary.

Mr. Lamb agreed that graphic representations were an excellent suggestion, often proving helpful and expressed his willingness to consider them in other areas of the subdivision code, even though he had intended to exclude “corner lots” from the revised subdivision ordinance.

Councilmember Willmus noted the reference to “corner lots” and “interior lots;” with Mr. Lloyd advising that they were now in other areas of city code, but not in the revised subdivision code.

Page 3

Mayor Roe noted a number of places in the subdivision code that referenced “parcel,” (e.g. Section 20) and while there was a definition for “lot,” there was not one included for “parcel.” Mayor Roe suggested one be included or one for “parcel of record;” and that either the same term be used throughout the document or referred to individually in the definitions.

Page 4

In Section 25, Mayor Roe requested correction in the definition of “pedestrian” for language “on foot,” rather than “afoot.”

Page 5

In Section 38, Mayor Roe asked why a subdivision was identified as less than five acres in area.

Mr. Lamb agreed that was a good question; whether it was related to function or maximum lot size.

Mayor Roe questioned why this was, and if it would preclude meeting the needs of a particular subdivision, and suggested it may be carried over from original code and asked for further research; duly noted by Mr. Lloyd and Mr. Lamb.

Mr. Lloyd responded that in his review of State Statute earlier today, it addressed size parameters, but agreed it didn't match this language.

Page 7, Chapter 1102: Plat Procedures

Page 8

In Section 57, Councilmember Etten asked that staff talk about common wall duplex subdivisions.

Mr. Lloyd advised that he only remembered two times it came up during his tenure, but reviewed potential division of common wall duplexes into two separate parcels with the common wall dividing the building and parcel. Mr. Lloyd advised that the suggestion was to make this currently handled administrative process consistent with other administrative processes for approval by the Community Development Department rather than the City Manager. Even though the Planning Commission recommended removal of this provision from the subdivision process due to the small scale of requests in which an application or process is necessary, Mr. Lloyd noted that it could come up from time to time such as with a duplex becoming a townhome with separate ownership.

At the request of Councilmember Laliberte, Mr. Lloyd stated staff's recommendation to allow the provision in the revised draft, depending on City Council direction.

It was the consensus of the City Council to keep this provision in the revised subdivision code.

Page 9

In Section 58, Councilmember McGehee questioned the rationale for no public hearing required for a recombination.

Mr. Lloyd clarified that this was not new to city code, but in discussions with the Planning Commission, it had been their thought that if there was no process required for public notification or discussion of an application, not much was to be gained as a City Council consideration for action. Mr. Lloyd advised that the process could change if preferred by the City Council and notification requirements met accordingly, since those people affected may not even know an application had been made in the first place.

Councilmember McGehee stated that she preferred a public hearing for recombinations, especially if they create a much larger lot that could be used for a different use than the original parcel; and at a minimum opined that the community or neighborhood should be informed.

Councilmember Willmus stated the opposite perspective, and questioned if a hearing was needed. Councilmember Willmus stated that he saw recombinations as a homeowner purchasing a lot or portion of a lot next door to increase the size of their lot. Councilmember Willmus opined that some protections were in place if a recombination was to subdivide and create multiple lots of four or more, at which

RCA Exhibit B

time it would come back before the City Council, as well as if there is a potential change to zoning after a recombination. Therefore, Councilmember Willmus questioned the need for a formal public hearing.

Mayor Roe stated his preference to think it through more, noting that some administrative actions of the Community Development Department provide that notice is required. Therefore, Mayor Roe suggested such notice could still be required in the case of a recombination even if there was no formal public hearing held before the Planning Commission or City Council, and still allow an opportunity for citizens to be aware of it.

Councilmember McGehee agreed with the comments of Councilmember Willmus, stating that she had initially thought that multiple lots could be acquired and re-divided with building removed, with notice provided before that was all done and money invested with those having an interest made aware of it beforehand.

Mr. Lloyd clarified that a recombination process was of much smaller scale than Councilmember McGehee was addressing; similar to one seen last year by the City Council where two adjacent homeowners made application to change the make-up of their adjoining lots for the addition of an unattached garage on one of those lots. For subdivisions that change the overall make-up of a series of lots, Mr. Lloyd advised it was similar to a plat application instead.

Mayor Roe noted that with a recombination, the total outcome of the process was that you started and ultimately ended with two lots, and were simply shifting lot lines. Without objection, Mayor Roe asked that consideration be given to providing notice to neighbors similar to that done for other administrative actions by the Community Development Department.

Page 10

In Line 60, Mayor Roe noted the comment for the Planning Commission's recommendation to add a deadline once approved but staff's comment that it would be difficult to enforce; and sought clarification.

Mr. Lloyd explained the timeline involved, making it difficult for applicants to meet if a resident was carrying it forward on their own and not immediately familiar with the process itself; and if not completed, subsequently difficult for staff to enforce. If not enforceable, Mr. Lloyd questioned if it was worthwhile imposing it to begin with. However, since the Planning Commission discussion, Mr. Lloyd referenced discussions with the City Attorney who recommended that it was still appropriate to have a timeline, and enforce it by withholding a building permit to ensure the process is completed. Therefore, Mr. Lloyd advised that staff's recommendation, based on the City Attorney's advice, would be to add a reasonable timeline for recording of any of these applications. However, Mr. Lloyd opined that one year may be more than enough, but two months seemed not enough time.

Councilmember Willmus opined that any timeline called out should mirror that in place at the county level.

Mr. Lloyd advised that he would research those timelines for city approved items.

Mayor Roe suggested a six-month timeline as a reasonable compromise providing the process is clear for applicants and anyone involved.

Page 11

In Section 61 (Minor Plat), Mr. Lloyd advised that the idea was essentially for a Minor Subdivision process with a greater level of detail at the front end of applications, and required filing of the plat documents at the end of the process.

Councilmember McGehee stated her interest in providing public notice of a project with a map or picture of the area; and addressing the layout, drainage and tree preservation in this area as well as with other areas of code where applicable. Councilmember McGehee referenced the Oak Acres project as a case in point, where the results had been clear-cutting with no drainage plan; opining something was missing in the city's current process.

Mr. Lamb noted that this was intended to be addressed in Chapter 1103; with concurrence by Mr. Lloyd in the standards and layout provisions. If the City Council agrees that this process seems reasonable to pursue, Mr. Lloyd recommended that staff then begin drafting application forms and a process providing specific requirements for the detail required versus having it codified in the subdivision ordinance itself.

Mayor Roe suggested that the broader question for the City Council is how much to take out of requirements shown in the subdivision code and moved to the application form. Mayor Roe stated that he was uncomfortable with virtually everything removed from the code and moved to the application form since part of the City Council's legislative power was for these basic things. Especially with the minor subdivisions coming forward over the last few years, Mayor Roe noted the lack of specific information that created problems. Since the City Council has voiced their collective and individual concerns with that, Mayor Roe asked for discussion (e.g. page 12, applications) and whether the preference was for a basic list of requirements that carry through from this preliminary plat and other processes without lengthy details for every aspect of each requirement.

Councilmember Etten concurred with the comments of Mayor Roe and Councilmember McGehee, and while trusting staff, stated his preference that the requirements are described in this subdivision code in some way to clearly set forth the expectations of the City Council of those requirements.

Councilmember Laliberte agreed, stated that she wasn't comfortable with all of those requirements coming out of this code to the application form; opining that minimum requirements should remain in the subdivision code.

Councilmember McGehee stated her preference that the City Attorney provide some level of confidence that the City Council has sufficient enforcement authority

RCA Exhibit B

through its City Code to exercise its legislative authority in approving or denying things that could become problematic and having an opportunity to have adequate finding for Council action.

Page 12

In Section 62, Item 2.ii, Mayor Roe noted the important language that something couldn't be applied for multiple times; and suggested even further clarified language such as approved "and recorded" within five years.

Mr. Lloyd clarified that Subpart 2.i stated that, and Subpart 2.ii was intended for five acre pieces of land to ensure that they couldn't be divided multiple times to subvert the major plat process.

Mayor Roe duly noted that clarification, agreeing that his proposed language may not be necessary, but suggested it be considered as food for thought.

Councilmember McGehee suggested the need to make sure things were properly recorded to ensure there were no unrecorded outstanding approvals.

Mr. Lloyd advised that those things were easier to catch as they showed up on Ramsey County parcel maps used by staff. However, Mr. Lloyd advised that they were harder to catch if, for example, something was approved this year with recording of the documents required within a few months, but not done for several years, but instead done immediately before coming to the city with a new application and now yet making it through the process for easy tracking.

Mayor Roe opined that if they were recorded, they should still be available for the city.

In Section 63, Councilmember McGehee noted the one year reference for approval as an example she'd previously addressed.

Page 13

In Sections 65 through 71 (Developer Open House Meeting), while not brought up until Item 72 (Preliminary Plat Process), Councilmember Etten suggested those sections may better fit between Sections 72 through 83 on page 17. Councilmember Etten opined it would catch the eye of the developer as part of that process.

Mr. Lloyd hesitated in his response based on his perspective of how those provisions fit into the broader or global picture. While it's helpful in this initial review to see a side-by-side presentation of today's code and that proposed, Mr. Lloyd advised that when the format is changed for the new iteration, some of those sections will come to light; at which time he'd prefer that the City Council see if it made more sense than as suggested by Councilmember Etten. Mr. Lloyd advised that one reason to have it out front was because it didn't apply to all plats (e.g. several commercial plots into one), and while not every application will include it as part of the process, he would consider its placement.

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Councilmember Etten questioned if Mr. Lloyd was looking for a separate definition; with Mr. Lloyd responding that yes, the process would be outlined and then an applicant, in consultation with staff, could determine if they met the parameters.

Councilmember Etten suggested points of reference for people to look to as developers review a particular segment of code; agreeing to consider whether it made more sense upfront or as a reference point.

With the combination of Chapter 1102 with Chapter 1004, Mr. Lamb noted that the next iteration would look different.

Councilmember McGehee sought clarification from staff on which portion of the open house process staff had taken back from the developer based on practical use. Mayor Roe noted that the open house process itself had been updated recently, and this process would parallel it.

City Planner Paschke clarified that the only part of the open house process staff had taken back from the developer was drafting the invitations, with the developer still responsible for holding the open house.

Page 15

In Section 72, Councilmember McGehee suggested requiring drainage as one of the criteria; with Mayor Roe clarifying that this was simply an abbreviated list of basic requirements.

Page 18

In Section 83.F, Mayor Roe asked staff to make sure the validation timeframe language was consistent.

Page 19 (Variances)

Mr. Lamb noted this had been relocated from Chapter 1104.

Councilmember McGehee questioned why Minnesota Statute Chapter 462 language had been removed as related to “undue hardships.”

Mr. Lloyd clarified that the term in the current subdivision code is “unusual hardship” which represented a different standard from “undue hardship” used in zoning code and now referred to based on revised language in State Statute as “practical difficulty.”

Page 20

In Section 87, Mr. Lloyd noted one provision in State Statute was that a variance was only approved when specific grounds had been identified. Mr. Lloyd advised that the proposed subdivision code language had been specifically taken from current zoning code, and asked the City Council if they seemed adequate on their own or if more items than the proposed four items shown were needed.

RCA Exhibit B

Councilmember McGehee reiterated her suggestion to include something related to drainage in this section.

Mayor Roe clarified that this is intended as findings and grounds to grant a variance.

Mr. Lloyd provided an example of a large residential parcel subdivided in a way to create two conforming sized lots, but with the existing improvement over the allowable impervious coverage, which may affect drainage in some way. Mr. Lloyd advised that would be what the applicant was seeking a variance to; and a specific item for City Council review at that time.

To get at Councilmember McGehee's point, Councilmember Willmus asked under what obligation the city was required to issue a variance or what specific language the city could impose. Councilmember Willmus stated that he wasn't sure the city was required to provide a variance in the first place.

In response, City Attorney Gaughan advised that an applicant for a subdivision must adhere to standards unless there was a hardship, and at the City Council's discretion they could then grant a variance. In working with staff on this provision, Mr. Gaughan suggested that specificity was good in terms of conditions proceeding a variance approval. Mr. Gaughan clarified that this wasn't intended as a tug of war whether or not a variance should be granted, but if a particular item was of particular importance to the city for subdivisions, as per Councilmember McGehee's point, he suggested that it would be appropriate to include those items as the basis for approval or denial. For example, Mr. Gaughan suggested that including specific reference to city standards, including water issues and drainage if that was one of the city's priorities; and therefore, recommended that the city consider specific references in variance provision or at least reference adherence to land performance standards.

Mr. Lloyd reminded the City Council that they would see this again for action and suggested that between now and then, opportunity would be available for the City Council to consider what provisions would work well in this section.

If a variance was granted to a particular provision of the subdivision code, Mayor Roe noted that the city could still be approving the subdivision and adhering to requirements with the exception of that one thing. Mayor Roe opined that the City Council's catch in that process was that ultimately it would still be approving the subdivision other than the requirement to which the variance was granted.

City Attorney Gaughan asked that the City Council think about what it believes is appropriate for an unusual hardship that they may want to include.

Mayor Roe questioned if that could be known until practical use under the revised subdivision code.

RCA Exhibit B

At the request of Mr. Lamb, the consensus of the City Council was that they were seeking for more specificity beyond the currently listed four points and more specific than those references.

Councilmember Etten asked if this specificity would create adverse impacts on neighboring properties that could open up new issues.

City Attorney Gaughan responded that similar to Item 4, about not altering the essential character of the locality, suggested that “adverse impacts on surrounding lots” may be a good starting point for an Item #5.

Mr. Lamb suggested those adverse impacts may be applicable in more specificity to Item #4; with Councilmembers Etten and McGehee disagreeing, opining that #4 was different than “adverse affects;” duly noted by Mr. Lamb.

Mayor Roe suggested an adverse affect could be stormwater, but not limited to that only.

Page 28

In Section 141, Item 2 (Storm sewers), Councilmember McGehee questioned if there were areas in Roseville still having private storm sewers, with Public Works Director Marc Culver confirming that there were.

Page 29

Councilmember Etten asked for an explanation of staff’s comment about the Public Works Department confirming if this section should be in the subdivision code or the Public Works Design Standards manual.

Mr. Lloyd noted that this had been part of earlier discussions today with Public Works staff. While these provisions are currently included in this draft of the subdivision code, Mr. Lloyd advised that greater specificity (Section 147 – e.g. standard of pavement construction) seemed more applicable in the Design Standards manual. As with the need to balance information that should be included in the subdivision code or on the particular plat application, Mr. Lloyd suggested language in code that referenced city standards, with deeper detail provided in the manual itself and as industry standards changed periodically.

In Section 29, questioned if those specific references in Item 3 (concrete curbs and gutters) were what Mr. Lloyd was referring to as moving to applicable requirements of the Public Works design document; with confirmation of that by Mr. Lloyd.

Councilmember McGehee questioned if the manual had been completed and was available.

Mayor Roe suggested that it would eventually become a public document.

RCA Exhibit B

Public Works Director Marc Culver advised that the manual was still a work in progress; with initial reviews done by the Public Works, Environment and Transportation Commission (PWETC) and Planning Commission. Mr. Culver advised that the City Council would see it as an attachment to the subdivision code at upcoming meetings prior to their final approval of the code. While close to completion, Mr. Culver advised that it was still in draft form until completion of this subdivision code rewrite to determine what information goes where.

In general and based on previous discussions with Environmental Specialist Ryan Johnson related to storm water efforts and green streets, Councilmember McGehee opined that the city should rethink its current practice requiring sodding behind curbs when installed allowing all the runoff going into the gutters. Since sod doesn't end up working for boulevards most of the time, Councilmember McGehee suggested that "sod" be removed as a requirement allowing for small swales to be installed behind curbs where applicable.

Mr. Culver referenced Section 153, Item 7 as a location of the term "sodding;" with Mr. Culver duly noting Councilmember McGehee's request for more flexibility in actual practice with flexibility to allow rain gardens, etc, with some already installed behind curb areas.

Page 30 - 31

Councilmember McGehee noted references (Section 157 as an example) that could provide for more flexibility and more subtle than a rain garden.

Councilmember Willmus agreed with Councilmember McGehee's point and area of concern; and suggested removal of the term "sodded."

Mr. Culver duly noted the requests, and suggested referencing "stabilized" rather than "sodded."

Mayor Roe noted that the city had a requirement for lot coverage that it needed to be finished in accordance with that section of code and not just black dirt.

Mr. Lamb duly noted this discussion.

Councilmember McGehee also noted the need to look at tree preservation in the context of the subdivision code, which had proven difficult to address to-date.

General Comments

Community Development Director Kari Collins reviewed timing for the remainder of this review as previously addressed by Mr. Lloyd; with part two of the review scheduled for next week's Council meeting. Ms. Collins noted that the initial plan was to have the City Council adopt the revised subdivision code by the end of May. However, Ms. Collins advised that the Planning Commission had tabled the public hearing until their June meeting for one more look at the document before making their recommendation to the City Council. Ms. Collins stated that the City Council would be proud of the thorough job the Commission was doing; but clarified that

RCA Exhibit B

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the schedule would not meet the expiration of the moratorium. Ms. Collins advised that staff was monitoring any applications that may come in between that expiration and enactment of this new code.

Some discussion was held as to extending the moratorium, with staff and Mayor Roe confirming that the city would not be able to meet the statutory requirements for an extension at this point.

e. **Review and Provide Comment on the Last Chapter of a Comprehensive Technical Update to the Requirements and Procedures for Processing Subdivision Proposals as Regulated in City Code, Title 11 (Subdivisions) (PROJ-0042)**

Senior Planner Bryan Lloyd provided a brief summary of tonight's requested discussion as a precursor to continuation of this subdivision review from the previous City Council meeting.

Councilmember McGehee opined that the City Council should give careful consideration to several areas (e.g. street section) and attempt to make this code easier to understand by including diagrams showing rights-of-way and curbs as simple illustrations rather than eliminating that detail from city code and also removing the ability for the general public beyond designers and planners to fully understand city code.

Councilmember Willmus asked at what point the Public Works Department would ensure that the Design Standards Manual was completed and available for use.

Mr. Lloyd advised that the manual was being continually updated as changes or new recommendations were received from the Planning Commission and City Council and evaluated collaboratively throughout this entire review process.

Councilmember McGehee opined that it was disheartening to reference the manual without it yet being available.

RCA Exhibit C (continued)

Page 1, Section 182 (Chapter 1103.01: Street Plan)

Councilmember McGehee stated her preference for including current language back into proposed language to provide a broad statement of intent for this section.

Mayor Roe sought feedback from staff as to their rationale in revised versus current language.

Mr. Lloyd advised that a considerable number of those elements (e.g. reasonable traffic circulation, new streets and their context, etc.) were addressed in the Transportation Plan as part of the overall Comprehensive Plan Update; with the idea to more succinctly summarize them and let those goals guide this as well.

While that may be all well and good, Councilmember McGehee stated that there was nothing left in the subdivision code to allow enforcement of findings when needed.

Mayor Roe stated that he tended to concur with Councilmember McGehee that more specificity may not be a bad thing.

Councilmember Etten agreed that more specificity may be indicated, but sought confirmation of staff's acknowledgement that a lot of this is brought up in the comprehensive plan.

RCA Exhibit C

Mayor Roe noted that with the comprehensive plan update still in process, there was no guarantee what would end up in the revised transportation plan.

Laliberte agreed, noting that it hadn't been revisited in a while, and by simply referencing those documents that could be in need of an update, she wasn't sure there was a process in place to make sure they're relevant at all times they were being relied upon.

When speaking of the Pathway Master Plan, Councilmember Willmus sought clarification as to which variation was being referenced, noting that the most recent plan from his recollection had some rather interesting dynamics when last discussed.

Mayor Roe questioned if that document had actually been adopted by the City Council, opining that the original 2008 Pathway Master Plan remained in effect.

Mr. Lloyd confirmed that, noting that it was included in the transportation plan process for updating at this time.

Councilmember Etten opined that this section wasn't easy to understand in the current language while the new language seemed to do so; and suggested that the language of the current code in its entirety wasn't necessary to carry over, but some of the items could be included to make the revised language more clear.

Mayor Roe suggested a hybrid, and used examples to include from current code, and without objection, staff was so directed.

Pages 1 – 4, Sections 184 – 202 (1103.02: Streets)

In these various sections, Mr. Lloyd advised that the effort was being sought to make this more consistently address rights-of-way from the street.

Mayor Roe agreed with that intent, noting that what was being platted for subdivisions was for rights-of-way and not streets.

Councilmember McGehee suggested including something in the definition section to ensure that anyone reading city code could easily determine what a particular street was.

Mayor Roe noted that there are some industry known terms, and therefore wasn't sure how they needed to be defined in city code, even in the definition chapter.

Mr. Lloyd advised that the rationale in leaning toward more technical terms is to avoid any confusion, since many state and county roads or at least segments of them had been turned back to the city and therefore.

Public Works Director Marc Culver responded that each of those street definitions were clearly defined in the transportation plan; and in an effort to be efficient and

RCA Exhibit C

not duplicate definitions in numerous places, staff had chosen well-known definitions in the plan, as indicated in Mayor Roe's comments.

Councilmember McGehee agreed to their use in the manual, provided illustrations were included.

Mr. Culver agreed that the Public Works Design Standards Manual could be enhanced with illustrations as much as possible.

Councilmember Laliberte asked Mr. Culver the expected process for adoption of that manual as part of this subdivision code revision by the City Council or if it would simply be amended and revised by staff. Councilmember Laliberte noted the continued reference to and emphasize on a document that may not have the same approval process for this and future City Councils.

From his perspective, Mr. Culver advised that the intent was to remove the specifics from city code to allow for more easy revision from the formal city code ordinance adoption. Mr. Culver clarified that this was not to say if there were more relevant items of concern, they would not come back to the City Council for review and action; but at a minimum, any proposed changes would be filtered through the Public Works, Environment and Transportation Commission (PWETC). Mr. Culver noted that some of the elements were often of such miniscule detail (e.g. pipe materials and/or sizes) that they had little to do with a developer's perspective of a new development beyond the actual cost for them. Mr. Culver advised that many of those standards are already used that are not currently in the existing subdivision code.

Mayor Roe suggested that the City Council was seeking assurance that from a general perspective applicable things be taken into account in the subdivision code and clearly stated. However, Mayor Roe noted that those specifics as to how they're put in place or best management practices or specifications in doing so made more sense in the design manual with the code itself stating what was not wanted to occur and addressed more generally with the finer points made in the manual. As a council member, Mayor Roe stated that he didn't necessarily need to approve the design manual and periodic minor revisions to it.

Councilmember Laliberte agreed with Mayor Roe's comments, but clarified that she wanted to ensure that so much was not being removed from city code that it bypassed an expected process.

Mayor Roe referenced this discussion to clarify that.

Councilmember Willmus opined that as for the design manual, most things were already included (e.g. road specifications as to types of grades and asphalt types, compaction testing, etc.) and what he considered applicable for the manual, while the higher level aesthetic view of a street something he'd seek to remain in city code.

Mr. Culver reviewed several examples on pages 2-3, including several sections being deleted (e.g. Section 195 – 197) that were found redundant with other language or no belonging in city code if and when they were a design standard element. Mr. Culver clarified that, once this was more finalized based on feedback from the Planning Commission and City Council and weekly review by the Planning and Public Works Departments cooperatively, the subdivision code and design manual would both be updated and once more solidified. At that point, Mr. Culver advised that the design manual would be brought forward to the City Council not necessarily for their formal action, but for information purposes.

Councilmember McGehee agreed that the more of this went into the design manual the better from a technical perspective.

Mr. Culver advised that staff would anticipate and continue to lead developers of a subdivision to review both the city code and design manual as part of their application; with staff intent on balancing both between technicalities versus general information. In that aspect, Mr. Culver opined that tonight's City Council direction was helpful beyond staff's perspective of what was too detailed for city code and should be moved to the manual and visetice versa.

City Attorney Gaughan suggested that another way to think in terms of balance was that this was a subdivision code involving divisions of land, with the necessary elements of city code intended to address geometric configurations of those lots from a subdivision application, where the radius of a turnaround may be applicable in city code, as an example, while the actual composition of that turnaround was more technical and should be addressed in the design manual.

Mr. Culver concurred, noting that the concept was being considered as to at what point the city felt strongly enough that it would require a variance rather than simply negotiating with staff on certain aspects, with those items clearly identified as requirements in city code and not up for negotiation.

Councilmember McGehee questioned how meaningful functional classifications would be if not illustrated sufficiently. but if If something was is mandatory, how-ever, whether highly technical or not, shouldn't it be included in city code-?

Councilmember Etten opined that it would become more meaningful at the point when the developer hires an engineer to plat it out. While the City Council won't build the road, Councilmember Etten opined that city code required teeth for a process in place for any variances. While recognizing tonight's discussion, Councilmember Etten spoke in support of staff's intent to leave specifics out of city code for that purpose.

Councilmember Willmus stated his complete agreement of what Public Works Director Culver was speaking to for those things when provided for in ordinance no longer subject to administrative negotiation, but considered a standard and expectation of what a developer brought forward on site plans, surveys, and/or plats.

RCA Exhibit C

Councilmember Willmus agreed that those auxiliary items provided for in the manual that didn't rise to that level and including some discretion, were more appropriate to the design manual versus those required as mandates in city code.

Councilmember Laliberte expressed appreciation for this discussion and clarifications by staff and City Attorney Gaughan.

Specific to alleys (Section 200) no longer being permitted, Councilmember Etten asked if there were not some existing areas in Roseville with alleys and if they were or were not included in city code.

Mr. Culver responded that there were a few areas that shared private driveways, but whether they were legally-defined alleys was a good question. However, at this point going forward (new versus existing), Mr. Culver suggested that the focus be on whether or not alleys should be considered for any future subdivisions or developments.

Mr. Lloyd reminded council members that this subdivision addressed rights-of-way so existing things in older parts of town would involve platted alley rights-or-way or something similar; but stated that he was not aware of any actual alleys.

Mr. Culver confirmed Mr. Lloyd's interpretation.

Going forward, Mr. Lloyd suggested that developments may include private drives that functioned as alleys, but would not be regulated as rights-of-way.

Page 4, Section 204 (Chapter 1103.021: Minimum roadway Standards)

As an example in this section, Councilmember Willmus referenced the private road near Slumberland and Olive Garden that served as a private drive off East Snelling Service Drive and asked how that was distinguished in conjunction with the Planning Commission recommendation on bike lanes; or in similar situations where a private drive may provide access to 3-4 homes built to city standard and including a bike lane.

Mr. Lloyd opined that the comment was intended in the context of streets in general rather than specifically in the context of private drives.

Mayor Roe noted that this section states city "and" private roadways and therefore refers to both.

Councilmember Willmus opined that there should be some level of distinction and purpose outlined for private roadways and/or drives to avoid significant loss of front yards to provide a bike lane that may only service two homes.

From a technical standpoint, Mayor Roe asked why this referred to existing private roadways when the subdivision code by its very nature involved new construction and didn't address standards for reconstruction of roadways.

RCA Exhibit C

Mr. Lloyd advised that it related indirectly to Sections 205 – 208 when addressing street width, not rights-of-way for parking arrangements, but minimum road widths in various situations that would remain relevant. As an example, Mr. Lloyd referred to a development application for subdivision made several years ago where new lots would be created along a street with no on-street parking and the nearest available parking would be a block or more away. Therefore, Mr. Lloyd advised that this revised language provided a developer with the expectation of street width to ensure new property owners and visitors would have adequate parking.

Mayor Roe opined that he still didn't consider reference to existing streets and situations to be applicable in the subdivision code, nor "reconstruction of existing streets" unless this is the only location in city code that they exist (e.g. design manual) and asked that staff reconsider that when platting new land that was not part of this subdivision code and if and where it needed to be addressed.

Councilmember Etten agreed with this discussion, noting that he had also been confused with the reconstruction aspect.

Generally speaking, Mr. Lloyd advised that when talking about a physical street width rather than the importance of rights-of-way, that was the question rather than how and why it was addressed in code; and advised that he and Mr. Culver would discuss that further.

Mr. Culver noted that this came into play in several potential situations: when a business reconstructs its parking lot to a certain percentage if not meeting current standards it would now be required to do so; and the same could be said for existing private streets not meeting current standards for parking and minimum width. As it applies specifically to the subdivision code, Mr. Culver advised that if one side of a street has yet to be developed, when a development proposal came forward to do so, an existing street situation may be found substandard to meet the needs of more development in that area.

Mayor Roe opined that there needed to be more clarity if that was the intent; whether or not "~~private drives~~existing streets" were addressed in the subdivision code versus design standards.

In his reading of subdivision code, City Attorney Gaughan opined that it specifically included redevelopment in an area with existing streets. However, Mr. Gaughan agreed that it didn't make sense to use "existing" when discussing reconstruction, and therefore suggested removing "existing" and leaving in language "as constructed or reconstructed."

Mayor Roe further suggested adding "as part of a subdivision" to the language as well.

Page 5, Sections 214-215

Councilmember McGehee asked for a better understanding of those areas proposed to be deleted in the new subdivision code.

Mr. Lloyd referenced Mr. Culver's previous comments that the current code language deviated from current design standards, therefore setting up the city for negotiation and an approval process. Mr. Lloyd advised that the suggestion was to remove that making it become grounds for a formal variance process rather than negotiated as part of that process.

Councilmember McGehee stated her preference to retain it to allow developers to come forward with more interesting ideas that, which while they may be a variation, would not eliminate their possibility and serve as an option to consider beyond strict requirements.

Mayor Roe agreed to not having it allowed in code for negotiation, but allowing developers who want to show some creative in their proposal, to then seek a variance.

Mr. Culver clarified that at this point the only areas of discussion involved cul-de-sacs and rights-of-way widths.

Page 6, Sections 218 and 220 (Chapter 1103.03: Easements)

Discussion ensued regarding the width for standard utility easements (~~10' centered on a lot line for a total of 20' 6' on each lot for a total of 12'~~); with more clarity sought for easements between lots and those typically built in street rights-of-way, as well as clarifying "not all pathways."

Mr. Culver clarified that a dedicated pathway right-of-way or easement could be through the center of a parcel, but the city would want to retain 20' for an 8-12' wide pathway and space on either side for its construction, grading and maintenance; while 12' centered is intended for drainage and utility easements on side lots.

Page 7, Section 227

Mayor Roe suggested adding "railroads" consistent with its reference with limited access highways or marginal access rights-of-way and their screening.

Page 8, Section 230

Mayor Roe noted that minimum rear yard dimensionswidth of 30' had previously been included, and was ~~not~~ proposed to be removed, seeking rationale in doing so since it had come up in several recent subdivision proposals.

Mr. Lloyd responded that this was consistent with Section 231 and other areas addressing lot sizes, proposed to be relocated to the zoning code as most had already been, consistent with this proposed removal from the subdivision code.

Section 231

Mr. Lloyd opined that while this has not been an issue to-date, and since there appeared to be no huge demand for them, suggested that "butt lots platted 5' wider than average interior lots" no longer be included here or in the zoning code.

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Section 238

Councilmember McGehee suggested a “period” after “residential development;” opining that if this is intended as a technical document, it seemed unnecessarily aspirational.

Councilmember Etten agreed with the attempt to guide lots when possible by allowing for that potential guidance as long as the subdivision code remains an outline and doesn’t get into too much specificity.

Mayor Roe and Councilmember Laliberte agreed, asking that it stay in; and without objection staff was so directed to retain existing language.

Page 9-10, Section 244

Specific to flag lots, discussion ensued at the prompting of Councilmember Willmus as to the intent in removing the second half of the sentence: “...not permitted.”

Mr. Lloyd advised that this, as well as the previous discussion with Section 238, was simply intended to simplify language as recommended by the consultants, to address conforming width along the front as being the area of most concern.

Councilmember Willmus stated that he hated to prohibit large rectangular lots that may conform to required width but if recombining lots may create an L-shaped lot or two lots. As long as they met proper frontage at the street, Councilmember Willmus spoke in support of allowing them.

Mr. Lloyd displayed an illustration of two lots and potential combinations; and after further discussion, suggested that be addressed in city code as it had been provided in existing code to get to that point.

Mayor Roe suggested that another way to get beyond flag lot language would be to say, “... as long as both lots of any subdivision meet standards,” noting that the code already didn’t permit front lots less than 85’ in width whether or not the lots were wider at the rear.

Mr. Lloyd advised that consideration would be given to rewording or eliminating that section (flag lots), noting that the language had been added back to the subdivision code last summer to address lot size and shape parameters replacing provisions that at that time were considered too simple and not clear as to whether flag lots fell into those parameter or not.

Page 10

In Section 246, as pointed out by Councilmember Etten, Mr. Lloyd advised that this section required more review and consideration for higher classification and functionality for placement of driveway access on one street compared to another with higher function.

RCA Exhibit C

In Section 247, Mayor Roe questioned if the reference to screening should be included in the subdivision code.

Mr. Lloyd thanked Mayor Roe for spotting that issue, noting that this needed further staff review as well to address instances where a lot with streets in front and back required latitude depending on varying lot depths, or how many instances remained where they needed to be addressed.

Mayor Roe suggested it may refer to “through lots” not being permitted where access was not allowed from both but only from one street or the other. However, Mayor Roe noted there may be topography issues of a lot that may indicate a variance situation (e.g. County Road B). Mayor Roe suggested that whether or not this was a subdivision issue needed further staff review.

Pages 10-11

Mayor Roe noted that new language in Section 249 stating “... conforming to Title 10 of this code” seemed obvious and suggested instead saying, “...while conforming...”

In Section 251, Mayor Roe suggested further review of that language as well; and suggested that this should perhaps be relocated after Item A on page 8, Line A addressing lots for single-family detached residents and the infamous irregular shaped lots to allow for easier tracking.

Pages 11-13, Sections 252 – 259, (1103-07: Park Dedication)

In Section 253, Councilmember Willmus noted reference to state statute and asked if proposed language mirrored that state statute.

Mr. Lloyd advised that it did mirror state statute language directly; noting that staff had included the statute (Attachment E) in packet materials for reference.

Councilmember Willmus stated that he didn’t want to see this used as it had been in the past as a point of negotiation to secure a potential development of some type. Councilmember Willmus further stated that he wanted to make sure the determination of how dollars or land determinations were made was done so with input from the Parks & Recreation Commission and considered unique to each potential subdivision that may come along. Therefore, Councilmember Willmus stated his concern with trying to simplify language without addressing those issues or to create a situation for a potential developer using construction of a pathway around their development as their solution to meet park dedication requirements.

Mr. Lloyd noted that the language still clearly states that the choice would be at the City Council’s discretion, as recommended by the Planning Commission versus “city.”

Mayor Roe stated that he didn’t see the risk here.

Councilmember Etten stated that- part of his concern was whether a developer may decide on what their park dedication consisted of; and whether non-single-family residents may be required to put it in anyway. As a part of this discussion with other advisory commissions and staff, Councilmember Etten asked if the Pathway Master Plan and pathway connectivity be included by reference beyond state statute (e.g. Exhibit E. Item G) currently changed to “park system plan” related to new land in general. While supportive of referencing the comprehensive plan, Councilmember Etten opined that when you say “Pathway Master Plan” you moved away from that intent when the intent was for park use and funds for sidewalk connections that may ~~not~~ necessarily be the intent of the state statute referencing park planning and moving in another direction that he would not necessarily be comfortable with.

City Attorney Gaughan directed the City Council’s attention to Subd. 2b of particular attention to Exhibit E, parents b. While he hadn’t researched parks and open space plan or pathway language completely at this point, Mr. Gaughan clarified that was the authority allowing the city to pursue park dedication. Therefore, Mr. Gaughan advised that the intent was that the city wanted to review those plans and language of the comprehensive plan in addressing parks and open space that would be a component of and referenced in this and other city ordinances. As noted, while he had not yet personally reviewed those documents, Mr. Gaughan advised that he would do so, based on his understanding that the city had to-date been operating from that interpretation.

In terms of the Master Plan and Park/Open Space Plan, Parks and Recreation Director Lonnie Brokke advised that there was a section in the comprehensive plan addressing parks/open space as referenced, with the goals and policies of that section included there and also in the Parks Master Plan. As the comprehensive plan update process moves forward, Mr. Brokke advised that those goals and policies would be connected.

At the request of Mayor Roe, City Attorney Gaughan confirmed that state statute referenced a city’s comprehensive plan, and the park/open space component; and suggested that this presented a good opportunity to review those particular sections of those referenced documents. As to whether that reference included the transportation section versus another section as noted by Mayor Roe, City Attorney Gaughan suggested that reference in code should mirror that of state statute for “Park and Open [Space](#) Plan.”

Mayor Roe asked if this addressed Councilmember Willmus’ and Etten’s concerns.

Councilmember Willmus stated that it did in part; but his concern remained as to whether park dedication money would be used by a developer to complete a sidewalk section along a roadway or corridor and if so whether that then became Roseville property or if city dollars were being expended for potential corridor improvements for city collection of dedication fees on roadways not belong to the city (e.g. county roads).

Mayor Roe noted that this was a current practice.

Councilmember Etten questioned if that concern actually fell into state statute territory and how those dollars were collected.

City Manager Trudgeon referenced the last comprehensive plan update performed in 2009 that referenced the Pathway Master Plan that had been in progress at that time; and included in the Parks and Open Space chapter of the comprehensive plan as previously referenced by Mr. Brokke.

City Attorney Gaughan suggested that it was important to note that the city had a plan in place and that dedication dollars should be used to complete that portion of the plan. If another project that is not part of that plan gets into a grey area and whether or not it was an appropriate use of those monies, Mr. Gaughan noted that it was important to keep in mind what current documents say as to the appropriate use under the current plan.

Councilmember Etten stated his thoughts to pull language out for sidewalks, since this caused him concern that it would become a hole for money to go versus potential park use that had been the intent of state statute when referring to park plans, not Section B indicating that a capital improvement budget must be adopted or comments on in the comprehensive plan. With the 2009 trail map having gone through several discussions and updated, Councilmember Etten stated his concern that by referencing it in the comprehensive plan, it quickly became dated and may open up problematic doors when addressing park dollars and current needs, opining that it wasn't germane to park dedication statutes.

Councilmember McGehee questioned how Councilmember Etten could consider pathways and trails around and throughout the city to not not to be germane to parks. She emphasized the desire of residents to and have increased connected-connectivity as to a subdivision adjacent to an area needing improved connectivity; and part of the transportation and recreation components plans and needs.

Councilmember Laliberte agreed that connectivity is a city priority; but if not included in this subdivision code rewrite, asked if there was actually anything requiring this section to be updated from current language. Councilmember Laliberte stated that she found it to be an attempt to fix something that wasn't broken and over-prescribing this section versus other sections by bulking this section up. Councilmember Laliberte stated that she'd be concerned with any future development planning to provide that connectivity and using this section to cover two things with one effort. However, if the City Council and Park and Recreation Commission are already working together to connect any gaps, Councilmember Laliberte opined that there was no need for the level of change proposed in the new rewrite.

Mayor Roe stated that this got to his point that a lot of times developments plan for a pathway along one or more streets that they pay for but the city gets the reward of since it was located in city rights-of-way. Mayor Roe stated that his only concern

RCA Exhibit C

was that those may be used to offset park dedications; and if language could be developed similar to that current language to address technical issues and not trade-offs as a credit for the park dedication wanted by the city, then he offered his support for reverting back to the original language.

As noted in the RCA (page 1, section d), Mr. Lloyd advised that when a proposal came forward for a trail or open space, it was considered available to the public as a requirement by the city to consider it part of the park dedication component whether calculated as land or cash.

Mayor Roe stated that was what he would argue against, but mandated in statute.

City Attorney Gaughan clarified that this was not the case, and that the city could refer to their plan; with the statute simply stating that the city would give consideration to the fact the applicant proposes to do something on private property, with the state statute not mandating but simply asking the city to take that “into consideration.”

Mayor Roe stated that he read that as a financial consideration, with City Attorney Gaughan advising that was not his reading.

Mr. Lloyd agreed with City Attorney Gaughan that it was at the city’s discretion whether or not to accept a developer component as part of the park dedication requirement.

City Attorney Gaughan advised that statute addressed that a subdivision application could not be held up if there was a dispute over park dedication, and since this may speak to that point, if an applicant disputes the city’s position on dedication of an amount or other issue, the city couldn’t hold up approval of the application but could proceed with a subsequent dispute resolution process. Mr. Gaughan advised that the city was mandated to provide due consideration to that part of the proposal in arriving at an appropriate city decision.

Councilmember McGehee stated that she felt protected given the state statute and legal counsel’s statements tonight in that the city would retain discretion as part of the negotiation with a developer. Since she didn’t think anything better could be written that would be more direct than current language, Councilmember McGehee opined that current language should be retained as it provided authority for the city to make decisions as it had done in the past, with consistency but perhaps allowing for some flexibility in addressing connectivity issues.

Councilmember Laliberte stated that she would lean toward retaining current language, perhaps with some tweaks to make it clearer and more functional. If the desire was to hold the city accountable with how those funds are used in filling and/or improving connectivity, Councilmember Laliberte suggested a City Council policy for consideration outside this code and as mandated by state statute.

RCA Exhibit C

Councilmember Etten stated that he was in agreement with the majority of Councilmember Laliberte's comments, with current code referencing the process with the Parks & Recreation Commission's recommendations to City Council. Councilmember Etten expressed concern with proposed language focusing on state statute by expanding definitions. While supporting connectivity, Councilmember Etten expressed concern that as soon as those funds moved outside existing park space or for expanding that park/open space, the money could disappear and not meet other needs in the parks in addition to the millions of dollars needed for pathway extensions and connectivity.

Mayor Roe clarified that he was not suggesting that money from park dedication funds be used exclusively for pathways, but simply that building pathways was an important component of a subdivision project in lieu of or as part of land or dollars related to that subdivision. Mayor Roe clarified that it was not the intent to use the park dedication fund to fund numerous pathways.

Councilmember Willmus offered his agreement with Councilmembers Laliberte and Etten, in that existing language was preferable. While realizing the intent of Mayor Roe, Councilmember Willmus noted that a future body may look at something differently, and therefore, preferred the current language over that proposed.

Mayor Roe stated that he supported that also; and with the consensus being to use current language in the rewrite, pending legal tweaks, to direct staff to use current language over that proposed.

In Section 255, Mayor Roe asked that staff reconsider the sentence structure construction.

Mr. Lloyd addressed Section 255, as addressed in the RCA (line 94) specific to non-residential language that he found problematic in current language and expectations for residential and commercial zoned designations and expectations whether similar or distinct.

Discussion ensued, resulting in staff directed to review and consider new language for Sections 255, 256 and 257, with current language retained for Sections 253 and 254; with specifics addressed in the annually reviewed fee schedule.

City Attorney Gaughan noted the need to base these figures and calculations on state law; with the city reasonably determining that a portion of the land is necessary based on a particular application, and arrived at with the same level of methodology, perhaps relating to differences in residential and commercial zoning designations.

While that may be a perception, Councilmember Willmus referenced Langton Lake as an example of commercial development but that park heavily used by those working in businesses during their lunch breaks, referring back to the intent of the Parks Master Plan as well.

RCA Exhibit C

City Attorney Gaughan duly noted those variables, but cautioned the City Council to keep it in mind.

Mayor Roe suggested that the inconsistency between land and cash was currently notable and needed to be addressed better in residential areas.

Councilmember Etten referenced the RCA (page 3) with the land option unchanged since its creation in 1989 while cash fees have increased several times during that same period. Therefore, Councilmember Etten spoke in support of bringing it up to 10% for residential as with the cash amount.

If potential land changes were proposed, Councilmember Laliberte asked that staff and the Parks & Recreation Commission bring back recommendations for the fee schedule.

In Sections 253-254 (pages 11-12), City Manager asked for clarification about the one acre threshold.

Mr. Lloyd addressed the relevant section in Section 254 in proposed language stating “net increase of development sites comprising more than one acre of land.”

City Manager Trudgeon noted how that had been interpreted and applied in the past and distinctions if smaller lots (under 1 acre) are then not required to pay park dedication.

Mayor Roe interpreted this to mean before the overall site was subdivided; with Councilmember Willmus interpreting it to mean for those parcels in excess of one acre.

City Attorney Gaughan reviewed actual existing code language to clarify interpretations: “...when a new building site is created in excess in excess of one acre,” indicating the net area.

Mr. Lloyd advised that the intent was for it to be the same but simply further clarified with new language intended to provide consistency with how it had been applied over the last years when a subdivision results in net area and not simply addressing lots refigured.

Councilmember Etten noted that there was nothing in state statute referring to one acre and why that was being used as a threshold.

With minor subdivisions, Councilmember Willmus expressed his concern that developers and/or property owners not be required to seek additional financing to make their proposal work due to park dedication requirements.

Mayor Roe noted discussions at the last meeting defining what qualified as a minor subdivision under new language and if one acre, it could be stated that this only applies to platting processes for that demarcation.

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To review, Mr. Lloyd noted that the proposed minor plat process didn't specify size thresholds nor did it provide a distinction for residential or commercial properties, simply anything resulting in not more than three lots.

Mayor Roe noted that the one acre clarification was then still needed.

Without objection, Mayor Roe directed staff to fix the old language to match; with Mr. Lloyd advising that was what the proposed language was attempting to accomplish. Upon further discussion, Councilmember Willmus suggested, without objection to state, "... total property involved greater than one acre and any subdivision creating additional lots.

Further discussion ensued, with City Attorney Gaughan clarifying that all park dedication decisions required a determination that there was a need created by a particular project. In the scenario of a minor plat, Mr. Gaughan noted that the City Council could, in its approval process, determine that there was no need created for park dedication and part of the submission from staff when the project came before the City Council would preserve some City Council discretion for the project that may create a need based on geography of a particular project and therefore an argument to consider park dedication.

Councilmember Willmus continued to support his language that "park dedication is not applicable unless subdividing one acre or larger."

Mr. Lloyd clarified that this involved the starting parcel and not what is created; with Mayor Roe noting that this still provided for discretion if there is a need, but otherwise that it wasn't on the table if less than one acre and no Parks & Recreation Commission involvement if based on that need as stated.

- 1 a. **PROJ0042: Request by the City of Roseville to approve a comprehensive**
2 **technical update to the requirements and procedures for processing subdivision**
3 **proposals as regulated in the City Code Title 11 (Subdivision) and revision of the**
4 **lot size standards established in City Code Chapter 1004 (Residential Districts)**

5 Chair Murphy continued the public hearing for Project File 0042 at approximately
6 6:47 p.m. held over from the May 3, 2017 meeting.
7

8 Mr. Lloyd reported the Planning Commission has been reviewing and commenting on
9 iterations of updated subdivision code content, and the current document being
10 presented does not show what has changed along the way because it would be very
11 difficult to comprehend in some places. He proceeded with his report on the
12 consolidated changes made in the proposed document.
13

14 Pages 1 and 2, Definitions

15 Mr. Lloyd inquired if there were any comments regarding the definition of parcel, and
16 stated it was brought to his attention by Member Gitzen that they may want to refer to
17 a parcel as a partial lot. He plans to get rid of the word “parcel” where it has been
18 used as a direct synonym with the word “lot”. This will ensure that a property will
19 only be referred to as a lot. However, there are some instances where the word parcel
20 refers to part of a piece of property, and the definition should reflect that.
21

22 Member Gitzen referred to Page 3, Section (B)(1)(b), Recombination. He explained
23 parcel should be “all or part of a lot, or multiple lots,” so that it still brings the lot
24 definition in to the parcel.
25

26 Mr. Lloyd agreed that “all or part of a lot” would still make sense in a recombination
27 scenario, because it could be a large lot with more than just a small piece of one lot.
28

29 Chair Murphy confirmed this is a continuation of the Public Hearing from the
30 meeting on May 3. He will reopen Public Comments, and after discussion, he will be
31 looking for a motion to forward this document to the Council.
32

33 Page 2, Requirements Governing Approval of a Subdivision, Building Permit.

34 Mr. Lloyd explained the document states a person will not be able to get building
35 permits or use existing buildings until the whole platting process is completed.
36 Instead of it saying “...has been approved for platting...”, he suggested it read
37 “...until the plat has been filed...”
38

39 Member Gitzen clarified his suggestion was to have the sentence include the word
40 “replatting” so that it would be consistent with the paragraph below it regarding
41 Occupancy Permit. He suggested it read “...has been approved for platting or
42 replatting...”
43

44 Mr. Lloyd agreed and withdrew his previous suggestion.
45

46 Member Sparby commented there are no periods at the end of the definitions on Page
47 1, and it is not consistent with the rest of the City Code.
48

RCA Exhibit D

Mr. Lloyd explained it is because they are not sentences, but will look further into it.

Pages 2 and 3, Platting Alternatives

Mr. Lloyd described the three types of platting alternatives. He explained that these would all be reviewed by the Development Review Committee which has multi-departmental staff that has professional perspectives from different departments and can review something, identify potential problems, and impose specific conditions of approval. They would also approve anything that was reviewed by the City Manager, but the intent was to remove the City Manager as a specific part of the process.

Chair Murphy stated this deals with property lines and inquired how they notify the impacted party.

In response to Chair Murphy, Mr. Lloyd explained under current code requirements, there would not be a notification, but it would require the signatures of property owners that are involved in the moving of a property line boundary.

Member Gitzen referred to Section (B)(1)(c), and inquired if the sentence, "The proposed corrective subdivision may be approved by the City Manager upon recommendation of the Community Development Department" should be removed. The two paragraphs above it are more general and the approval process could be outline under Applications or Validations and Expiration. Also, he recalled the Council wanted a certificate of survey on all platting alternatives.

Mr. Lloyd agreed and noted the submission requirements and approval process are the same for all three platting alternatives, and will be described under Applications or Validation and Expiration.

Member Daire commented they also should be a way to distinguish between parcels and lots in the definition section. He also inquired if the Corrections section was meant to correct something that was already on file.

Mr. Lloyd cited his previous comments regarding changes to parcel and lot definitions, and confirmed Member Daire's question regarding Corrections to be true.

Pages 3 and 4, Minor Plat

Mr. Lloyd reminded the Commission the intent of this section is to have all the information for a plat application and the result would be filing with Ramsey County. While the outcome is different than a minor subdivision process, the path of review and action is meant to be similar. This includes a public hearing at the City Council and potential action at that same meeting.

He pointed out the words "comprehensive land use plan" need to be capitalized, and they need to decide whether to state it that way, or "comprehensive plan."

Member Daire suggested they replace the word "utilized" with "used."

RCA Exhibit D

Mr. Lloyd stated he is supportive of Member Daire's suggestion. He will also make sure internal references to another part of the subdivision code are correctly referenced.

He referred to Section 2(a), pointed out "minor plat" should be capitalized, and suggested it read, "...requests of approval of substantially the same subdivision and consolidation on the same property..." He requested direction as to whether it should also be included in Section 2(b).

Member Gitzen inquired if there was any objection to serial consolidation, and commented the same wording should be used throughout this section.

Mr. Lloyd stated he will check with the City Attorney, and it may be best to include it for consistency.

Member Daire inquired if there is a potential for someone trying to avoid an open house over the subdivision of properties, and to not have to confront their neighbors regarding serial consolidation or subdivision.

Mr. Lloyd stated if there is a simpler process, there may be some incentive to do that, but not because someone is trying to get out of an open house.

Member Gitzen referred to Section 3, and stated it talks about filing an approved plat, but it sounded like a disconnect because it had not been talked about before then.

Mr. Lloyd pointed out the definition of plat includes the filing of record pursuant to Minnesota Statutes Chapter 505, but it should be referenced more clearly under Minor Plat since it is a change from the current code.

Pages 4 and 5, Major Plat

Mr. Lloyd reported under Section 2(b)(ii), they have not requested changes to the Chapter 314 Fee Schedule because the language is consistent with what is in the zoning code.

Member Gitzen commented the words "Payment of fee and escrow" sounded to general, and suggested the fee be defined.

Mr. Paschke suggested it state, "Payment of application fee and escrow." He explained the escrow is for large mailings since they are responsible for creating notices for the open house and public hearing. If the money is not needed, it is returned to the applicant. There are standard escrow amounts depending on the process.

Member Gitzen referred to Section 1(c), and pointed out "comprehensive land use plan" needs to be capitalized. Under Section 1(e), the reference to another section of the code needs to be changed.

RCA Exhibit D

Mr. Lloyd showed the Commission an example of an application, highlighted the layout, and advised he will be updating the application forms to reflect the approved changes.

Member Gitzen inquired if the applications are available online so that he could learn more about the requirements and process.

Mr. Lloyd confirmed the final applications will be available online and he may be able to bring them back to a Planning Commission meeting for approval.

Page 6, Variances

Mr. Lloyd inquired if there were additional specific grounds for approval that should be included.

In reference to Section C(4), Member Brown inquired what an unusual hardship on the land would be.

Mr. Lloyd commented there is no statutory classification on what unusual hardship means. He provided an example where a property has odd property lines due to a curved road and created a hardship in allowing a garage to be built.

Member Bull inquired if a “subdivision variance” was a category of a variance, as referenced in Sections B and C. He recommended just using “variance” for consistency.

Mr. Lloyd explained they are all variances, but they are specified in this way because there are also zoning variances.

Member Daire referred to Section C, and inquired if the phrase “the City Council shall adopt findings...” means they are required findings for approval or denial of a variance.

Mr. Lloyd stated with any City Council action about a variance, there needs to be findings regarding the specific grounds for approval or denial.

Member Gitzen referred to Section A, and suggested the phrase “...as defined by Minnesota Statute...” be changed to “...by Minnesota Statute.” He also referred to Section C(4), and inquired if it should state, “The variance, if granted, will be in harmony with, and not alter essential character of the neighborhood.” He believes there is case law on what this means.

Mr. Lloyd commented he is unsure since the State is unclear on what specific grounds they should be looking for.

Page 7, Acceptance of Roadways

Mr. Lloyd advised this section is a contingency for a plot of land that may not be in Roseville today, but incorporated into the City if subdivided lots and right of ways are incorporated. Physical streets are only accepted under formal action.

RCA Exhibit D

Pages 7 and 8, Required Improvements

Member Gitzen referred to Section D(2), and requested clarification.

Mr. Lloyd explained a pathway will be required along the whole street if it is a Collector street or greater.

Member Gitzen referred to Section F(1), and stated the second to last paragraph could read, "Such lines, conduits or cables shall be placed within easements or dedicated public right of ways." He also suggested the last line be removed if there are no requirements pertaining to it.

Member Sparby pointed out there are multiple defined terms that are capitalized in this section, such as owner, subdivision, right of ways, boulevard, and median. If terms are capitalized, they are defined; if they are not capitalized, they are used as a general term.

Mr. Lloyd advised he will look at other sections of the code to see how these words are displayed and make it consistent. He will also ask the City Attorney about this item.

Ms. Collins stated the rest of the City Code does not capitalize with defined terms.

Pages 8 and 9, Arrangements for Improvements

Mr. Lloyd referred to Section C, and stated the when and how a maintenance bond is released is specific to the terms of the development agreement.

Member Gitzen referred to Section B, and stated it should read, "...specifications prepared by a Minnesota licensed engineer and approved by..."

Pages 9, 10, and 11, Rights of Way

Mr. Lloyd requested feedback as to whether illustrations need to be required. The intention is to include more illustrations to the design standards document, but not as a requirement for a subdivision code.

Member Gitzen referred to Section B, and suggested they add the word "radius" in a couple of places. It would read, "Collector: 300-foot radius", "Local: 150-foot radius" and "Marginal Access: 150-foot radius."

Page 11, Easements

Member Gitzen inquired who determines where easements are needed.

Mr. Lloyd explained the Public Works staff generally determines it. It is routine to have the easements determined when the newly created property boundaries are created, but not on the exterior existing boundaries.

Member Sparby referred to Section A, and inquired if "where necessary" is giving direction to the developer rather than putting the obligation on the City to approve.

Mr. Lloyd commented traditionally the City determines where easements are needed.

RCA Exhibit D

Page 11, Block Standards

Member Gitzen referred to Section D, and suggested it read, "...may be required to provide access to abutting properties and to allow for appropriate screening..."

Pages 11 and 12, Lot Standards

Member Brown referred to Section B, and stated the wording in the first paragraph describing the shapes of lots seems redundant.

Mr. Lloyd responded having predictable and regular shaped lots are encouraged. The intent is to make sure the lots are easy to fit a house on, meet the minimum standards, and require people to understand where the property boundaries are.

Mr. Lloyd sketched out a flag lot for members of the Commission. He stated the problem with these types of lots is there is a narrow frontage at the street and it puts one house in front of another house. However, if the front part of a subdivided flag lot meets the minimum requirement of 85 feet, there is no reason to prohibit it.

He stated they have been removing the size requirements with minimums from the subdivision code to zoning districts. The one requirement that remains in the subdivision code is the minimum rear lot line length of 30 feet. It prohibits a lot from going back to a point or short line at the back of a property. He inquired whether this requirement needs to remain in the subdivision code.

Chair Murphy stated he finds it to be useful for clarity by keeping it in there.

Member Gitzen referred to flag lots, and inquired if more clarity should be included regarding the minimum required lot width. He suggested it say, "...that fails to conform to the minimum required lot width at the setback line that passes..."

Mr. Lloyd advised he will include whatever verbiage they use to measure lots.

Pages 12 and 13, Park Dedication

Mr. Lloyd reported they have included simpler language in Sections A and B. The City Attorney recommended it also include references to Parks and Recreation Master Plan, Pathways Master Plan, and Comprehensive Plan.

Member Gitzen referred to Section C, and suggested it be reworded to show the portion of land to be dedicated in residentially zoned areas shall be 10 percent, and 5 percent of what in all other areas.

Mr. Lloyd commented the figures were talked about last time, but they found it did not correspond with the updated fee schedule. The Parks and Recreation Department is working on a more updated fee schedule to make them better correlate, so the numbers may change in the future.

Member Daire commented the need for park land dedication is related to the projected increase in demand for park facilities predominately by residential land uses or subdivisions. It would be wise to define the relationship between requirements for

RCA Exhibit D

additional land and/or money in lieu of land, and whether commercial subdivision really increases the need for park property.

Mr. Lloyd advised they have included information in the meeting packet from the League of Minnesota Cities that talks about subdivision and provides recommendations for how a City might approach addressing the need for park property in a formalized way.

Member Daire commented they should try to correlate the City's desired standard rather than use a general standard. They have a unique park system with standards unique to Roseville, and people who want to develop here should buy into those standards. He suggested they make sure there is a relationship between the subdivisions increase in demand on existing facilities and Roseville's standards that they want to achieve.

Mr. Lloyd stated they have formal plans for the robust system that Roseville intends to have and they have outlined the need to contribute to that with future subdivisions.

Mr. Lloyd advised the existing subdivision code does have a Chapter 1104. The entire subdivision code is three chapters long instead of four. The fourth chapter has been redistributed throughout the remaining three chapters as processes. He recommended approval of the proposed subdivision code update, subject to the changes discussed.

Member Gitzen referred to Section C, and pointed out the section referenced at the end of the paragraph should be Section 1102.05.

Chair Murphy closed the public hearing at 8:07 p.m.; none spoke for or against.

MOTION

Member Bull moved, seconded by Member Gitzen to recommend approval to the City Council the revised subdivision proposal as regulated in City Code Title 11 (Subdivision) and revised lot size standards established in City Code Chapter 1004 (Residential Districts), based on the comments and findings the report input offered at this public hearing.

Member Gitzen thanked the staff for their work on this project.

Ms. Collins agreed, and stated Mr. Lloyd took the lead on this project and is also the project manager on the Comprehensive Plan. She thanked him for navigating all the comments and feedback, and doing a great job.

Commissioner Daire commented Mr. Lloyd has done a phenomenal and professional job.

Ayes: 6

Nays: 0

Motion carried.



INFORMATION MEMO

Subdivisions, Plats and Development Agreements

Regulating the division of land is a powerful tool in implementing any municipal comprehensive land use plan. Read a summary of the most basic laws associated with subdivisions, plats, and development agreements. Learn about land dedication for infrastructure, park dedication fees, the subdivision approval process, development agreements and exceptions and alternatives to city subdivision authority.

RELEVANT LINKS:

For an overview of comprehensive planning and land use see [Handbook, ch. 14](#).

[Minn. Stat. ch. 505](#).

I. Review of land use terms

To understand how land-use tools regulating the division of land work it is important to have an understanding of some basic terms.

A. Plat

A “plat” is a technical drawing or map that shows the lot lines or parcel boundaries, as well as the location of road right-of-way and utility easements.

B. Subdivision

A “subdivision” is the division or separation of a large tract of typically unimproved land under single ownership into smaller units, lots or parcels.

C. Development agreement

A “development agreement” is a contract that a city may enter into with a landowner or developer upon subdivision that details how associated infrastructure will be accomplished.

II. Chapter 505 plats

Plats are technical drawings delineating one or more parcels of land drawn to scale depicting the location and boundaries of lots, blocks, outlots, parks, and public way. Plats are prepared and recorded in conformance with state law, and must contain a certification by a land surveyor and be approved by the county surveyor. The 2007 Legislature rewrote state law to reflect changes in platting and surveying standards, technologies, and processes. Sometimes a subdivision is said to be the same as a plat, but that is not always true, and the differences between the two can be important in some scenarios as noted below.

[Minn. Stat. § 505.03.](#)

See Section III, Subdivision ordinance authority.

[Minn. Stat. § 462.358.](#)

See LMC information memo, [Subdivision Guide for Cities](#).

[Minn. Stat. § 462.358, subd. 2a.](#)

Plats shall be presented for approval to the city in which the land is located. Plats that document a subdivision of land are subject to the approval of the city council exercising its authority over the subdivision of the land. The 2007 Legislature provided that plats that only delineate existing parcels or comply with a minor subdivision procedure may be approved by a local government official designated by the city council. If a city does not have subdivision regulations under its Minn. Stat. § 462.358 authority, it may nonetheless be presented with plats for approval under Minn. Stat. § 505.03. Without a subdivision ordinance, a city's authority is limited to technical review of plats, and authority to withhold approval to such plats would seem somewhat limited.

III. Subdivision ordinance authority

State law authorizes cities to regulate subdivision of land within the municipality. The subdivision ordinance generally can extend its application to unincorporated land within two miles of city limits if the township has not adopted subdivision regulations. Although the subdivision ordinance is sometimes viewed as secondary to the zoning ordinance, in communities that are not fully developed and have open land, the subdivision ordinance is arguably more important than the zoning ordinance in affecting future land use patterns.

Minnesota cities have a considerable amount of latitude in the regulation of subdivisions. But that latitude must be exercised through the subdivision ordinance by laying out specific standards and requirements that must be met for subdivision approval. The statute explains that:

“The standards and requirements in the regulations may address without limitation: the size, location, grading, and improvement of lots, structures, public areas, streets, roads, trails, walkways, curbs and gutters, water supply, storm drainage, lighting, sewers, electricity, gas, and other utilities; the planning and design of sites; access to solar energy; and the protection and conservation of flood plains, shore lands, soils, water, vegetation, energy, air quality, and geologic and ecologic features.”

A. Minimum internal development standards

Because the statutory power provided is wide in scope, subdivision ordinances can vary greatly from city to city. The goal of the subdivision standards is to help the city envision the “look and function” of the new development when it reviews an application for the division of land. At a minimum, most subdivision ordinances have standards and require information about:

- The layout and width of proposed road rights-of-way and utility easements.
- Road grades and drainage plans.
- Plans for water supply, sanitary sewer or sewage handling and treatment; and
- Stormwater management.

Many subdivision ordinances also have standards and requirements related to such things as:

- Lot size and front footage.
- Block or cul-de-sac design.
- Alleys, sidewalks, and trails.
- Erosion and sediment control.
- Tree preservation; and
- Protection of wetlands and environmentally sensitive areas.

B. Minimum External Development Standards

An important consideration to include in the ordinance is how a proposed subdivision will relate to adjoining land uses, such as the connection of one neighborhood to another via roads, trails and open space, and how they relate to shared community services such as schools, parks, and public safety stations. Cities should require compliance with the external standards of the ordinance. There are at least two ways to approach these requirements.

1. Premature subdivision

Some ordinances provide that a subdivision may be deemed premature and therefore denied. The ordinance should detail conditions that could make a subdivision premature such as lack of adequate drainage, water supply, roads or highways, waste disposal systems, inconsistency with the comprehensive plan, and lack of city service capacity.

2. Conditional approval

Other ordinance provisions may condition approval on the construction and installation of streets, sewer and water facilities, and other utility infrastructure.

C. Emerging issues

There are some emerging issues cities should consider when drafting, reviewing, and amending subdivision ordinances, and that mean cities should work closely with planners and attorneys to address these issues, including:

1. Wastewater treatment systems

The capacity of current wastewater systems may limit future subdivision, and the permitting of new treatment facilities can be a challenge under environmental laws.

2. Stormwater management

Large rain events combined with increases in impervious surfaces can overwhelm retention ponds and other stormwater handling systems; and subdivision ordinances may look to the on-site handling of stormwater to help out

3. Conservation design

Subdivision ordinances may provide density bonuses and other incentives to cluster housing and development in order to preserve natural and agricultural lands.

IV. Dedication of land

Subdivisions require infrastructure such as streets, utilities, parks, and drainage systems to support those subdivisions. As part of subdivision approval, a city may require land be “dedicated” to the public for public purposes, such as for roads, utilities, and parks. Through the dedication, a city typically acquires the public easement or right-of-way over the land for the dedicated purpose, with the underlying landowner retaining ownership of fee title to the land. However, when the land dedication is for a park, the Chapter 505 provides that the dedication transfers fee title and not just public easement rights.

If cities require dedication of land for park purposes, the statute sets some further specific restrictions.

- The city must first establish these requirements by ordinance or resolution under Minn. Stat. 462.353 subd. 4a.
- The city must also adopt a capital improvement budget and have a parks and open space plan component in its comprehensive plan.
- The portion of land to be dedicated must be calculated based solely upon the “buildable” land as defined by municipal ordinance.
- The municipality must reasonably determine it will need to acquire that portion of land for recreational and environmental purposes as a result of approval of the subdivision.

Minn. Stat. § 505.01, subd. 1.

Minn. Stat. § 462.358, subd. 2b.

See Appendix: Sample park dedication methodology.

- In establishing what portion of land must be dedicated or preserved, city regulations must also give due consideration to the public open space and recreational areas and facilities the developer proposes for the subdivision.
- A city cannot deny subdivision approval based solely on an inadequate supply of parks, playgrounds, trails, wetlands, or open space within the municipality.

V. Park dedication fees

As part of its park dedication requirements, as an alternative to accepting dedicated land, a city may accept an equivalent value of money. Known as “park dedication fees” these fees have received considerable attention during the last several years.

A. Setting fees

Case law and the statute require an “essential nexus” between the fees or dedication imposed and the municipal purpose sought to be achieved by the fee or dedication. The fee or dedication must bear a rough proportionality to the need created by the proposed subdivision or development. If cities require park dedication fees in their subdivision regulations it must be done by ordinance or, depending on the amount of fees collected, by a fee schedule. In 2004, 2006, 2007 and 2013, the legislature amended the state statute provisions relating to park dedication fees.

The park dedication fee now must be based on fair market value of the unplatted land for which park fees have not already been paid. If the land in question is subject to a comprehensive plan - eventually scheduled to be served by municipal sanitary sewer, water service or community septic and private well - then the city may include that fact in determining the fair market value. Cities must collect the fee at the time of final plat approval. For purposes of redevelopment on developed land, the municipality may choose to accept a fee based on fair market value of the land no later than the time of final approval.

In 2013, the legislature further addressed the fair market value basis for park dedication fees. The statute now defines fair market as the value of the land as determined by the municipality annually based on tax valuation or other relevant data. If the city's calculation of valuation is objected to by the applicant, then the value shall be as negotiated between the city and the applicant, or based on the market value as determined by the city based on an independent appraisal of land in a same or similar land use category.

Nollan v. California Coastal Commission, 483 U.S. 825 (1987). *Dolan v. City of Tigard*, 512 U.S. 374 (1994).

Minn. Stat. § 462.358, subd. 2c.

Minn. Stat. § 462.358, subd. 2b.

2013 Minn. Laws Ch. 85 Art. 5 § 41.

Minn. Stat. § 462.358, subd. 2b.

B. Use of fees

Fees received must be placed by the municipality in a special fund to be used only for the purposes for which the money was obtained. Park dedication fees received must be used only for the acquisition and development or improvement of parks, recreational facilities, playgrounds, trails, wetlands, or open space based on the approved park systems plan. Fees must not be used for ongoing operation or maintenance of parks, recreational facilities, playgrounds, trails, wetlands, or open space.

Minn. Stat. § 462.358, subd. 2c.

C. Fee disputes

If a city is given written notice of a dispute related to a proposed park dedication fee before the municipality's final decision on an application, a municipality must not condition the approval of any proposed subdivision or development on an agreement to waive the right to challenge the validity of a fee in lieu of dedication. An application may proceed as if the fee had been paid, pending a decision on the appeal of a dispute over a proposed fee in lieu of dedication, if all of these steps are followed:

- The person aggrieved by the fee puts the municipality on written notice of a dispute over a proposed fee in lieu of dedication.
- Prior to the municipality's final decision on the application, the fee in lieu of dedication is deposited in escrow, and
- The person aggrieved by the fee appeals under section 462.361, within 60 days of the approval of the application. If such an appeal is not filed by the deadline, or if the person aggrieved by the fee does not prevail on the appeal, then the funds paid into escrow must be transferred to the municipality.

Because of statutory changes and recent scrutiny of the use of park dedication fees, a city that relies on such fees should carefully examine -- in consultation with the city attorney -- its ordinance provisions and make any changes necessary to comply with current law. Review parkland dedication requirements to make sure there is a logical connection between the amount of the dedication requirement and the purpose for which it is used. For example, the city should be able to demonstrate that each new lot that is approved necessitates X amount of new parkland. (See appended Sample Park Dedication Methodology.) Also, the city should take steps to separately account for parkland dedication fees and make sure they are not used for ongoing park "operation or maintenance."

Minn. Stat. § 462.358, subd. 3b.

See LMC information memo, *Taking the Mystery out of Findings of Fact*.

See LMC information memo, *Land Use Variances*.

VI. Subdivision approval process

The subdivision statute generally requires cities to follow a two-step process in the administration of city subdivision regulations. First, the landowner applies for preliminary plat approval, and then subsequently for final plat approval

A. Preliminary plat approval

During the preliminary approval stage it is important to note that a city has the most discretion in evaluating the application against its ordinance, as a city cannot generally require significant changes after preliminary approval. The city must hold a public hearing on all subdivision applications prior to preliminary approval, following publication of notice at least 10 days before the hearing. A subdivision application must receive preliminary approval or disapproval within 120 days of its delivery, unless the applicant agrees to an extension. If no action is taken, the application will be deemed approved after this time period. (Note that this 120 day period differs from the usual 60-day rule).

Review of an application for a preliminary plat is a quasi-judicial determination, in which the city is tasked with determining whether the proposed subdivision meets the standards and the requirements of the city ordinance.

An applicant must submit a plat that shows everything required by city ordinance. Because of the quasi-judicial standard, a city cannot generally deny an otherwise acceptable preliminary plat application for subdivision simply because the city council does not approve of the underlying proposed permitted use. If the application adequately addresses all of the ordinance standards and requirements, then the preliminary plat generally should be approved. If the application is denied, the municipality must adopt written findings based on a record from the public proceedings stating why the application was not be approved.

B. Conditional approval

A city may approve a preliminary plat along with conditions that must be satisfied for final plat approval. Conditions for how the final subdivision design will meet ordinance provisions often are quite specific. For example:

- Variances to subdivision regulations may be allowed where an unusual hardship on the land exists, but only on the grounds specifically identified in the subdivision regulations.
- If any public improvements are to be installed, an important condition may be entering into a development agreement between the city and the applicant, as discussed below.

This is the time to impose conditions and address any and all concerns the application may generate. The term “preliminary” approval can be misleading because preliminary plat approval establishes the nature, design, and scope of a development project. After a plat is preliminarily approved, the city generally cannot require further significant changes. Once the conditions and requirements of the preliminary plat approval are satisfied, the applicant is generally entitled to approval of the final plat.

C. Final plat approval

After preliminary plat approval, the statute allows the applicant to seek final approval. If the applicant has complied with the conditions and requirements set out in the preliminary approval, the municipality typically must grant final approval within 60 days. Unlike preliminary plat approval, there is no required public hearing on the final plat. The final plat application must demonstrate conformance with the conditions and requirements of preliminary approval. An applicant may demand the execution of a certificate of final approval where the requirement and conditions have been satisfied. If the municipality fails to act within 60 days, the final plat application may automatically be deemed approved.

After final approval has been received, a subdivision may be filed or recorded. After a subdivision has been approved, for one year after preliminary approval and two years after final approval, an amendment to the comprehensive plan or to the zoning ordinances will not apply to or affect the subdivision with regard to use, density, lot size, lot layout, or dedication or platting -- unless the municipality and the applicant agree otherwise. A municipality may require that an applicant establish an escrow account or financial security for the purpose of reimbursing the municipality for direct costs relating to professional services a city provides during the review, approval, and inspection of the project.

VII. Development agreements

In many cases, a condition of preliminary plat approval requires the city and applicant to enter into a development agreement. This is particularly important for the city if new public improvements such as roads, water and sewer, and stormwater systems are to be installed as part of the subdivision. The statute specifically authorizes the city in its ordinance to condition subdivision approval on the execution of a development agreement embodying terms and conditions reasonably related to the ordinance requirements.

Minn. Stat. § 462.358, subd. 3b.

Minn. Stat. § 462.358, subd. 3c.

A development agreement is a contract between a landowner or developer and the city that sets the understanding between the developer and the city regarding the design and construction of the particular project. It establishes the parameters under which the development will proceed, as well as the rights and the responsibilities of the developer and the city. Issues resolved in a development agreement include:

- The design, installation and financing of public improvements.
- Security for completion of improvements installed by developer, a cash deposit, certified Check, irrevocable letter of credit, bond, or other financial security.
- Design of lighting, landscaping, sidewalks, underground utilities and other site plans issues; and
- Coordination of construction with the installation of various utility improvements.

Development agreements also typically detail who will build, pay for and own the improvements; provide the timeline for the construction or installation; and describe who is liable for any defects or claims.

The agreement will detail how the infrastructure will meet city specifications, and document all of the required right-of-ways and land dedications, including agreement regarding park dedication fees if any. While a city cannot condition approval on agreement to waive the right to challenge the validity of a fee, it may condition the approval on a waiver agreement regarding costs associated with improvements to be installed.

As part of the development agreement, cities should require the developer to provide financial security including a letter of credit from a reputable institution in order to cover costs were the installation of improvements to go awry or payments unmet. Finally, development agreements should contain provisions dealing with liability and indemnification, requiring the developer to have liability coverage and ideally to defend and indemnify the city for related claims. Because the agreement can be a sophisticated legally binding contract, it is extremely important for the city attorney to be involved before it is entered into.

VIII. Exceptions and alternatives

Not all divisions of land are subject to a city's subdivision authority. Excepted under state statute are:

[Minn. Stat. § 462.352, subd. 12.](#)

Minn. Stat. § 462.358, subd. 3a.

- Separations where all the resulting parcels, tracts, lots, or interests will be 20 acres or larger in size and 500 feet in width for residential uses and five acres or larger in size for commercial and industrial uses.
- Cemetery lots.
- Court ordered divisions or adjustments; and
- Lot consolidation, since subdivision refers only to separation of land.

Although such divisions may nonetheless go through the city's regulatory subdivision process, it appears cities are without authority to require them do so.

Not all subdivisions necessarily require the preparation of a plat. The state subdivision statute mandates that municipal subdivision ordinances require that all subdivisions should be platted which create five or more lots or parcels which are 2-1/2 acres or less in size. Subdivision ordinances may or may not require other subdivisions be platted. Further, not all subdivisions that require platting must necessarily require both a preliminary and then a final plat. The subdivision statute provides that the city ordinance may provide for the consolidation of the preliminary and final review and approval or disapproval of subdivisions.

Some city subdivision ordinances will provide alternative procedures for certain types of "minor" subdivisions. When the city ordinance consolidates preliminary and final approval, it is sometimes called a simple plat. Often this is allowed if subdivision creates a minimum number of lots of a certain size and the plat does require creation of new roads. A different alternative procedure for minor subdivisions is for divisions of land for which the city is not requiring plats. Often called administrative subdivisions or lot splits, such subdivisions are typically accomplished with metes and bounds descriptions.

IX. Review of important points

City staff and officials should carefully evaluate every application for preliminary plat approval for compliance with the subdivision ordinance. Once the preliminary plat has been approved, the city has limited ability to revisit the issue of adequate compliance. If new public improvements or infrastructure are to be installed, then it is important to enter into a development agreement so the improvements will meet city standards and be completed in a timely fashion. Cities should periodically review their subdivision ordinances for consistency with comprehensive plan and current vision of future land use, particularly with regard to the city's capacity for wastewater, stormwater, and traffic.

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X. Further assistance

LMCIT offers land use consultations, training and information to members. Contact the League's Loss Control Land Use Attorney for assistance. You can also learn more about land use issues in the land use section of the League's website.

Appendix: Sample Park Dedication Methodology

(This is a sample of one methodology; a city is not required to take it into account.)

Step 1.

The city should conduct a parks study to generally determine what it would like to see in the community regarding parks, recreation, trails, and open space. That study should consider whether current facilities are sufficient to meet the needs of current residents. If there is a deficiency, the city should calculate what additional expenditures would be necessary to meet that city's desired parks plan.

Step 2.

The city should calculate the total amount of city parks, recreation, trails and open space, plus any additional amount to meet current, but unmet park goals.

Step 3.

The city should evaluate usage of city parks, recreation, trails, and open space with a goal of estimating the percentage of facilities that exist to serve residential landowners and percentage that exists to serve the needs of commercial development. In arriving at these percentages, it is helpful to consider the use of park facilities by businesses and their workers and the use by sports teams that may be sponsored by businesses. From this analysis, the city will be able to identify the percentage of its parks needs that should be met by residential development and what percentage should be met by commercial/industrial development.

Step 4.

The city then will use the results of step 2 and step 3 to calculate parkland acreage, per resident or per employee. The following examples may be helpful:

Per Capita Residential Share/Per Capita Commercial Share

Existing Park Lane and Trail Acreage
300 acres

Residential Share
 $90\% \times 300 = 270 \text{ Acres}$

Per Capita Residential Share
 $270 \text{ acres} / 15,000 \text{ residents (population)} = .018 \text{ acres per Resident}$

Commercial Share
 $10\% \times 300 = 30 \text{ acres}$

RCA Exhibit E

Per Capita Commercial Share
30 acres/1000 employees in city = .03 acres per Employee

Step 5.

Establish park dedications by ordinance. The amount of land to be dedicated as part of residential subdivision or plat will be equal to the per acre residential share (determined in Step 4) times the number of residents expected in the development or subdivision. To arrive at an amount in lieu of land dedication, take the per acre value of undeveloped land times the amount of land the city could have required to be dedicated.

Step 6.

To calculate the amount to be dedicated as part of a commercial development, multiply the per acre commercial share (determined in Step 4) by the number of employees expected in the development. To arrive at a cash payment in lieu of land dedication, take the per acre value of undeveloped commercial land times the amount of land the city could have required to be dedicated.

Step 7.

Make provisions in your ordinance to provide that these are the maximum amounts the city can charge and give the council discretion to vary from these requirements as a result of unique attributes of the development or to account for parks or open space that may already be included the development. (Note: The city is not required to take any of these considerations into account when arriving at the park dedication amount.)

**PUBLIC WORKS
ENGINEERING DEPARTMENT**

DESIGN STANDARDS



2660 Civic Center Drive, Roseville, MN 55113-1899
phone (651) 792-7004 fax (651) 792-7040

Contents

A. GRADING/DRAINAGE/EROSION CONTROL/SITE RESTORATION 3

B. SANITARY SEWER..... 5

C. WATERMAIN..... 7

D. STORM SEWER 7

E. STREETS..... 10

F. MISCELLANEOUS 12

APPENDIX – Standard City Detail Plates 13

DESIGN STANDARDS

The design and construction of public infrastructure facilities shall be performed in accordance with the most recent editions of the Minnesota Department of Transportation (MnDOT) **"Standard Specifications for Highway Construction"** and any amendments thereto, and the **"Standard Utilities Specifications for Sanitary Sewer and Storm Sewer Installation"** as published by the City Engineers Association of Minnesota, and the City of Roseville's Standard Specifications and Detail Plates or as modified herein. All designs must incorporate the requirements identified in the City's Comprehensive Plans in effect at the time of the infrastructure design and installation.

A. GRADING/DRAINAGE/EROSION CONTROL/SITE RESTORATION

This work shall be done in accordance with the most recent additions of the **"MnDOT Standard Specifications for Highway Construction"**, the **"Protecting Water Quality in Urban Areas"** (Best Management Practices) prepared by the Minnesota Pollution Control Agency (MPCA), the City's Surface Water Management Plan (SWMP) and the latest City of Roseville Standard Specifications. These planning handbooks will guide the developer and their engineer in protecting the land and water resources of the City during land development.

The City requires the following for submittal of grading, drainage, and erosion control plans in accordance with the Roseville's Zoning Code.

1. The Developer shall obtain all regulatory agency permits and approvals including those from the MPCA for "General Stormwater Permit for Construction Activity" and applicable Watershed District.
2. Show adjacent plats, parcels, property lines, easements of record, section lines, streets, existing storm drains and appurtenances, etc.
3. Signature of professional engineer licensed in the State of Minnesota.
4. Extend existing 2' contour lines a minimum of 100' beyond the property boundary or more as needed to accurately depict the existing drainage patterns.
5. Show the bench mark utilized and the limits of construction.
6. Maximum 3:1 slopes are allowed in "maintained" areas except as approved by the City Engineer.
7. Show the NWL and HWL for ponds, lakes, wetlands, and rivers based upon the most recent City's Surface Water Management Plan criteria.
8. For each house pad, show the type of proposed house to be built such as R or WO for rambler or walkout. Also, show the garage floor, first floor and basement walkout

elevations. The lowest entry level of affected houses shall be 2' above the HWL of adjacent ponds.

9. If retaining walls are needed, submit detailed plans and specifications that show type and height of retaining wall. Private retaining walls will not be allowed within the City's drainage and utility easements or street right-of-way. Retaining walls that will become public must meet the latest City of Roseville specifications.
10. Show City of Roseville project number on the plan or title page if applicable.
11. Show emergency overflow routes from all low points and show elevation of high point along emergency overflow route. The lowest entry level or opening of affected houses shall be 1' above the emergency overflow elevation.
12. All driveway shall have a minimum grade of 0.5% and/or the garage floor elevation must be a minimum of 1.0 feet above the flowline of the curb. Maximum driveway slopes shall be 10%.
13. Show removal of all trees and brush below the normal water level that will be impacted from existing and newly created ponding areas.
14. Show or define access routes for maintenance purposes to all inlets or outlets at ponding areas (must be maximum of 8% grade, 2% cross slope and 10' wide).
15. Show all existing and proposed grades. Required standard is 2' contours with existing contours shown as dashed or screened and proposed contours shown as solid. Standard scale is 1" = 50' or less depending on the amount of detail required.
16. Upon completion of grading, the developer is required to provide the City with a CADD file "as-built" grading plan certifying the actual grades of the site including house pad and lowest exposed structure elevations of existing and proposed.
17. Provide existing and proposed hydrologic/hydraulic calculations per City Storm Water Management Standards.
18. Provide pre- and post-detailed hydrologic/hydraulic calculations for stormwater ponds and wetlands verifying location and capacity adequacy of all overland drainage routes. Consult the City's Surface Water Management Plan for further detail on design criteria.
19. Show the location of silt fence and all other erosion control devices. Note for all silt fence to be installed by the contractor and inspected by the City prior to any site work. Construction areas adjacent to existing water bodies such as wetlands, creeks, ponds, or lakes shall have Type III erosion control (see details).
20. All drainage plans shall be consistent with the City of Roseville's Comprehensive Surface Water Management Plan (CSWMP).

B. SANITARY SEWER

All sanitary sewer and appurtenances shall be checked for conformance with the design criteria specified in the Recommended Standards for Waste Water Facilities – 1990 edition of the Great Lakes – Upper Mississippi River Board of State Sanitary Engineers (10 State Standards) or latest revision and as modified herein.

1. The Developer shall obtain all regulatory agency permits and approvals including those from the MPCA and Metropolitan Council Environmental Services prior to beginning of construction.
2. The number of capita per dwelling units used in design calculations shall be reviewed and approved by the city engineer.
3. Determination of sanitary sewer services size and design shall be done in accordance with the Department of Health and Minnesota Plumbing Code.
4. Manholes shall be placed on street centerline to the greatest extend possible. Other locations outside the wheel paths (3' and 9' off centerline) may be allowed with City approval.
5. The maximum spacing between manholes is 400' unless approved by the City Engineer.
6. Manholes are required on the terminus end of all stubs if the line will be active.
7. Drop manholes are required when the pipe inverts are greater than 2' apart.
8. Any connections to existing manholes shall be core drilled. If the pipe diameters of the existing and proposed pipes are the same, then the invert elevations shall drop 0.10 feet through the manhole. If the pipe diameters are different, then the 8/10ths line of the two pipes shall match at the manhole.
9. Maintain a minimum of 10' of horizontal separation between sanitary sewer and watermain.
10. The minimum slopes for sanitary sewer shall be as follows:

<u>SIZE OF PIPE</u>	<u>MINIMUM SLOPE</u>
8"	0.40%
10"	0.28%
12"	0.22%
15"	0.15%

11. Show on the plans the existing and proposed sanitary sewer in plan and profile view along with other existing and proposed utilities in the construction zone.

RCA Exhibit F

12. If the sanitary sewer is to be installed less than 10' deep within private property, the easement shall be a minimum of 20' wide with the pipe centered in the easement. If the sanitary sewer is 10' deep or greater, then the easement shall be at least twice as wide as the depth or as required by the City. Show these utility easements on the construction plans and final plat.
13. Trunk sanitary sewers shall be designed to promote a laminar flow through the sewer system. Junction manholes should be designed to limit the hydraulic head increase by matching hydraulic flow lines and by providing smooth transition angles.
14. No manhole shall be located within a designed ponding/flowage easement without City approval. If such location is unavoidable, then the structure may be required to be built to a higher elevation to avoid flooding, constructed to tolerate frost action, and shall be made of water-tight materials.
15. Deflection testing and televising shall be conducted after the final backfill has been in place for 30 days.
16. All materials shall meet the latest City of Roseville specifications. All construction shall meet City of Roseville specifications.
17. Service lines shall be sized in accordance with the Minnesota Plumbing Code – Chapter 4715.
18. The number of capita per dwelling unit used in design calculations shall be approved by the City.
19. The sewer service shall be included in the pressure and leakage testing requirements for the main lines.
20. Minimum grade for sanitary service stubs shall be $\frac{1}{8}$ inch per foot (1%).
21. Developers are responsible for constructing services from the mainline pipe to the right-of-way line.
22. Cleanouts are required at 100-foot intervals including the riser on sanitary sewer services. All sanitary sewer cleanouts constructed in paved areas require the installation of a meter box and cover for ease of access to the cleanout.
23. Sewer services shall be connected to a wye on the main and shall not be constructed into manholes unless approved by the City. Approved connections to a manhole require a KOR-N-SEAL connection or approved equal and must match the manhole invert.
24. All materials shall meet the latest City of Roseville specifications. All construction shall meet City of Roseville specifications.

C. WATERMAIN

1. All materials shall meet the latest City of Roseville specifications. All construction shall meet City of Roseville specifications.
2. Hydrants shall be installed at a minimum 600-foot spacing and at every intersection.
3. All watermain shall be installed with an eight (8) foot bury depth.
4. All watermain shall be installed to meet Minnesota Department of Health regulations.

D. STORM SEWER

1. Stormwater plans for the development shall utilize as a guide the Comprehensive Surface Water Management Plan (CSWMP) for the City of Roseville.
2. Stormwater management plans shall use a 10-year frequency storm for pipe design and a 100-year frequency storm for ponding detention basin design.
3. Stormwater management plans shall use design criteria utilizing a hydrograph method based on sound hydrologic theory to analyze the stormwater runoff and proposed development such as the Soil Conservation Service TR-55 Urban Hydrology for Small Watersheds.
4. Drainage calculations shall be submitted to show the sizing of pipe, ponds, and emergency overflow spillways. Pond calculations should analyze a 2-year, 10-year and 100-year frequency, 24-hour storm event using a modeling program such as HydroCAD or approved alternative. Any assumption used in the design should be included with the calculations. Stormwater ponds shall be designed and constructed in accordance with the City's CSWMP using criteria from the National Urban Runoff Program (NURP).
5. Provide for overflow routes to drain low points along streets or lot lines to ensure a freeboard of 2' from the lowest exposed structure elevation and the calculated 100-year storm HWL elevation. Design criteria verifying the adequacy of the overland drainage route capacity is required. At low points in the street, the catch basin grates shall be assumed to be 50% plugged for design purposes.
6. The storm sewer alignment shall follow the sanitary sewer and watermain alignment where practical with a minimum of 10' of separation. Storm sewer placed along the curb alignment shall be along the curb opposite the watermain to maintain the 10' separation.
7. Catch basins shall be located on the tangent section of the curb at a point 3' from the radius. Mid-radius catch basins will not be allowed. Also, catch basins shall be designed to collect drainage from the upstream side of the intersection.

RCA Exhibit F

8. The maximum spacing between manholes is 400'.
9. Manholes steps will be aligned and over the downstream side of the manhole. Steps within manholes will be:

1"± horizontal alignment
1"± vertical alignment with 16" spacing as the standard
10. Any connections to existing manholes or catch basins shall be core drilled or the opening cut out with a concrete saw. No jack hammering or breaking the structures with a maul is permitted. Also, all connections to an existing system will require a manhole for access.
11. To the greatest extent possible, manholes shall be placed in paved surfaces outside of wheel paths (3' and 9' off centerline) or other readily accessible areas.
12. Minimum pipe size shall be 12" in diameter.
13. Type of pipe shall be Reinforced Concrete Pipe (RCP). All storm sewer pipe beneath roadways or pavement shall be Class 5. The table below shows the allowable class of pipe for storm sewer outside of the roadway:

PIPE DIAM.	CLASS 2	CLASS 3	CLASS 4	CLASS 5
12" – 18"				X
21"			X	X
24" – 33"		X	X	X
≥ 36"	X	X	X	X

Show the class of pipe in the profile view only. For areas outside of the roadway, the City may allow the use of HDPE (High Density Polyethylene) pipe.

14. Aprons or flared-end sections shall be placed at all locations where the storm sewer outlets a ponding area. All outlet flared-end sections above the NWL of the pond shall be furnished with hot dipped galvanized trash guards. All trash guard installations will be subject to approval by the City Engineer.
15. Riprap and filter blanket shall be placed at all outlet flared-end sections. The placement of the riprap shall be hand placed. The minimum class of riprap shall be MnDOT 3601.2 Class III. Design criteria justifying the size and amount of riprap are required. Geotextile material is not allowed for filter aggregate where ice action along the shoreline may tear the geotextile (see Detail Plate).
16. The invert elevations of the pond inlet flared-end sections shall match the NWL of the pond. Submerged outlets will only be allowed with the use of an outlet structure (see Detail Plate).
17. Long radius bends may be used for grater than 24" pipe diameter if necessary and approved by the City Engineer in vertical and horizontal alignment. However, only

one series of bends will be allowed, either vertical or horizontal, between structures.

18. If the public storm sewer is to be installed less than 10' deep within private property, the easement shall be a minimum of 20' wide with the pipe centered in the easement. If the storm sewer is 10' deep or greater, then the easement shall be twice as wide as the depth or as required by the City.
19. Show or define access routes for maintenance purposes to all manholes outside the public right-of-way and inlets or outlets at ponding areas (8% maximum grade, 2% cross slope, and 10' wide). Access easements shall be dedicated at the time of final platting to provide this access.
20. Junction manholes should be designed to limit the hydraulic head increase by matching hydraulic flow lines and by providing smooth transition angles.
21. In the development of any subdivision or ponding area, the Developer and/or property owner is responsible for the removal of all significant vegetation (trees, stumps, brush, debris, etc.) from any and all areas which would be inundated by the designated controlled NWL of any required ponding easement as well as the removal of all dead trees, vegetation, etc. to the HWL of the pond.
22. The Developer and/or Engineer upon the completion of the construction of a designated ponding area is required to submit an as-built record plan of the ponding area certifying that the pond constructed meets all design parameters as set forth in the City's respective stormwater management plans.
23. Utilization of existing wetlands for stormwater management is subject to review by the appropriate regulatory agency in accordance with the "Wetlands Conservation Act".
24. Outlet control structures from ponding areas are required as directed by the City. Location and appearance of outlet structures shall be subject to City approval and may require landscape screening.
25. Environmental manholes (three-foot sumps) shall be constructed as the last structure that is road accessible prior to discharge to any water body. Additional protection may be required when outletting to a sensitive water body.
26. For all storm pipes that outlet to a pond or other water body, show the elevation contour of the NWL in the plan view.
27. Provide a storm sewer schedule on the plans using the following format:

STORM SEWER SCHEDULE

STRUCTURE NO.	SIZE	CASTING	BUILD
CBMH 1	48"	R-3290-V	4'

RCA Exhibit F

Structures shall be classified as a catch basin (CB), catch basin/manhole (CBMH), or manhole (MH). CB's are inlet structures with a total of one pipe either entering or leaving. CBMH's are inlet structures with more than one pipe either entering or leaving. MH's are all non-inlet structures. Standard inlet castings are: R-3067-BV when in the curb line and R-2560 when outside of paved areas. The standard MH casting is R-1730.

28. A four inch solid drain tile shall be stubbed out of structures at street low points and for lots that are not adjacent to a pond/wetland in accordance with the detail plates. Cleanout risers are required every 100' and at the terminus end of the line (see Detail Plate).
29. All materials shall meet the latest City of Roseville specifications. All construction shall meet City of Roseville specifications.

E. STREETS

1. Flexible pavement design shall be based on design procedures set forth by the Minnesota Department of Transportation. Residential streets shall be designed for a minimum seven-ton pavement design.
2. Soil borings and/or special design considerations may be required by the City Engineer in areas where unstable soils exist.
3. The roadway subgrade shall be constructed per MnDOT Specification 2105 and test rolling per MnDOT Specification 2111 shall be required. The test roller and amount of allowable deflection shall be as specified in the Special Technical Condition Specifications.
4. Street alignment for local streets, both vertical and horizontal, shall be designed for 30 MPH design speed based on the latest edition of the American Association of State Highway and Transportation Officials Manual unless otherwise approved by the City Engineer.
5. Minimum street grade shall be 0.50%. The design maximum shall not exceed 4.0% for arterials and 6.0% for others. Special situations such as saving environmental features may allow limited areas of 10.00% with City approval.
6. Streets shall be designed to intersect at right angles whenever possible. In no case shall the angle of intersection between two streets be less than sixty (60°) degrees.
7. The minimum diameter for a cul-de-sac shall be 100 feet from face of curb to face of curb. Islands may be permitted subject to the review of the City Engineer.
8. Unless approved by the City street intersections and commercial driveway intersections shall match at the centerlines. If the streets or driveways cannot be aligned to match, the intersections shall be offset a minimum of 300 feet or as approved by the City Engineer.

9. Barricades in accordance with the Minnesota Manual on Uniform Traffic Control Devices shall be placed at all dead end streets.
10. At intersections, the street grade shall not exceed 3.00% for the first 30 feet approaching said intersection. The 30 feet is measured from the curb line of the intersected street. In cul-de-sacs, the gutter grade shall not be less than 0.80%. A minimum 0.5 foot crown or minimum 3.00% cross slope grade, whichever is greater, is required of all street cross-sections. The minimum curb return radius shall be 20 feet. The minimum grade around curb returns shall be 0.50%.
11. Private streets and or common driveways shall be a minimum of 24' wide and built to a 7-ton design.
12. The City requires concrete valley gutters across street and driveway intersections with overland cross drainage having a grade less than 1%.
13. Retaining walls over four (4) feet in height must be designed by a Minnesota Licensed Professional Engineer. The retaining wall is to be located on private property. The construction of any retaining walls within the public right-of-way will need prior approval of the City Engineer. All walls over four (4) feet in height will require an approved fence at the top of the wall. The retaining wall construction will require the submittal of detailed plans and specifications for review by City staff and a permit through the Building Department.
14. The design and construction of sidewalks and trailways shall be in accordance with the City's Standard Plates and City ordinances. Residential sidewalks shall be six (6)-foot wide concrete and trailways shall be a minimum of eight (8)-foot wide bituminous.
15. Horizontal curves on residential streets with concrete curb and gutter shall be designed to ensure a horizontal sight distance of not less than 100 feet. The minimum design speed shall be 30 MPH. The following are other minimum requirements for residential streets:
 - a. Horizontal curves shall have a minimum of 180-foot centerline radius. Refer to MnDOT State Aid Manual for more information.
 - b. Vertical curves shall be designed as follows:
$$L = K A$$
Where L = Minimum length of vertical curve in feet
K = 20
A = Algebraic difference in grade in percent
16. Vertical curves and horizontal curves on collector streets with concrete curb and gutter shall be designed to ensure a vertical and horizontal sight distance of not less

RCA Exhibit F

than 300 feet (arterials = 500 feet minimum). The following are other minimum requirements for collector streets:

- a. Horizontal curves shall have a minimum of 300 feet centerline radius without super elevation on 30 MPH design streets and a minimum of 450 feet centerline radius without super-elevation on a 35 MPH design street. Refer to the MnDOT State Aid Manual for more information.
 - b. Horizontal curves shall have a minimum tangent of 300 feet between reverse curves.
17. All materials shall meet the latest City of Roseville specifications. All construction shall meet City of Roseville specifications.

F. MISCELLANEOUS

1. All private utility boxes and poles shall be located within property lot lines.
2. All utility disconnects must be done at the main and be mechanically capped. For utility disconnects on major roads, the City Engineer may require the disconnect to occur at the right of way line and a fee be paid in lieu of capping the service at the road.
3. Street lights shall be installed at all intersections and midblock every 600 feet.
4. Street signs in Public Right of Way required as part of the development shall be installed be installed by City of Roseville at Developer's cost.
5. Refer to City Details in Appendix for pathway and sidewalk design standards.
6. Refer to City Details in Appendix for driveway design standards.

APPENDIX – Standard City Detail Plates

Bedding

Pipe Bedding

City Plate Number

BED-1

Erosion Control

Erosion Control Fence

City Plate Number

EC-1

Sediment Filter Sack

EC-2

Rock Construction Entrance

EC-3

Landscape

Planting Detail

City Plate Number

L-1

Miscellaneous

Mailbox

City Plate Number

M-1

Construction Sign

M-2

Wood Rail Fence

M-3

Paving / Streets

Driveways and Sidewalks

City Plate Number

P-1

Commercial Driveway

P-2

Concrete Sidewalk Joint Pattern

P-3

Transverse Crack Control Joints

P-4

Construction Sign

P-5

Concrete Valley Gutter

P-6

Sanitary Sewer

City Plate Number

Manhole Type B Thru G

S-1

Sanitary Sewer Manhole (27 Inch)

S-2

Sanitary Sewer Service

S-3

Manhole Type B Thru G Sump

S-4

Sanitary Sewer Service with Riser

S-5

Sanitary Sewer Replacement

S-6

Sanitary Sewer Service Replacement

S-7

Sanitary Sewer Service Installation for CIPP

S-8

RCA Exhibit F

[Sanitary Sewer Wye Replacement](#)

S-9

[Sanitary Drop Inlet Manhole](#)

S-10

Storm Sewer

City Plate Number

[Type A Catch Basin](#)

ST-1

[Type B Catch Basin](#)

ST-2

[Biofiltration Trench](#)

ST-3

[Baffle Structure](#)

ST-4

[Rain Garden](#)

ST-5

[Perforated Structure](#)

ST-6

[Perforated Pipe](#)

ST-7

[Rain Guardian](#)

ST-8

[Type B Sump Catch Basin](#)

ST-9

[Perforated Pipe Trench](#)

ST-10

[Standard Overflow Structure](#)

ST-11

[Flared End Section](#)

ST-12

[Riprap](#)

ST-13

[Biofiltration Basin](#)

ST-14

[Manhole Type B Thru G](#)

ST-15

Water Main

City Plate Number

[Hydrant and Gate Valve Installation](#)

W-1

[Water Main Service Connection](#)

W-2

[Water Main Service Disconnection](#)

W-3

[Pipe Insulation Detail](#)

W-4

Stormwater Management Standards

The City of Roseville has developed specific requirements that apply to development and redevelopment projects. These standards are intended to help achieve the water resource goals of the City's Comprehensive Surface Water Management Plan (CSWMP) and help the City maintain compliance with the National Pollutant Discharge Elimination System (NPDES) municipal permit program. These standards highlight important aspects of the requirements for stormwater quality, discharge rate and volume control, erosion control, and illicit discharge.

These standards do not replace or supersede City ordinances, watershed district regulations, state and federal rules or permits required for the project. For a more detailed listing of requirements see the specific policies of the City's CSWMP and the applicable City ordinances, or consult with City staff on your specific project.

To accomplish the goals of the CSWMP, it is important to the City to have consistent approaches to evaluating proposed development and redevelopment projects. Therefore, all hydrologic, hydraulic and water quality analysis must be prepared and submitted in a format that will allow for a timely and efficient review by City staff.

Project designers and/or applicants are encouraged to schedule and complete a pre-design meeting with the City before any data will be accepted. The purpose of the meeting is to specifically address approvals and permits, pond requirements, trunk storm drain analysis, wetland impacts, water quality treatment, erosion control and discharge to lakes and sensitive wetland resources.

1) General

- a) Erosion control standards apply to all land disturbance activity unless specifically exempted by the definition of the term "land disturbance activity" in the City's Erosion and Sedimentation Control Ordinance (Roseville City Code Chapter 803.04).
- b) The City's water quality treatment requirements apply to the following:
 - 1) new lots created through a platting or subdivision process which do not have storm water management.
 - 2) projects which result in twenty-one thousand, seven hundred eighty (21,780) square feet or more of disturbed area.
 - 3) projects which result in five thousand (5,000) square feet or more of new or reconstructed impervious surface.
- c) The City's rate/ volume control requirements apply to all projects, and
- d) Projects conducting mill and overlay or other surface pavement treatments, where aggregate base is left undisturbed, on existing impervious areas are exempt from the City's water quality treatment and rate control requirements. However, requirements must be met if the project impacts the base and/or sub-base materials for 5,000 square feet or more of disturbed area.
- e) Projects in a Shoreland, Wetland Protection or Stormwater Management Overlay District may have additional requirements which are defined in Roseville City Code Chapter 1017.
- f) Any work within a wetland, surface water, or Federal Emergency Management Agency (FEMA) designated floodplain may require permits to be obtained from, but not limited to the City, watershed district, Department of Natural Resources (DNR) and Army Corps of Engineers. All applicable permits for the specific project must be obtained prior to commencing land disturbance, construction, grading, clearing, or filling activities.
- g) The Applicant shall submit the information listed in Section 8 of these Standards to the City for review.

2) Water Quality Treatment

a) Infiltration/Volume Control Requirement

- 1) For all new or reconstructed impervious portions of a project, a runoff volume based on the requirements of the governing Capitol Region (CRWD), Ramsey-Washington Metro (RWMWD), or Rice Creek Watershed District (RCWD) rules. Within all other Watershed jurisdictions, a runoff volume of 1.1 inches must be treated through infiltration practices.
- 2) For all redevelopment impervious portions of a project, a runoff volume based on the requirements of the governing Capitol Region (CRWD), Ramsey-Washington Metro (RWMWD), or Rice Creek Watershed District (RCWD) rules. Within all other Watershed jurisdictions, a runoff volume of 1.1 inches must be treated through infiltration practices.
- 3) Filtration practices that are designed for partial recharge (e.g., bioretention basin with under drains) shall receive sixty-five percent (65%) credit for infiltration/volume control. Incorporation of trees and shrubs into filtration practices is encouraged.
- 4) No more than 15% of the new or reconstructed impervious surface may be left untreated.

b) Pollutant Removal Requirements. For projects that have met the infiltration/volume control requirements above, the pollutant removal requirements are considered to be met. For projects where infiltration or filtration is not feasible or is prohibited (see Item 5.a.), the following pollutant removal standards (based on a standard Nationwide Urban Runoff Program, NURP, particle size distribution) apply prior to reaching a downstream receiving water:

- 1) For new development and redevelopment portions of a site, provide treatment to remove ninety percent (90%) total suspended solids (TSS) and sixty percent (60%) total phosphorus (TP) modeled for an annual average rainfall.

c) For areas that are unable to meet the stormwater standards, the applicant shall pay into the City's Stormwater Impact Fund to cover the cost of implementing equivalent volume reduction elsewhere in the City. The required amount to contribute to the Stormwater Impact Fund will be set annually. Money contributed to the Fund will be allocated to volume reduction projects to help offset the volume that was not achieved on the permitted development.

(a) To be eligible to pay into the Stormwater Impact Fund, applicants must prove that stormwater bmp's are not feasible on the site and must complete the Alternative Stormwater Compliance Sequencing:

(i) Alternative Stormwater Compliance Sequencing:

The alternative compliance sequencing process includes three steps that must be followed in order to meet the volume reduction standard. The sequencing steps to be followed are:

- a. First, the applicant shall comply or partially comply with the volume reduction standard to the fullest extent practicable on-site through alternative volume reduction methods. See the questions below for more information.

RCA Exhibit G

- b. Second, the applicant shall meet the volume reduction standard at an offsite location or through the use of qualified banking credit.
- c. Third, as a last alternative, the applicant shall pay into the City's Stormwater Impact Fund at a \$/CF rate. The dollar amount will be approved by the City Council and will be found within the City's Fee Schedule.

3) Rate/Volume Control.

- a) Discharge rates leaving the site must not exceed the current rates for the 2, 10 and 100-year, critical duration (24-hour) storm events, using a Type II storm distribution and antecedent moisture conditions 2 (AMC-2). The runoff from pervious and impervious areas within the model shall be modeled separately (i.e. Weighted Q, SBUH weighting, etc).
- b) The City of Roseville shall apply all City standards for developments and redevelopments outside of the City limits which discharge into waterbodies or storm drainage systems within the City limits. All plan submittals shall comply with City of Roseville storm water regulations.
- c) For development and redevelopment projects affecting stormwater problem areas identified in the City's CSWMP, the City requires the applicant to incorporate such practices to resolve a proportionate share of the problem through a reduction based on existing runoff volumes.
 - 1) The "problem" as defined by the City is that excess volume of water that either causes a downstream storm sewer system to exceed a 10-year/24-hour design capacity or causes a downstream waterbody to exceed its designated 100-year flood elevation at a given point.
 - 2) Within an identified area, the applicant shall provide peak rate control for the 2, 10 and 100 year 24-hour rainfall events beyond the existing condition peak rate of runoff by reducing the peak rate to $\leq 80\%$ of the existing condition.

4) Design Computations.

- a) *Hydrologic Data Format:* All hydrologic data shall be completed using NRCS methodology; i.e. HydroCAD or TR20, XP-SWMM or a comparable, City approved method. The runoff from pervious and impervious areas within the model shall be modeled separately (Weighted Q or SBUH weighting, etc).
- b) *Rainfalls:* Rainfall amounts for hydrologic analysis shall be based on the precipitation frequency estimates of NOAA Atlas 14 for the 24-hour return period from 1 to 100 Years. City of Roseville analyses shall use the values in the following table.

Rainfall Frequency	Rainfall (Inches)
2-Year 24-Hour	2.8
10-Year 24-Hour	4.2
100-Year 24-Hour	7.4

- c) *Infiltration-Prohibitive Sites:* For projects not meeting the infiltration/volume control requirement as stated in Section 2(a), design engineers and applicants shall determine the pollutant removal efficiency of the best management practices (BMPs) incorporated into the site plan using the available industry standard models, including P8 (using a standard NURP particle size distribution for the analysis), PondNET or a comparable model approved by the City.
- d) *Wet-Detention Pond Storm Water Treatment:* As an alternative to preparing a site-specific model, the development may provide a treatment volume (dead storage) of not less than two and one-half (2.5) inches multiplied by the runoff coefficient calculated over the contributing drainage area to the pond. For

RCA Exhibit G

example, a one (1) acre impervious site with a runoff coefficient of 0.90 that drains to a common treatment pond would be required to provide a dead storage volume of 0.19 acre-feet or eight thousand two hundred (8,200) cubic feet. The Natural Resources Conservation Service Method may also be used upon City approval.

- e) *Volume Reduction Calculation:* The volume reduction (in cubic feet) provided by surface infiltration practices shall be computed using the following:
- 1) For sites required to obtain a watershed permit within CRWD, RWMWD, or RCWD jurisdiction, follow Watershed District Rule C.
 - 2) For sites that do not require a watershed district permit due to project size, provide volume calculations based on the following formula:

$$V = \text{Area} \times 1.1 \text{ inch} / 12$$

Where V = Required Volume Reduction in cubic feet (cf)

A = New or Reconstructed Impervious Area in square feet (sf)

- f) *Storm Sewer Conveyance Design:* Local storm sewer systems shall be designed for the 10-year storm event within the crown of pipe. The Rational Method shall be the preferred methodology for the design of local systems. Culvert crossings or storm systems in County or State right-of-way may have a design frequency which differs from the City's 10-year design storm. The designer shall contact each agency/unit of government to determine the appropriate design frequency for hydrologically-connected systems.
- g) *Outfall Energy Dissipation:* For culvert outlet velocities less than or equal to four (4) feet per second (fps), check shear stress to determine if vegetation or riprap will be adequate. If vegetation is used, temporary erosion control during and immediately following construction shall be used until vegetation becomes established. For velocities greater than four (4) fps, energy dissipaters shall be designed in accordance with Mn/DOT Design Criteria.
- h) *Landlocked Basin HWL Determination:* High water elevations for landlocked areas (basins where no outlet exists) shall be established by first estimating the normal or initial water surface elevation at the beginning of a rainfall or runoff event using a documented water budget, evidence of mottled soil, and/or an established ordinary high water level. The high water level analysis shall be based on runoff volume resulting from a 100-year/10-day runoff (10.0 inches and saturated or frozen soil conditions [CN=100]) or the runoff resulting from a 100-year back-to-back event (7.4 inches followed by 7.4 inches). The high water elevation shall be the higher of these two conditions.
- i) *Building Low Opening:* The lowest floor openings of all buildings shall be set:
- 1) At least two (2) feet above the 100-year high water elevation and at least one (1) foot above a designated emergency overflow.
 - 2) For landlocked basins, at least two (2) feet above the higher of the elevations determined in Part 4h.
- j) *No Net Loss of Storage Capacity:* If encroachments within storm water retention basins are approved by the City Engineer, then calculations indicating the volume of encroachment and plans for volume mitigation must be submitted.

RCA Exhibit G

5) Volume Control/Infiltration Practices Design Criteria.

a) Infiltration systems are prohibited:

- 1) Where the bottom of the infiltration basin is less than three (3) feet to bedrock or the seasonally high water table;
- 2) Low permeability soils (i.e., Hydrologic Soil Group C& D soils) or where a confining layer exists below the proposed basin;
- 3) Within fifty (50) feet of a public or private water supply well (Minn. Rules, Chapter 4725);
- 4) Potential storm water hot spots or contaminated soils (filling stations, industrial, etc.);
- 5) Within ten (10) feet of a property line or building foundation; and
- 6) Within thirty-five (35) feet of a septic system tank or drain field.
- 7) Within a Drinking Water Supply Management Area (DWSMA)
- 8) Where soil infiltration rates are greater than 8.3"/hr.

b) Infiltration practices must be designed to draw down to the bottom elevation of the practice within forty-eight (48) hours. The pond depth shall be based on the soil infiltration rate determined from site-specific soils investigation data taken from the location of proposed infiltration practices on the site (e.g., double ring infiltrometer test). The maximum pond depth, regardless of infiltration rate shall be two (2) feet unless otherwise approved by the City Engineer. The soils investigation requirement may be waived for residential property practices where the maximum pond depth is one (1) foot or less. The following infiltration rates shall be used for the most restrictive underlying soil unless otherwise supported by an *in-situ* infiltration test:

Soil Group	Rate	Soil Textures	ASTM Unified Soil Class Symbols
A	1.63 in/hr	Gravel, sand, sandy gravel, silty gravel, loamy sand, sandy loam	GW, GP
	0.80 in/hr		GM, SW, SP
B	0.45 in/hr	Loam, silt loam	SM
	0.30 in/hr		ML, OL
C	0.20 in/hr	Sandy clay loam	GC, SC
D	0.06 in/hr	Clay loam, silty clay loam, sandy clay, silty clay, or clay	CL, CH, OH, MH

Source: *Minnesota Storm water Manual, January 2014.1*

c) Infiltration practices shall have provisions for pretreatment of the runoff. Examples of pretreatment include: a mowed grass strip between a curb-cut and a small rain garden, a sump manhole or manufactured sediment trap prior to an infiltration system basin, and a sediment forebay as the first cell of a two-cell treatment system. Where the infiltration system captures only clean runoff (e.g., from a rooftop) pretreatment may not be required.

RCA Exhibit G

- d) The design shall incorporate a diversion or other method to keep construction site sediment from entering the infiltration system prior to final stabilization of the entire contributing drainage area.
 - e) The design shall incorporate provisions, where infiltration practices are proposed, that will prohibit the compaction of soils by construction equipment.
 - f) A plan for maintenance of the system must be submitted that identifies the maintenance activities and frequency of activities for each infiltration practice on the site. A signed maintenance agreement will be required by the City.
- 6) Pond and Additional Infiltration System Design Criteria. Newly constructed or expanded/modified ponds and basins shall be designed and constructed to meet the following:
- a) All ponds or basins shall:
 - 1) Have a 4:1 maximum slope (above the normal water level [NWL] and below the 10:1 bench, if a wet pond);
 - 2) Maximize the separation between inlet and outlet points to prevent short-circuiting of storm flows;
 - 3) Have an emergency overflow spillway identified and designed to convey storm flows from events greater than the 100-year event; and
 - 4) Be made accessible for maintenance and not be entirely surrounded by steep slopes or retaining walls which limit the type of equipment that can be used for maintenance. Vehicle access lane(s) of at least ten (10) feet shall be provided, at a slope less than fifteen percent (15%) from the access point on the street or parking area to the pond, to accommodate maintenance vehicles. Maintenance agreements will be required when the pond is not located on City property.
 - b) All wet ponds shall:
 - 1) Have an aquatic bench having a 10:1 (H:V) slope for the first ten (10) feet from the NWL into the basin;
 - 2) Have inlets be placed at or below the NWL;
 - 3) Have a skimming device designed to remove oils and floatable materials up to a five (5) year frequency event. The skimmer shall be set a minimum of twelve (12) inches below the normal surface water elevation and shall control the discharge velocity to 0.5 feet per second.
 - 4) Have an average four (4) feet of permanent pool depth (dead storage depth). This constraint may not be feasible for small ponds (less than about three [3] acre-feet in volume or less). In such cases, depths of three to four (3-4) feet may be used. To prevent development of thermal stratification, loss of oxygen, and nutrient recycling from bottom sediments, the maximum depth of the permanent pool should be less than or equal to ten (10) feet.
- 7) Erosion and Sediment Control (Roseville City Code Chapter 803.04)
- a) The City's Erosion Control Ordinance shall be followed for all projects, including those not regulated under the NPDES construction permit.
 - b) Prior to the start of any excavation or land disturbing activity for the site, the Applicant or contractor must have in place a functional and approved method of erosion and sediment control. The contractor must have received authorization from the City prior to commencing construction activities.

RCA Exhibit G

- c) Development projects subject to the NPDES Construction Permit shall meet the requirements of the NPDES permit program, including the requirement to prepare and follow a storm water pollution prevention plan (SWPPP). The Applicant shall submit proof of receipt and approval by Minnesota Pollution Control Agency and/or watershed district of the permit application prior to commencing construction if required. A copy of the SWPPP prepared in accordance with the NPDES permit requirements, shall be submitted to the City if requested by the City Engineer.

8) Storm Water Plan Submittals.

- a) Property lines and delineation of lands included in the project application.
- b) Delineation of the subwatersheds contributing runoff from off-site, and proposed and existing subwatersheds on-site.
- c) Location, alignment and elevation of proposed and existing storm water facilities.
- d) Delineation of existing on-site wetlands, shoreland and/or floodplain areas. Removal or disturbance of stream bank and shoreland vegetation should be avoided. The plan shall address how unavoidable disturbances to this vegetation will be mitigated per the City's ordinances.
- e) Existing and proposed inlet and outlet elevations
- f) The 10-year and 100-year high water elevations on-site. For landlocked basins, the higher of the elevations determined in Part 4h. of these standards shall also be identified.
- g) The lowest opening elevation of all buildings and structures.
- h) Existing and proposed site contour elevations related to NGVD, 1929 datum.
- i) Construction plans and specifications of all proposed storm water management facilities.
- j) Storm water runoff volume and rate analyses for existing and proposed conditions.
- k) All hydrologic and hydraulic computations completed to design the proposed storm water quality management facilities. Computations shall include a summary of existing and proposed impervious areas.
- l) All pollutant removal computations for practices not meeting the volume control/infiltration requirement.
- m) Provision of outlots or easements for maintenance access to detention basins, retention basins, constructed wetlands, and/or other storm water management facilities.
- n) Maintenance agreement between applicant and City which addresses sweeping, pond inspection, sediment removal and disposal, etc.
- o) Inlets to detention basins, wetlands, etc., shown at or below the outlet elevation.
- p) Identification of receiving water bodies (lakes, streams, wetlands, etc).
- q) Identification of existing and abandoned wells and septic tanks on the development site.
- r) Documentation indicating conformance with these standards.

- 9) Prohibition of Illicit Discharges (Roseville City Code Chapter 803.03). No person shall throw, drain, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into the municipal separate storm sewer system any pollutants or waters containing any pollutants other than

RCA Exhibit G

stormwater, i.e., swimming pool water which contains pollutants not found in stormwater. The following discharges are exempt from the prohibition provision above:

- a) Non-stormwater that is authorized by an NPDES point source permit obtained from the MPCA, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the (municipal/county) separate storm sewer system.
- b) Water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wetland flows, dechlorinated swimming pools and any other water source not containing pollutants;
- c) Discharges or flows from fire fighting, and other discharges as necessary to protect public health and safety;
- d) Dye testing discharge, as long as the Public Works Director is provided verbal notification prior to the time of the test.

ORDINANCE NO. ____

AN ORDINANCE AMENDING TITLE 11, SUBDIVISIONS, OF THE CITY CODE
ELIMINATING AND/OR REPLACING IN THEIR ENTIRETY SECTIONS 1101 (GENERAL
PROVISIONS), 1102 (PLAT PROCEDURES), 1103 (DESIGN STANDARDS), AND 1104
(ADMINISTRATION AND ENFORCEMENT), AND AMENDING TITLE 10, ZONING, OF
THE CITY CODE, TO UPDATE A DIMENSIONAL STANDARD FOR RESIDENTIAL LOTS

The City Council of the City of Roseville does ordain:

Section 1. Subdivision Ordinance Amended. The Roseville City Code, Title 11
(Subdivisions), 1101 (General Provisions), 1102 (Plat Procedures), 1103 (Design Standards), and 1104
(Administration and Enforcement) are hereby amended by eliminating, clarifying, revising, and
relocating requirements to new Chapters in the Subdivision Ordinance. The purpose of these
amendments is to effect a comprehensive technical update to the requirements and procedures for
processing subdivision proposals. After Planning Commission and City Council consideration of
Project File 0042, the following Subdivision Ordinance Chapters are established: 1101 (General
Provisions), 1102 (Procedures), and 1103 (Design Standards):

[Strikethrough text of the existing Title 11, in its entirety, and the full text of the approved
update of Title 11 will complete Section 1, but are not included with the draft resolution.]

RCA Exhibit H

16 **Section 2. Zoning Ordinance Amended.** The Roseville City Code, Title 10 (Zoning), is
17 hereby amended by inserting a provision, formerly established in the Subdivision Ordinance, into Table
18 1004-3 (LDR-1 District Dimensional Standards):

[The approved update of Title 10, Table 1004-3 will complete Section 2, but is not included with the draft resolution.]

RCA Exhibit H

19 **Section 3. Effective Date.** This ordinance amendment to the City Code shall take effect upon
20 the passage and publication of this ordinance.

21 Passed this 19th day of June, 2017.

City of Roseville

ORDINANCE SUMMARY NO. ____

**AN ORDINANCE AMENDING TITLE 11, SUBDIVISIONS, OF THE CITY CODE
ELIMINATING AND/OR REPLACING IN THEIR ENTIRETY SECTIONS 1101 (GENERAL
PROVISIONS), 1102 (PLAT PROCEDURES), 1103 (DESIGN STANDARDS), AND 1104
(ADMINISTRATION AND ENFORCEMENT), AND AMENDING TITLE 10, ZONING, OF
THE CITY CODE, TO UPDATE A DIMENSIONAL STANDARD FOR RESIDENTIAL LOTS**

The following is the official summary of Ordinance No. ____ approved by the City Council of the
City of Roseville on June 19, 2017:

The Roseville City Code, Title 11 (Subdivisions), 1101 (General Provisions), 1102 (Plat
Procedures), 1103 (Design Standards), and 1104 (Administration and Enforcement) has been amended
by eliminating, clarifying, revising, and relocating requirements to new Chapters in the Subdivision
Ordinance. The purpose of these amendments is to effect a comprehensive technical update to the
requirements and procedures for processing subdivision proposals. After Planning Commission and
City Council consideration of Project File 0042, the following Subdivision Ordinance Chapters are
established: 1101 (General Provisions), 1102 (Procedures), and 1103 (Design Standards).

The Roseville City Code, Title 10 (Zoning), has been amended by inserting a provision,
formerly established in the Subdivision Ordinance, into Table 1004-3 (LDR-1 District Dimensional
Standards).

A printed copy of the ordinance is available for inspection by any person during regular office
hours in the office of the City Manager at the Roseville City Hall, 2660 Civic Center Drive, Roseville,
Minnesota 55113. A copy of the ordinance and summary shall also be posted at the Reference Desk of the
Roseville Branch of the Ramsey County Library, 2180 Hamline Avenue North, and on the Internet web
page of the City of Roseville (www.cityofroseville.com).

Attest: _____
Patrick Trudgeon, City Manager