

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Agenda Date: 7/10/2017
Agenda Item: 7.g

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 Planning Commission held the public hearing for this application 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, a detailed side-by-side
5 presentation of existing-and-proposed language, and a more conventional presentation with
6 all proposed content consolidated into a single document. The duly-noticed public hearing for
7 the proposed code update was held by the Planning Commission on June 7, 2017. When the
8 City Council reviewed the recommended update on June 19, 2017, the Council generally
9 supported the proposal and, by consensus, requested several edits. The draft minutes of the
10 City Council's June 19 discussion are included with this RCA as Exhibit A. The revised draft
11 of the proposed update is included as Exhibit B; the *track changes* typography in the
12 subdivision code update presented for review and adoption reflects the final edits that were
13 discussed and requested by the City Council.

PLANNING DIVISION COMMENT

The only changes called out in the current draft of the updates that may not explicitly relate to the City Council's discussion are as follows:

- Assorted edits to insert serial commas, where necessary, or to better clarify how similar conjunctions are intended to function.
- Section 1102.04.D, beginning on line 290 of Exhibit B: the changes in this section represent a relocation and reorganization of the roadway standards in Section 1103.02.G, beginning on line 408. The Council requested a reorganization of 1103.02.G, which are regulations for physical improvements that have been situated within regulations for rights-of-way, in order to obviate the introductory phrase: "While not strictly pertinent to rights-of-way, per se...". The suggested reorganization was to elevate the provision in the outline structure of the ordinance by labeling it as Section 1103.021 so that it is no longer technically within regulations for rights-of-way, thereby allowing the introductory phrase to be deleted. While this would achieve the goal of deleting that phrase, it would leave the provision about roadway improvements situated among rights-of-way regulations. Given the additional time to work on the requested change, Planning Division staff has come to believe that a more proper solution is to incorporate these provisions of 1103.02.G into an earlier code section (i.e., 1102.04.D) that pertains to roadway improvements. This is how the requested change is incorporated in to the proposed draft.
- Section 1102.05.D, beginning on line 356 of Exhibit B: Planning Division staff had been aware of the possibility of clarifying the language in this section prior to the June 19 discussion. While clarification may not be necessary, the additional time to work with the code update allowed staff to suggest an improvement.

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

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: Excerpt of 6/19 City Council
 draft minutes
 B: Draft subdivision code update

C: Draft ordinance
D: Draft ordinance summary

Prepared by: Senior Planner Bryan Lloyd
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 bryan.lloyd@cityofroseville.com

A handwritten signature in black ink, appearing to read 'B. Lloyd', is written over the signature line of the 'Prepared by' section.

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b. 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 (Subdivisions) and Revision of Lot Size Standards Established in City Code, Chapter 1004 (Residential Districts (PROJ-0042))

Senior Planner Bryan Lloyd briefly summarized the latest revisions of this final draft and highlighted various areas of an amended Subdivision Ordinance, with final vetting having been done by the Planning Commission and now the City Council.

Title 11 (Subdivisions), Chapter 1101 (RCA Exhibit A)

Page 1, line 30-32 (Owner)

Mr. Lloyd noted Lloyd questioned the use of “owner” and how it should be described in this sense or what other kinds of owners may be indicated.

Mayor Roe pointed out the use of “owner as applicant” (page 4, line 133) under the Minor Plat process, stating the “owner shall file an application.”

City Attorney Gaughan suggested not getting into that much detail as to the extent of ownership, but let them self-identify since the intent was to refer to the measure of ownership over a subject property or duration of ownership, with any further detail creating more doors to open than necessary. At the request of Mayor Roe, Mr. Gaughan stated his agreement with that definition in the ordinance.

Page 1, line 30

Councilmember McGehee questioned the use of “natural person.”

City Attorney Gaughan stated that, while this term is seen in numerous documents, it was no legal obligation to use that term.

Councilmember Willmus recalled that previous discussions were to strike “natural” go with “person.” Without objection, staff was directed to use proceed accordingly by striking “natural.”

Page 2, lines 52 and 53

Without objection, language was revised in line 52 as “Acceptance of Roadways” rather than “streets;” and in line 53 to strike “land” from “Required Improvements,” since that section included infrastructure and grading improvements as well.

Page 6, Line 222

A typographical correction was noted to strike the hyphen between “”final” and “approval.”

Page 7, line 254 (specific grounds for variances)

Mr. Lloyd noted other areas of code that cover specific grounds for variances negating a prior City Council suggestion for more language in that section.

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Councilmember McGehee questioned the vagueness of “essential character” and “unusual hardship,” and if they were sufficient to invoke if needed.

Mayor Roe noted, with confirmation by City Attorney Gaughan, that the city retained the latitude to invoke them as they came forward, with the city defining those specific grounds as pointedly or vaguely as it chose to do so. Mayor Roe expressed his preference for having more vague language allowing the City Council to exercise more flexibility depending on the specific case and situation.

Page 7, lines 261 – 268 and Page 12, line 457

Mr. Lloyd noted language variables bouncing from “streets” to “roadways” in the document, and in an effort to be consistent and eliminate any sense of redundancy, sought the City Council’s preference to use “roadway” in place of “streets.”

Without objection, staff was directed to do so if interchangeable in definitions.

Page 9, line 356

Item C (Bond), language was revised to strike “or owner” and change it to “or applicant.”

Page 9, line 365 (Title – Chapter 1103.021)

City Attorney Gaughan noted that this section had previously been stricken in its entirety.

Page 11, Line 408 (Section G: Roadway Standards)

Mr. Lloyd noted previous City Council discussion for the provision about dimensional standards and how they applied to new and existing streets being rebuilt, found confusion. Therefore, Mr. Lloyd suggested deleting “existing” in this case to apply to all roadways.

Mayor Roe recalled this discussion and concern about references to standards applying to roadways, expressing his hope that the subdivision code was not the only place “roadways” were referred to and conclusions from those previous discussions to refer to meeting standards if existing roadways had to be reconstructed as part of the subdivision process. Therefore, Mayor Roe suggested in line 410 after “reconstructed,” adding additional language “... as a result of a subdivision.”

City Attorney Gaughan concurred with Mayor Roe’s recollection of that discussion, noting that he would support that since specificity was good in provisions when drawing more clarity to them.

Further, City Attorney Gaughan questioned the need for the preface in line 408 “While not strictly pertinent to rights-of-way...” since this section was not strictly pertinent to rights-of-way.

Mayor Roe agreed that the section seemed to be about the width of the road itself and not pertinent to rights-of-way.

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Mr. Lloyd reviewed staff's intent in that section with horizontal lines that may not necessarily related to rights-of-way, but also advised that this section was the only part of the subdivision code that addressed it with the earlier section (line 307) referring to roadway improvements for construction versus width and whether parking is allowed at a given width and whether permitted on one, both or neither side of the street. Mr. Lloyd noted that there was an anomaly in the structure of this part of the right-of-way code and lot design and therefore was preserved in code and not relegated to the Public Works Design Standards Manual as many construction and development requirements had been. Mr. Lloyd opined that this information may prove helpful for a subdivision in planning ahead for what facilities are permitted in a right-of-way and provide guidance about its width accordingly, but not specifically speaking to the right-of-way standard itself.

Mayor Roe asked if it was not specified in another part of code when approving plats, but not necessarily road widths.

Mr. Lloyd provided several examples, such as with a recent City Council approval of a street width for a private road in a subdivision serving four lots and based on there being no other on-street parking for some distance outside that plat.

Mayor Roe asked what constituted a plat and whether road width was part of that or how they were otherwise linked and standards applied; questioning if there was a link between a plat and a roadway width requirement.

Mr. Lloyd responded that if there was some perceived value in assessment of street width and parking it may be better to locate that language earlier in the section of roadway improvements (e.g. lines 308-316) in keeping it in the subdivision code versus in the Design Standards document.

Mayor Roe suggested if it is retained in the subdivision code, he wasn't sure if it needed to be rearranged tonight at the bench unless and until it was clear that a roadway standards section was indicated.

City Attorney Gaughan opined that the first clause struck him as not the typical clause seen in code, and suggested the additional of a new section (e.g. 1103.02.5: Roadway Standards) so as not to link the rights-of-way and standalone design standards. Therefore, Mr. Gaughan reiterated his suggestion that preface language in line 408 be struck "While not strictly pertinent to rights-of-way..." and instead of Section G (in Chapter 1103.02.5) to reinstate Chapter 1103.02.1 (Roadway Standards).

Without objection, Mayor Roe also noted the need to strike "existing" from line 409.

Page 12, lines 449 and 468

Direction was provided to correct typographical errors, to remove the comma in line 449 and to remove the hyphen in line 467.

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Page 13, line 496

Mr. Lloyd addressed a staff discussion with the city attorney addressing when plans that were not amended for this to provide a standard way of accounting for proposed changes, and to further clarify it with the additional language, "...as applicable at the time a plan is in effect at the time of application,"

While that was a staff discussion, City Attorney Gaughan opined that this may put too fine of a point on it, and by acknowledging that comprehensive plans and other master plans were periodically amended or updated, suggested leaving the door open for a more lengthy comprehensive process rather than adding that clarification.

Without objection, Mayor Roe directed staff to retain that ambiguity as suggested by City Attorney Gaughan; using an example from the asphalt plant as a permitted use under a Conditional Use, and as a result of that application the City Council changed zoning code requirements for industrial properties.

Page 13, line 508

City Attorney Gaughan noted that the internal cross-reference should be Chapter 1102.05 rather than 1102.07.

As noted in the staff report detail, Mr. Lloyd noted ensuing discussion on whether there was a better way to write this section related to park dedication amounts for residential and other uses, opining that this rewrite failed to address all development possibilities, since there could be a mix of commercial and residential uses. Mr. Lloyd suggested it may be prudent to begin to address this by the Parks & Recreation Commission and department staff work through issues identified in previous conversations as to amounts of land and/or fees, as well as if and when to pro-rate park dedication fees for commercial and residential uses and treat each development appropriately toward the city's park system.

Mayor Roe recalled previous discussions to leave language as is until that bigger discussion process was completed.

At the request of Councilmember McGehee, Mr. Lloyd advised that CMU districts had not been addressed during initial discussions and previous code amendments.

Councilmember Etten asked Parks & Recreation Director Brokke to address staff and commission discussions and where they were currently aligned as well as those areas still up in the air at this point, stating that he wasn't aware of a problem in this area.

Parks & Recreation Director Brokke stated that as of the last City Council discussion the thought was to make residential and non-residential at 10% and change the fee schedule accordingly for cash in lieu of land dedications. However, given questions and/or comments of the Planning Commission, Mr. Brokke advised that a number of questions remained yet to be answered, and therefore until then, the

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1 recommendation had been to retain the language as currently written until that
2 bigger issue could be dealt with from a broader perspective. Mr. Brokke reported
3 that the Parks & Recreation Commission was only in the initial stages of that dis-
4 cussion and process at this time.

5
6 Councilmember Etten agreed with that given his notes for 10%; and offered his
7 ongoing support of it as long as the discussion ensued sooner rather than later.

8
9 Mr. Brokke agreed with the timing, advising that the initial discussion was related
10 to the cash versus land portion when this came up, with 10% seeming more con-
11 sistent if both were addressed.

12
13 Mayor Roe referenced the LMC information included in the packet (Exhibit E ap-
14 pendix) and suggested the Commission and staff consider that step by step meth-
15 odology which he had found very helpful.

16
17 Councilmember Etten agreed wholeheartedly, specifically Step 6 of that attach-
18 ment that he found to connect things, while duly noting other ways for calcula-
19 tions in other steps, but providing a great process for the commission to review.

20
21 Mayor Roe noted the City Attorney's recommendation for the Park Department's
22 review of this area and to address other areas that may not be in line with state
23 statute.

24
25 Without objection, Mayor Roe directed staff to retain park dedication language as
26 currently provided in the subdivision code until those recommendations come
27 forward.

28 29 Page 14, Chapter 1004: Residential Districts (Title 10 – Zoning)

30 Mr. Lloyd reviewed minimum rear lot line length parameters and removal of di-
31 mension areas, with the last one moved to the Zoning Code table related to single-
32 family properties for this calculation.

33
34 Councilmember McGehee stated her concern that 30' was too narrow for the rear
35 lot line given the front yard requirements, indicating her preference for that rear
36 lot line length to exceed 30'.

37
38 Councilmember Laliberte noted her previous suggestion for it being half but not
39 less than the front footage.

40
41 Discussion ensued with staff providing numerous examples of materially different
42 dimensions and those preferred to be regulated out versus conventional scenarios
43 with street curvatures for radial properties. By concurrence, the City Council
44 agreed with Mr. Lloyd's interpretation of the minimum width calculated at the
45 front setback line and minimum rear width then at a minimum lot depth line or
46 setback line at the rear.

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Specific to pie-shaped lots, Councilmember Willmus suggested that minimum lot widths at the rear setback line may not preclude pie-shaped lots, but assured reasonable width with situating a home on the lot.

Mayor Roe sought consensus for allotting half of the front yard setback; with Councilmember Etten opinion that half of the front could be too much and instead suggested half the minimum width, with Councilmember Willmus concurring if the result was based upon the minimum at the rear setback at half of the minimum front width at that rear setback.

Mayor Roe suggested that 43' may be easier for staff and developers to interpret.

Councilmember McGehee suggested 50' instead of 43' as the minimum setback no matter the size of the front, providing a 50' x 110' lot allowing for a descent building pad.

Without objection, the table was revised to allow 45' for the minimum rear lot line length.

With further discussion, and concern expressed by Mr. Lloyd that measuring at the rear setback line could have significant impact; with Mayor Roe noting that the rationale could also be used to build to the rear setback and still meet side yard setbacks, with an actual buildable width of 75'.

Without objection, staff direction was confirmed at a minimum 45' rear setback; with the caveat that if implementation proved this wrong, it could be revised again at that time.

Mayor Roe offered an opportunity for public comment at this time, with no one appearing for or against.

Page 13, Section 1103.06: Park Dedication

Councilmember Etten sought a refresher on why plans and city policies excluded references to the pathway master plan and striking "including, but not limited to, those..." (line 494).

Mayor Roe recalled past discussion to revert to previous code language with staff's challenge being that there was no actual language to define that authority in the paragraph with the heading stating "as a condition of approval."

Mr. Lloyd advised that in working with the City Attorney on this section, while recognizing the direction to revert back to current subdivision code language, it was important to remain consistent with statutory language in identify plans referenced in taking advantage of that language for park dedication authorization and how it was determined by the city, thus the language had been retained.

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Mayor Roe also noted that in the previous subdivision code reference was made at the beginning to those three planning documents: Parks & Recreation System Master Plan, Pathway Master Plan and the Comprehensive Plan.

City Attorney Gaughan advised that state law mandates that before city can even collect any park dedication, it must have a park and open space plan in place, with the parks and trails component outlined in the comprehensive plan inclusive of that and therefore, his advice to have a more specific reference to the plans the city has available in its comprehensive plan on which to base its park dedication. Therefore, Mr. Gaughan advised that it was his suggestion to removed that “including, but not limited to, those...” language to avoid unlimited plans playing in-to it and allowing more specificity to what plans are already in place on which to base that park dedication structure.

From his personal perspective, Mayor Roe stated that he had no problem referencing the Pathway Master Plan since the park dedication was still a City Council decision based on recommendations of the Parks & Recreation Commission, and could still be referenced in code whether it was abided by or not since the state statute refers to a trail plan.

Pages 3 – 4, lines 116 – 157 (Minor Plat) / Pages 4-5, lines 159 –229 (Major Plat)

Councilmember Etten noted some things not meeting requirements of a major plat, referencing the criteria identified in line 116 and on for a minor plat. Specific to the example of the previous Gluek Lane lot split that triggered the park dedication piece, and need for a new source for water and sewer even though it didn’t constitute a major plat, Councilmember Etten asked what happens in a similar situation with this revised language.

Mr. Lloyd advised that the Minor Plat option was for residents to work with when all criteria were present in an application; while for a Major Plat an applicant could address any criteria present from that list, even though there could be gaps but with the intent to avoid such gaps.

At the request of Councilmember Etten, Mr. Lloyd confirmed that an open house was set up for situations creating four or more lots; and noted an open house would be required under zoning rules if associated with development of a plat or any change to the comprehensive plan, as addressed in lined 165-167. Councilmember Etten suggested they be listed elsewhere under the developer open house meeting section; with Mr. Lloyd advising that they may be elsewhere in the subdivision code, but were also related to the zoning process itself.

Councilmember Willmus asked that this document be brought forward as a clean and final copy based on tonight’s changes and discussion prior to its adoption.

Without objection, Mayor Roe directed staff to return with a final draft of the subdivision ordinance at the July 10, 2017 City Council meeting for consideration and subsequent approval.

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. 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: 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~~ Roadways

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. Due regard shall be shown for all natural features such as tree growth, water courses, historic locations, or similar conditions.
2. Conditions of Approval: The City may require such changes or revisions to any proposal as deemed necessary for the health, safety, general welfare, and convenience of the City. For Major Plats, the Planning Commission may also recommend to the City Council such changes or revisions.
3. Flooding: No 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 an approved subdivision or consolidation 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 an approved subdivision or consolidation 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

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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: 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 platting alternative creates no new lots or streets. The proposed correction 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.

2. Applications: The owner of property on which a platting alternative is proposed shall file an application for approval of the 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 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 used when all of the following criteria are present. All other subdivision proposals that do not fall within the regulations listed herein 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.

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- c. The anticipated development on the lot or lots resulting from the proposed subdivision or consolidation is supported by the 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 1103.06 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, 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. 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.
 3. Validation and Expiration: Adhering to Ramsey County's Manual of Guidelines for Subdivision Plats, 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 apply when any of the following criteria are present:
 - 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 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 1103.06 of this Title.

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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, 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.

4. Validation and Expiration of Preliminary Approval: Preliminary approval of a Major Plat shall be validated by the owner through application for final approval of the plat of the proposed subdivision within six months of the date of said preliminary approval. Notwithstanding this time limitation, the City Council may approve extensions of the time allowed for validation of the preliminary 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 preliminary approval. Preliminary approval of a Major Plat shall automatically expire if the approval is not validated as described herein.

5. Application for Final Approval

- a. Applications: The owner of property on which final approval of a Major Plat is requested shall file an application by paying the fee set forth in Chapter 314 of this Code and submitting a completed application form and supporting documents as set

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forth on the application form. Required supporting documentation may include, but is not limited to, a Development Agreement as described in Section 1102.05 of this Chapter. The City Council shall act upon an application for final approval of a Major Plat within 60 days of the submission of a completed application.

- b. Required Changes Incorporated: The final plat shall have incorporated all changes or modifications required by the City Council in the preliminary approval of the Major Plat and shall otherwise be substantially the same as said plat.

- 6. Validation and Expiration of Final Approval: Adhering to Ramsey County's Manual of Guidelines for Subdivision Plats, final approval of a Major Plat 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 said final approval. Notwithstanding this time limitation, the City Council may approve extensions of the time allowed for validation of the final 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 final approval. Final approval of a Major Plat shall automatically expire if the approval is not validated as described herein.

E. Refusal to Approve

The refusal to approve a plat or platting alternative shall be set forth in the proceedings of the City Council and reported to the owner. If approval of a proposal is so denied, an application for approval of substantially the same plat or platting alternative on the same property shall not be accepted within one year of the date of said denial.

1102:02: Variances

- A. Purpose: Regulations pertaining to the process of subdividing or consolidating land and to the characteristics of the resulting lots are established in Title 11 (Subdivisions) and Title 10 (Zoning) of this Code. There are occasions, however, where it may be appropriate to vary the regulations as they apply to specific properties where an unusual hardship on the land exists, pursuant to Minnesota Statute 462.358 Subd. 6.
- B. Applications: The owner of property on which a 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 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 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 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~~ roadways 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~~ roadways 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 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

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283 developer shall not deviate from this plan without first obtaining written acceptance from
284 the Public Works Director of such changes.

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

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

- 290 D. Roadway Improvements: The following standards shall apply to all City and private
291 roadways, when newly constructed or reconstructed, as a result of plat approval. All local
292 residential roadways shall be constructed in conformance with the Public Works Design
293 Standards manual.

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

303 5. Roadway Width

- 304 a. To ensure adequate access for emergency vehicles, no roadway shall be
305 constructed to a width less than 24 feet.

- 306 b. Parking Restrictions: For roadways with functional classification of Collector or
307 greater, on-street parking shall be reviewed by the Public Works Department.
308 For Local and Marginal Access roadways, "No Parking" signs shall be installed
309 in accordance to the following:

310 ≥ 24 feet and < 26 feet No parking on both sides of the street (signs on both
311 sides).

312 ≥ 26 feet and < 32 feet No parking on one side of the street (signs on one side).

313 ≥ 32 feet Parking permitted on both sides of the street (no signs
314 needed).

315 In cases where the specified width is impractical, however, the City Council may
316 reduce this dimension, as outlined in the City street width policy.

317 F. Public Utilities

- 318 1. All new electric distribution lines (excluding main line feeders and high voltage
319 transmission lines), telephone service lines and services constructed within the confines
320 of and providing service to customers in a newly platted residential area shall be buried
321 underground. Such lines, conduits, or cables shall be placed within easements or

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dedicated public ways. The placement of transformer boxes and other above ground facilities shall be reviewed and approved by the City Engineer.

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 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~~ applicant after payment of all costs and expenses to the City have been paid.

- D. ~~Street Roadway~~ 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 and to make~~ all the required improvements, ~~at the same time, but~~ However, building permits will not be granted ~~for development of lots without except as to lots having~~ access to streets roadways 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

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364 1103.02: Rights-of-Way

365 ~~1103.021: Minimum Roadway Standards~~

366 1103.03: Easements

367 1103.04: Block Standards

368 1103.05: Lot Standards

369 1103.06: Park Dedication

370 **1103.01: Transportation Plan**

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

374 **1103.02: Rights of Way**

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

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

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

379 Collector: 66 feet

380 Local: 60 feet

381 Marginal Access: 50 feet

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

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

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

388 Collector: 300 feet

389 Local: 150 feet

390 Marginal Access: 150 feet

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

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

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

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

398 Collector: 4%

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Local: 6%

Marginal Access: 6%

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

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 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.

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- 437 B. Blocks shall be shaped so that all blocks fit readily into the overall plan of the subdivision, the
438 neighborhood, and the City, and must consider lot planning, traffic flow, and public open
439 space areas.
- 440 C. Blocks intended for commercial, institutional, and industrial use must be designated as such
441 and the plat must show adequate off-street areas to provide for parking, loading docks, and
442 such other facilities that may be required to accommodate motor vehicles.
- 443 D. Where a subdivision abuts a railroad or limited access highway right-of-way, a Marginal
444 Access right-of-way may be required to provide access to abutting properties and to allow for
445 appropriate screening of the highway or railway.

446 1103.05: Lot Standards

- 447 A. The minimum lot dimensions in all subdivisions shall be those of the applicable zoning
448 standards as established in Title 10 of this Code, or of the intended zoning district if the
449 subdivision is in conjunction with a zoning change, in addition to any requirements herein
450 defined.
- 451 B. Additional Standards for Lots for Single-Family Detached Residences: The shapes of new
452 lots shall be appropriate for their location and suitable for residential development. Lots with
453 simple, regular shapes are considered most appropriate and suitable for residential
454 development.
- 455 1. Lots which are appropriate for their location and suitable for residential development
456 often have:
- 457 a. Side lot lines that are approximately perpendicular or radial to the front lot line(s)
458 of the parcel(s) being subdivided, or
- 459 b. Side lot lines that are approximately parallel to the side lot line(s) of the parcel(s)
460 being subdivided, or
- 461 c. Side lot lines that are both approximately perpendicular or radial to the front lot
462 lines(s) and approximately parallel to the side lot line(s) of the parcel(s) being
463 subdivided.
- 464 2. It is acknowledged; however, that property boundaries represent the limits of property
465 ownership, and existing boundaries that have complex or unusual alignments are not
466 easily changed. Subdivisions of such irregularly-shaped parcels may be considered, but
467 the shapes of proposed new lots might be found to be too irregular, and consequently,
468 applications can be denied for failing to conform adequately to the purposes for which
469 simple, regular parcel shapes are considered most appropriate and suitable for
470 residential development.
- 471 3. Flag lots are not permitted. A flag lot is a lot with two distinct parts:
- 472 a. The “flag pole” is the part of a flag lot that abuts a street with a relatively narrow
473 strip of land, which fails to conform to the minimum required lot width, as defined
474 in Section 1001.10 of this Code, and which passes beside a neighboring parcel.
- 475 b. The “flag” is the buildable part of a flag lot, which is connected to the street by the
476 flag pole, and which is located behind the neighboring parcel.

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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 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 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 1102.07-05 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 Width^d</u>	<u>45 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.

d The horizontal distance between side lines of a lot, measured at right angles to its depth at the minimum required rear yard building setback line.

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):

CHAPTER 1101

GENERAL PROVISIONS

SECTION:

~~1101.01: Purpose and Jurisdiction~~

~~1101.02: Definitions~~

~~1101.01: PURPOSE AND JURISDICTION:~~

~~A. Purpose: Because each new subdivision accepted by the City becomes a permanent unit in the basic physical structure of the future community and to which the future community will of necessity be forced to adhere, and further because piecemeal planning of subdivisions will bring a disastrous, disconnected patchwork of pattern and poor circulation of traffic unless its design and arrangement is correlated to a proposed master plan study aiming at a unified scheme of community interests; 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: It is the purpose of this Title to make certain regulations and requirements for the platting of land within the City pursuant to the authority contained in Minnesota Statutes chapters 412, 429, 471, 505 and 508, which regulations the City Council deems necessary for the health, safety, general welfare, convenience and good order of this community. (Ord. 358, 2-5-1962)~~

~~1101.02: DEFINITIONS:~~

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

~~ALLEY: A public right of way which affords a secondary means of access to abutting property. (Ord. 215, 7-5-1956)~~

~~BOULEVARD: The portion of the street right of way between the curb line and the property line. (1990 Code)~~

~~BUILDING SETBACK LINE: A line within a lot or other parcel of land so designated on the plat of the proposed subdivision between which and the adjacent boundary of the street upon which the lot abuts the erection of an enclosed structure or fence or portion thereof is prohibited.~~

~~COLLECTOR STREET: A street which carries traffic from minor streets of residence development and the principal circulating streets within such a development.~~

~~COMPREHENSIVE PLAN: The composite of the functional and geographic elements of the Comprehensive Plan, or any segment thereof, in the form of plans, maps, charts and textual material as adopted by the City.~~

~~CUL-DE-SAC: A short minor street having one open end and being permanently terminated at the other by a vehicular turnaround.~~

~~DESIGN STANDARDS: The specifications to landowners or subdividers for the preparation of preliminary plans indicating, among other things, the optimum, minimum or maximum dimensions of such features as right of way and blocks as set forth in Chapter 1103.~~

~~EASEMENT: A grant by a property owner for the use of a strip of land by the public or any person for a specific purpose or purposes. (Ord. 216, 7-5-1956; amd. 1995 Code)~~

~~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. (Ord. 1167, 7-8-1996)~~

~~FINAL PLAT: A map or plan of a subdivision and any accompanying material as described in Section 1102.04.~~

~~LOT: A portion of a subdivision or other parcel of land intended for building development or for transfer of ownership.~~

~~MARGINAL ACCESS STREET: A minor street which is parallel to and contiguous with a thoroughfare and which provides access to abutting properties and protection to local traffic from fast, through moving traffic on the adjoining thoroughfare.~~

~~MINOR STREET: A street other than a thoroughfare or collector street which affords local access to abutting properties.~~

~~OWNER: Includes the plural as well as the singular, and includes any person.~~

~~PEDESTRIANWAY: A public or private right of way across a block or providing access within a block to be used by pedestrians and for the installment of utility lines.~~

~~PLANNING COMMISSION: The Planning Commission of the City.~~

~~PRELIMINARY PLAT: A tentative map or plan of a proposed subdivision as described in Section 1102.02.~~

~~PROTECTIVE COVENANTS: Contracts made between private parties and constituting an agreement between these parties as to the manner in which land may be used with the view to protecting and preserving the physical, social and economic integrity of any given area. (Ord. 216, 7-5-1956; amd. 1995 Code)~~

~~ROADWAY: A driving surface made for vehicular traffic, including public and private roads and drive aisles. (Ord. 1167, 7-8-1996)~~

~~STREET: A public or private right of way which affords primary access by pedestrians and vehicles to abutting properties whether designated as a street, avenue, highway, road, boulevard, lane or however otherwise designated. (Ord. 216, 7-5-1956; amd. 1995 Code)~~

~~STREET R.O.W.: The property dedicated for the construction of the street, sidewalks, and utilities. Property located between property lines of a platted public street. (Ord. 1167, 7-8-1996)~~

~~STREET WIDTH: The shortest distance between curb lines or edge of pavement.~~

~~SUBDIVISION: A described tract of land which is to be or has been divided into two (2) or more lots or parcels, any of which resultant parcels is less than five (5) acres in area, for the purpose of 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.~~

~~THOROUGHFARE: A public right of way with a high degree of traffic continuity and serving as an arterial traffic way between the various districts of the Roseville area, as shown in the Comprehensive Plan. (Ord. 216, 7-5-1956; amd. 1995 Code)~~

CHAPTER 1102 PLAT PROCEDURES

SECTION:

~~1102.01: Procedure~~

~~1102.02: Necessary Data for Preliminary Plat~~

~~1102.03: Requirements Governing Approval of Preliminary Plat~~

~~1102.04: Necessary Data for Final Plat~~

~~1102.05: Acceptance of Streets~~

~~1102.06: Required Land Improvements~~

~~1102.07: Arrangements for Improvements~~

1102.01: PROCEDURE:

Except as provided in Section 1104.04 of this Title, before dividing any tract of land into two or more lots or parcels, the owner or subdivider shall submit a preliminary plat of the subdivision for the approval of the Planning Commission and the Council in the following manner:

~~A. Sketch Plan:~~

~~1. Contents of Plans: Subdividers shall prepare, for review with the Planning Commission staff, subdivision sketch plans which shall contain the following information: tract boundaries, north point, streets on and adjacent to the tract, significant topographical and physical features, proposed general street layout and proposed general lot layout.~~

~~2. Informal Consideration: Such sketch plans will be considered as submitted for informal and confidential discussion between the subdivider and the Community Development staff. Submission of a subdivision sketch plan shall not constitute formal filing of a plat with the Commission.~~

~~3. Modifications: As far as may be practical on the basis of a sketch plan, the Community Development staff will informally advise the subdivider as promptly as possible of the extent to which the proposed subdivision conforms to the design standards of this Title and will discuss possible plan modifications necessary to secure conformance. (1990 Code; 1995 Code)~~

~~B. Developer Open House Meeting~~

~~1. Purpose: Prior to submitting an application for a Preliminary Plat of 4 or more lots/parcels, an applicant shall hold an open house meeting with property owners 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.~~

~~2. Timing: The open house shall be held not less than 15 days and not more than 45 days prior to the submission of an application for approval of a preliminary plat and shall be held on a weekday evening beginning between 6:00 p.m. and 7:00 p.m. and ending by 10:00 p.m.~~

~~3. Location: The open house shall be held at a public location (not a private residence) in or near the neighborhood affected by the proposal, and (in the case of a parcel situated near Roseville's boundaries) preferably in Roseville. In the event that such a~~

128 meeting space is not available the applicant shall arrange for the meeting to be held
129 ~~at the City Hall Campus.~~

130 4. ~~Invitations: The applicant shall prepare a printed invitation identifying the date, time,~~
131 ~~place, and purpose of the open house and shall mail the invitation to the recipients in~~
132 ~~a list prepared and provided in electronic format by Community Development~~
133 ~~Department staff. The recipients will include property owners within the public~~
134 ~~hearing notification area established in Chapter 108 of the City Code, members of~~
135 ~~the Planning Commission and City Council, and other community members who~~
136 ~~have registered to receive the invitations. The invitation shall clearly identify the~~
137 ~~name, phone number, and email address of the host of the open house to be contacted~~
138 ~~by invitees who have questions but are unable to attend the open house. The~~
139 ~~invitations shall also include a sentence that is substantially the same as the~~
140 ~~following:~~

141 This open house meeting is an important source of feedback from nearby property
142 owners and is a required step in the process of seeking City approval for the
143 proposed preliminary plat. A summary of the comments and questions raised at the
144 open house meeting will be submitted to the City as part of the formal application.

145 5. ~~Summary: A written summary of the open house shall be submitted as a necessary~~
146 ~~component of a preliminary plat. The summary shall include a list of potential~~
147 ~~issues/concerns and any possible mitigations or resolutions for resolving the issue(s)~~
148 ~~and/or concern(s). Citizens are also encouraged to submit their own summary of the~~
149 ~~meeting highlighting concerns/issues and any mitigations and resolutions. It is~~
150 ~~encouraged that a list (name and address) of attendees be kept and submitted with~~
151 ~~open house summary.~~

152 C. ~~Submission; Filing: Four copies of the preliminary plat shall be filed with the~~
153 ~~Community Development Director prior to the regular Planning Commission meeting~~
154 ~~at which the plat is to be considered, together with the filing fee and an abstractor's~~
155 ~~certified property certificate showing the property owners within 500 feet of the outer~~
156 ~~boundary of proposed subdivision. (Ord. 1357, 1-14-2008)~~

157 D. ~~Action by Planning Staff: Prior to the meeting of the Planning Commission at which the~~
158 ~~preliminary plat is to be considered, the Community Development Director and Public~~
159 ~~Works Director shall examine the plat for compliance with this and other ordinances of~~
160 ~~the City, and submit a written report to the Commission. (1990 Code; 1995 Code)~~

161 E. ~~Hearing by Planning Commission:~~

162 1. ~~Hearing on the Preliminary Plat: The Planning Commission shall hold a public~~
163 ~~hearing on the preliminary plat in accordance with the procedure set forth in Chapter~~
164 ~~108 of this Code.~~

165 2. ~~Report of The Planning Commission: Within ten days after the completion of the~~
166 ~~hearing, the Planning Commission shall make a report concerning the preliminary plat~~
167 ~~unless the Planning Commission requests additional time as set forth in Chapter 108 of~~
168 ~~this Code.~~

169 F. ~~Action By The City Council: (on preliminary plats)~~

170 1. ~~The recommendation of the Planning Commission on the preliminary plat shall be~~
171 ~~considered by the City Council, and the City Council shall approve or disapprove the~~
172 ~~plan within 120 days after the application was accepted as complete or such date as~~
173 ~~extended by the applicant or City Council. If the City Council shall disapprove said~~
174 ~~preliminary plat, the grounds for any such refusal shall be set forth in the proceedings of~~
175 ~~the City Council and reported to the person or persons applying for such approval. (Ord.~~

176 ~~1176, 11-25-1996)~~
177 **PCA Exhibit C** ~~2. Approval of the preliminary plat shall not be construed to be approval of the final~~
178 ~~plat. (1990 Code; 1995 Code) (Ord. 1296, 10-20-2003)~~
179 ~~G. Final Plat:~~
180 ~~1. Final Plat Submission: The owner or subdivider shall submit the final plat of a~~
181 ~~proposed subdivision not later than six months after the date of approval of the~~
182 ~~preliminary plat; otherwise, the preliminary plat will be considered void unless an~~
183 ~~extension is requested in writing by the subdivider and granted by the City Council. The~~
184 ~~owner or subdivider shall also submit with the final plat an up to date certified abstract~~
185 ~~of title or registered property report and such other evidence as the City Attorney may~~
186 ~~require showing title or control in the applicant. (Ord. 1176, 11-25-1996) (Ord. 1296,~~
187 ~~10-20-2003) (Ord. 1363, 3-24-2008)~~
188 ~~2. Required Changes Incorporated: The final plat shall have incorporated all changes or~~
189 ~~modifications required by the City Council; in all other respects it shall conform to the~~
190 ~~preliminary plat. It may constitute only that portion of the approved preliminary plat~~
191 ~~which the subdivider proposes to record and develop at the time, provided that such~~
192 ~~portion conforms with all the requirements of this Title. (1990 Code; 1995 Code) (Ord.~~
193 ~~1296, 10-20-2003)~~
194 ~~H. Approval and Recording: The City Council shall act upon a final plat application~~
195 ~~within 60 days of the submission of a completed application. The refusal to approve the~~
196 ~~plat shall be set forth in the proceedings of the City Council and reported to the person~~
197 ~~or persons applying for such approval. If the final plat is approved, the subdivider shall~~
198 ~~record said plat with the County Recorder within one year after the date of approval and~~
199 ~~prior to the issuance of any building permit; otherwise, the approval of the final plat~~
200 ~~shall be considered void. (1990 Code; 1995 Code) (Ord. 1296, 10-20-2003) (Ord.~~
201 ~~1363, 3-24-2008)~~

202 **~~1102.02: NECESSARY DATA FOR PRELIMINARY PLAT:~~**

203 ~~In addition to the data prescribed by the law of the State of Minnesota, the preliminary plan~~
204 ~~shall include the following data:~~

205 ~~A. Identification and Description:~~

- 206 ~~1. Proposed name of subdivision, which name shall not duplicate the name of any plat~~
207 ~~previously recorded in the County.~~
- 208 ~~2. Location by township, section, town or range or by other legal description.~~
- 209 ~~3. Names and addresses of the owner or subdivider having control of the lands included~~
210 ~~in said plan, the designer of the plan and the surveyor.~~
- 211 ~~4. Graphic (engineering) scale not less than one (1) inch to one hundred (100) feet.~~
- 212 ~~5. North point (designated as true north).~~
- 213 ~~6. Date of preparation.~~

214 ~~B. Existing Conditions:~~

- 215 ~~1. Boundary line of proposed subdivision clearly indicated.~~
- 216 ~~2. Existing zoning classification.~~
- 217 ~~3. Total approximate acreage in said plan.~~
- 218 ~~4. Location, widths and names of all existing or previously platted streets or other~~
219 ~~public ways showing type of improvement, if any, railroad and utility rights of way,~~
220 ~~parks and other public open spaces, permanent buildings and structures, easements and~~
221 ~~section and corporate lines within the tract and to a distance of one hundred (100) feet~~
222 ~~beyond the tract.~~
- 223 ~~5. Location and size of existing sewers, water mains, culverts or other underground~~
224 ~~facilities within the tract and to a distance of one hundred (100) feet beyond the tract.~~
225 ~~Such data as grades, invert elevations and location of catch basins, manholes and~~

226 hydrants shall also be shown.
227 ~~RC A Exhibit C 6. Boundary lines of adjoining unsubdivided or subdivided land within one hundred~~
228 ~~(100) feet, identified by name and ownership. (Ord. 216, 7-5-1956)~~
229 ~~7. Topographic data including contours at vertical intervals of not more than two (2)-~~
230 ~~feet, except that contour lines shall be no more than one hundred (100) feet apart. Water~~
231 ~~courses, marshes, rock outcrops and other significant features also shall be shown.~~
232 ~~Topography maps shall be clearly indicated with dotted lines.~~
233 ~~C. Subdivision Design Features:~~
234 ~~1. Layout of streets showing right-of-way widths and names of streets. The name of any~~
235 ~~street previously used in the City or its environs shall not be used, unless the proposed~~
236 ~~street is an extension of an already named street in which event the name shall be used.~~
237 ~~2. Location and widths of alleys, pedestrian ways and utility easements.~~
238 ~~3. Typical cross-sections of streets and alleys, together with an indication of the~~
239 ~~proposed storm water runoff.~~
240 ~~4. Approximate center line gradients of streets and alleys, if any.~~
241 ~~5. Location, size and approximate gradient of sewer lines.~~
242 ~~6. Layout, numbers and typical dimensions of lots to the nearest foot.~~
243 ~~7. Minimum front and side street building setback lines indicating dimensions of same.~~
244 ~~8. Areas, other than streets, alleys, pedestrian ways and utility easements, intended to be~~
245 ~~dedicated or reserved for public use including the size of such area or areas in acres.~~
246 ~~(Ord. 216, 7-5-1956)~~

247 ~~1102.03: REQUIREMENTS GOVERNING APPROVAL OF~~ 248 ~~PRELIMINARY PLAT:~~

- 249 ~~A. Recommendations by Planning Commission: The Planning Commission may~~
250 ~~recommend and the City Council may require such changes or revisions as the City~~
251 ~~Council deems necessary for the health, safety, general welfare and convenience of the~~
252 ~~City.~~
253 ~~B. Tentative Approval: The approval of a preliminary plat by the Planning Commission~~
254 ~~and the City Council is tentative only involving merely the general acceptability of the~~
255 ~~layout as submitted.~~
256 ~~C. Subsequent Approval: Subsequent approval will be required of the engineering~~
257 ~~proposals pertaining to water supply, storm drainage, sewerage and sewage disposal,~~
258 ~~gas and electric service, grading, gradients and roadway widths and the surfacing of~~
259 ~~streets by the Public Works Director and other public officials having jurisdiction prior~~
260 ~~to the approval of the final plat by the City.~~
261 ~~D. Flooding; Poor Drainage: No plat will be approved for a subdivision which is subject to~~
262 ~~periodic flooding, or which contains poor drainage facilities and which would make~~
263 ~~adequate drainage of the streets and lots impossible. However, if the subdivider agrees~~
264 ~~to make improvements which will, in the opinion of the Public Works Director, make~~
265 ~~the area completely safe for residential occupancy and provide adequate street and lot~~
266 ~~drainage, the preliminary plat of the subdivision may be approved. (Ord. 216, 7-5-56)~~

267 ~~1102.04: NECESSARY DATA FOR FINAL PLAT:~~

- 268 ~~A. General: All information, except topographic data and zoning classification required on~~
269 ~~the preliminary plat shall be accurately shown.~~
270 ~~B. Additional Delineation:~~
271 ~~1. Accurate angular and lineal dimensions for all lines, angles and curvatures used to~~
272 ~~describe boundaries, streets, alleys, easements, areas to be reserved for public use and~~
273 ~~other important features. Lot lines to show dimensions in feet and hundredths.~~

274 ~~2. An identification system for all lots and blocks.~~
PCA Exhibit C 275 ~~3. True angles and distances to the nearest established street lines or official monuments~~
276 ~~(not less than 3), which shall be accurately described in the plat.~~
277 ~~4. Municipal, township, county or section lines accurately tied to the lines of the~~
278 ~~subdivision by distances and angles.~~
279 ~~5. Radii, internal angles, points and curvatures, tangent bearings and lengths of all arcs.~~
280 ~~6. Accurate location of all monuments, which shall be concrete six inches by six inches~~
281 ~~by thirty inches (6" x 6" x 30") with iron pipe cast in center. Permanent stone or~~
282 ~~concrete monuments shall be set at each corner or angle on the outside boundary. Pipes~~
283 ~~or steel rods shall be placed at the corners of each lot and at each intersection of street~~
284 ~~center lines. All U.S., State, County or other official benchmarks, monuments or~~
285 ~~triangulation stations in or adjacent to the property shall be preserved in precise~~
286 ~~position.~~
287 ~~7. Accurate outlines, legal descriptions of any areas to be dedicated or reserved for~~
288 ~~public use or for the exclusive use of property owners within the subdivision with the~~
289 ~~purpose indicated therein.~~
290 ~~8. Certification by a registered land surveyor to the effect that the plat represents a~~
291 ~~survey made by such surveyor and that monuments and markers shown thereon exist as~~
292 ~~located and that all dimensional and geodetic details are correct.~~
293 ~~9. Notarized certification by owner and by any mortgage holder of record of the~~
294 ~~adoption of the plat and the dedication of streets and other public areas.~~
295 ~~10. Certifications showing that all taxes and special assessments due on the property to~~
296 ~~be subdivided have been paid in full.~~
297 ~~11. Approval by signature of City, County and State officials concerned with the~~
298 ~~specifications of utility installations. (Ord. 216, 7-5-56)~~
299 ~~13. Form for approval by County authorities as required. (Ord. 245, 5-10-58)~~

300 **~~1102.05: ACCEPTANCE OF STREETS:~~**

301 ~~A.— Approval of Plat or Annexation into City not Considered Acceptance: If any plat or~~
302 ~~subdivision contains public streets or thoroughfares which are dedicated as such,~~
303 ~~whether located within the corporate limits of the City or outside the corporate limits or~~
304 ~~contains existing streets outside of said corporate limits, the approval of the plat by the~~
305 ~~City Council or the subsequent annexation of the property to the City shall not~~
306 ~~constitute an acceptance by the City of such streets or thoroughfares, nor the~~
307 ~~improvements constructed or installed in such subdivision, irrespective of any act or~~
308 ~~acts by an officer, agent or employee of the City with respect to such streets or~~
309 ~~improvements.~~
310 ~~B.— Acceptance by Resolution of City Council: The acceptance of such streets or~~
311 ~~thoroughfares shall be made only by the approval of a resolution by the City Council~~
312 ~~after there has been filed, with the City Manager, a certificate by the Public Works~~
313 ~~Director. The certificate shall indicate that all improvements required to be constructed~~
314 ~~or installed in or upon such streets or thoroughfares in connection with the approval of~~
315 ~~the plat of subdivision by the City Council have been fully completed and approved by~~
316 ~~the Public Works Director, or a cash deposit or bond is on file to ensure the installation~~
317 ~~of such required improvements. However, if it appears to the City Council that a public~~
318 ~~local improvement will be constructed in any such street or thoroughfare within a~~
319 ~~reasonable foreseeable time, the City Council, upon the recommendation of the Public~~
320 ~~Works Director may, by resolution, temporarily accept such street or thoroughfare for~~
321 ~~the purpose of maintenance by the City, and defer the completion of the street or~~
322 ~~thoroughfare by the developer until such local improvement has been constructed. (Ord.~~
323 ~~280, 8-4-59; amd. 1995 Code)~~

~~1102.06: REQUIRED LAND IMPROVEMENTS:~~

RCA Exhibit C

~~No final plat shall be approved by the City Council without first receiving a report signed by the Public Works Director certifying that the improvements described in the subdivider's preliminary plans and specifications meet the minimum requirements of all ordinances in the City, and that they comply with the following: (Ord. 373, 5-28-62; amd. 1995 Code)~~

~~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, they shall be sodded in accordance with subsection 1102.06E4.~~

~~3. Neighborhood Grading and Drainage Plan: The developer will submit a Neighborhood Grading and Drainage Plan (similar to plan submitted to F.H.A.) indicating the elevation of proposed houses, surrounding ground and the direction of flow. The developer will adhere to this plan, and the developer shall obtain prior written acceptance from the Public Works Director before any changes can be made.~~

~~4. City Participation in Cost: Where sewer mains are larger than required to serve the subdivision as delineated in the preliminary plan, the City may elect to participate in the cost of such sewer mains.~~

~~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. Water mains shall be a minimum of six inches in diameter and where larger mains are required to serve future growth, the City may elect to participate in the cost of such water mains. Looping of all water mains shall be required and shall conform to the City Master Plan.~~

~~C. Street Grading: The full width of the right of way shall be graded, including the subgrade of the areas to be paved, in accordance with the plans approved by the Public Works Director and in accordance with the applicable requirements for street construction of the City. (Ord. 216, 7-5-56)~~

~~Street Improvements¹:~~

~~1. All streets shall be improved with pavements to an overall width in accordance with the projected 20 year traffic volumes and consistent with street width policy adopted by the City Council. (1995 Code)~~

~~2. All pavements shall be constructed in accordance with the provisions of applicable requirements of the City.~~

~~3. Concrete curbs and gutters on all streets within the subdivision shall be constructed in accordance with applicable requirements of the City.~~

~~4. In congested traffic areas or in areas where the City Council deems necessary for the health, safety and general welfare of this community, sidewalks, to a width of not less than five feet and constructed of Portland cement concrete, shall be required.~~

~~5. Storm water inlets and necessary culverts shall be provided within the roadway improvement at points specified by the Public Works Director.~~

~~6. All curb corners shall have a radii of not less than 15 feet, except at collector and~~

¹~~See also Chapters 703 and 704 of this Code.~~

- 374 ~~marginal access streets where they shall be not less than 25 feet.~~
375 ~~7. All parkways within the dedicated street area shall be graded and sodded in an~~
376 ~~approved manner. (Ord. 216, 7-5-56; amd. 1995 Code) (Ord. 1358, 1-28-2008)~~
377 ~~E. Off-Street Improvements:~~
378 ~~1. One tree having a trunk diameter (measured 12 inches above ground) of not less than~~
379 ~~2 ½ inches shall be planted in a naturalistic way in the front yard of each lot in the~~
380 ~~subdivision, except that corner lots shall have 2 trees. They shall be accepted by the~~
381 ~~City only after one growing season as a live and healthy plant. Trees shall not be~~
382 ~~allowed to be planted in the boulevard area.~~
383 ~~2. Driveways must be constructed of pavement approved by the Public Works Director.~~
384 ~~Each driveway shall be graded within the dedicated area to fit the boulevard section,~~
385 ~~and shall be a minimum of 12 feet in width in the boulevard area (excluding radii). The~~
386 ~~construction shall conform to City requirements, and the grade of the driveway shall~~
387 ~~conform to the requirements of the State Building Code.~~
388 ~~3. The entire boulevard area, except driveways, shall be sodded with a good quality~~
389 ~~weed free sod.~~
390 ~~4. All drainage swales shall be graded and sodded with a good quality weed free sod.~~
391 ~~(1990 Code; amd. 1995 Code)~~
392 ~~F. Pedestrianways:~~
393 ~~1. Pedestrianways installed or required by the City Council, shall be~~
394 ~~constructed according to specifications approved by the Public Works Director. (1995~~
395 ~~Code)~~
396 ~~G. Public Utilities:~~
397 ~~1. All new electric distribution lines (excluding main line feeders and high voltage~~
398 ~~transmission lines), telephone service lines and services constructed within the confines~~
399 ~~of and providing service to customers in a newly platted residential area shall be buried~~
400 ~~underground. Such lines, conduits or cables shall be placed within easements or~~
401 ~~dedicated public ways in a manner which will not conflict with other underground~~
402 ~~services. Transformer boxes shall be located so as not to be hazardous to the public.~~
403 ~~2. The City Council may waive the requirements of underground services as set forth in~~
404 ~~subsections 1 and 2 above if, after study and recommendation by the Planning~~
405 ~~Commission, the City Council establishes that such underground utilities would not be~~
406 ~~compatible with the planned development or unusual topography, soil or other physical~~
407 ~~conditions make underground installation unreasonable or impractical. (Ord. 598, 5-26-~~
408 ~~69)~~

408 **1102.07: ARRANGEMENTS FOR IMPROVEMENTS:**

- 409 ~~A. Contract for Development: Prior to the acceptance of the final plat, the owner or~~
410 ~~subdivider shall enter into a contract for development of new subdivisions with the~~
411 ~~City. In conjunction with this contract, the owner or subdivider shall deposit with the~~
412 ~~Public Works Director either a cash deposit or a corporate surety performance bond,~~
413 ~~approved as to form by the City Attorney, in an amount equal to one and one half (1-~~
414 ~~1/2) times the Public Works Director's estimated cost of said improvements or one and~~
415 ~~one fourth (1-1/4) times the actual bid. This bond shall also have a clause which~~
416 ~~guarantees said improvements for a period of one year after acceptance by the City of~~
417 ~~said improvements. In lieu of this clause, a separate one year maintenance bond~~
418 ~~approved as to form by the City Attorney, shall be submitted to the Public Works~~
419 ~~Director upon acceptance of said improvements by the City Council. Upon receipt of~~
420 ~~this maintenance bond the performance bond may be released.~~
421
422

423 ⁺See also Chapter 704 of this Code.

424 ~~B.—Improvements: All such improvements shall be made in accordance with the plans and~~
425 ~~426 specifications prepared by a registered professional engineer and approved by the~~
427 ~~Public Works Director and in accordance with applicable City standards and~~
428 ~~requirements.~~
429 ~~C.—Bond: The owner or subdivider shall deposit with the Public Works Director cash or an~~
430 ~~approved indemnity bond to cover all expenses incurred by the City for engineering,~~
431 ~~legal fees and other incidental expenses in connection with the making of said~~
432 ~~improvements listed in Section 1102.06. In the event of a cash deposit, any balance~~
433 ~~remaining shall be refunded to the owner or subdivider after payment of all costs and~~
434 ~~expenses to the City have been paid.~~
435 ~~D.—Street Access to Improved Lots Required: It is not the intent of this Section to require~~
436 ~~the owner or subdivider to develop the entire plat at the same time making all the~~
437 ~~required improvements, but building permits will not be granted except as to lots having~~
438 ~~access to streets on which the required improvements have been made or arranged for~~
~~by cash deposit or bond as herein provided. (1990 Code)~~

CHAPTER 1103 DESIGN STANDARDS

SECTION:

~~1103.01: Street Plan~~

~~1103.02: Streets~~

~~1103.021: Minimum Roadway Standards~~

~~1103.03: Alleys and Pedestrianways~~

~~1103.04: Easements~~

~~1103.05: Block Standards~~

~~1103.06: Lot Standards~~

~~1103.07: Park Dedication~~

~~1103.01: STREET PLAN:~~

~~The arrangement, character, extent, width, grade and location of all streets shall conform to the Comprehensive Plan, the approved standard street sections, and plates of applicable chapters, and shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic, to topographical conditions, to runoff of storm water, to public convenience and safety and in their appropriate relation to the proposed uses of the area to be served. (Ord. 216, 7-5-1956)~~

~~1103.02: STREETS:~~

~~A. Right of Way: All rights of way shall conform to the following minimum dimensions:~~

~~Collector streets ————— 66 feet~~

~~Local streets ————— 60 feet~~

~~Marginal access streets ————— 50 feet~~

~~(1995 Code)~~

~~B. Horizontal Street Lines: Where horizontal street lines within a block deflect from each other at any one point more than 10° there shall be a connecting curve. Minimum center line horizontal curvatures shall be:~~

~~Collector streets ————— 300 feet~~

~~Minor streets ————— 150 feet~~

~~C. Tangents: Tangents at least 50 feet long shall be introduced between reverse curves on collector streets.~~

~~D. Center Line Gradients: All center line gradients shall be at least 0.5% and shall not exceed on:~~

~~Collector streets ————— 4 %~~

~~Minor streets ————— 6 %~~

~~E. Connecting Street Gradients: Different connecting street gradients shall be connected with vertical parabolic curves. Minimum length, in feet, of these curves, shall be 15 times the algebraic difference in the percent of grade of the two adjacent slopes. For minor streets, the minimum length shall be 7 ½ times the algebraic difference in the percent of grade of the two adjacent slopes.~~

~~F. Minor Streets: Minor streets shall be so aligned that their use by through traffic will be discouraged.~~

~~G. Street Jogs: Street jogs with center line offsets of less than 125 feet shall be prohibited.~~

- 484 H. ~~Intersections: It must be evidenced that all street intersections and confluences~~
485 ~~encourage safe and efficient traffic flow.~~
486 I. ~~Alleys: Alleys are not permitted in residential areas unless deemed necessary by the City~~
487 ~~Council.~~
488 J. ~~Half Streets: Half streets shall be prohibited. Wherever a half street is adjacent to a tract~~
489 ~~to be subdivided, the other half of the street shall be platted within such tract. In cases~~
490 ~~where the entire right of way has been dedicated to the public but the property of the~~
491 ~~owner and subdivider is located on one side of such street, the owner and subdivider~~
492 ~~shall be required to grade the entire street in accordance with the plans to be approved by~~
493 ~~the Public Works Director under the provisions of Section 1102.07, but the owner and~~
494 ~~subdivider shall only be required to deposit payment for one half of the Public Works~~
495 ~~Director's estimated costs of the improvements required under this Title. Building~~
496 ~~permits shall be denied for lots on the side of the street where the property is owned by~~
497 ~~persons who have not entered into an agreement with the City for the installation of the~~
498 ~~improvements required under this Chapter.~~
499 K. ~~Reserved Strips: Reserved strips controlling access to streets are prohibited. (Ord. 216,~~
500 ~~7-5-1956; amd. 1995 Code) (Ord. 1358, 1-28-2008)~~

501 **~~1103.021: MINIMUM ROADWAY STANDARDS:~~**

502 ~~The following minimum dimensional standards shall apply to all existing City and private~~
503 ~~roadways when newly constructed or reconstructed. All local residential streets must be~~
504 ~~constructed to a width of 32 feet from the face of curb to face of curb. In cases where this~~
505 ~~width is impractical, the City Council may reduce this dimension, as outlined in the City~~
506 ~~street width policy. However, for purposes of emergency vehicle access, no street shall be~~
507 ~~constructed to a width less than 24 feet. In order to preserve the minimum clear width,~~
508 ~~parking must be restricted according to subsection A of this Section.~~

509 A. ~~Signage Requirements: "No parking" signs shall be installed in accordance to the~~
510 ~~following:~~

511 32 feet ————— Parking permitted on both sides of the street (no signs needed).

512 26-32 feet ————— No parking on one side of the street (signs on one side).

513 24-26 feet ————— No parking on both sides of the street (signs on both sides).

514 B. ~~Right Of Way Width: For City streets, the right of way shall be in accordance with~~
515 ~~Section 1103.02 of this Chapter. County Roads must comply with the Ramsey County~~
516 ~~right of way plan.~~

517 State highways must comply with the Minnesota State Highway Department right-of-
518 way plans.

519 C. ~~Cul De Sacs: If there is not a looped road system provided and the street is greater than~~
520 ~~200 feet in length, an approved turnaround shall be constructed.~~

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

523 2. ~~Right Of Way: Cul-de-sac right of way shall extend at least 10 feet outside of the~~
524 ~~proposed back of curb.~~

525 3. ~~Standard Design: The standard cul-de-sac shall have a terminus of nearly circular~~
526 ~~shape with a standard diameter of 100 feet.~~

527 4. ~~Alternatives to the Standard Design: An alternative to the standard design, to~~
528 ~~accommodate unusual conditions, may be considered by the Public Works Director and~~
529 ~~shall be brought to the City Council for approval based on the Public Works Director's~~
530 ~~recommendation.~~

531 5. ~~Islands: As an option, a landscaped island may be constructed in a cul-de-sac~~
532 ~~terminus. A minimum clear distance of 24 feet shall be required between the island and~~
533 ~~the outer curb. No physical barriers which would impede the movement of emergency~~

534 ~~vehicles shall be allowed within the island. No parking shall be allowed in a cul-de-~~
535 ~~sac terminus with a landscaped island unless reviewed and recommended for~~
536 ~~approval by the Fire Marshal. (Ord. 1358, 1-28-2008)~~

537 **~~1103.03: ALLEYS AND PEDESTRIANWAYS:~~**

- 538 ~~A.—Alleys: Where permitted by the City Council, alley rights of way shall be at least~~
539 ~~twenty~~
540 ~~(20) feet wide in residential areas and at least twenty four (24) feet wide in~~
541 ~~commercial areas. The City Council may require alleys in commercial areas where~~
542 ~~adequate off-street loading space is not available.~~
543 ~~B.—Pedestrianways: Pedestrian rights of way shall be at least twenty (20) feet wide.~~
544 ~~(Ord. 216, 7-5-1956; amd. 1995 Code)~~

545 **~~1103.04: EASEMENTS:~~**

- 546 ~~A.—Easements at least a total of twelve (12) feet wide, centered on rear and side yard lot~~
547 ~~lines, shall be provided for drainage and utilities where necessary. They shall have~~
548 ~~continuity of alignment from block to block, and at deflection points easements for~~
549 ~~pole line anchors shall be provided.~~
550 ~~B.—Where a subdivision is traversed by a water course, drainage way, channel or stream,~~
551 ~~there shall be provided a storm water easement or drainage right of way conforming~~
552 ~~substantially with the lines of such water courses, together with such further width or~~
553 ~~construction or both as will be adequate for the storm water drainage of the area.~~
554 ~~(Ord. 216, 7-5-1956)~~
555 ~~C.—All drainage easements shall be so identified on the plat and shall be graded and~~
556 ~~sodded in accordance with Section 1102.06. (1990 Code)~~

557 **~~1103.05: BLOCK STANDARDS:~~**

- 558 ~~A.—The maximum length of blocks shall be one thousand eight hundred (1,800)-~~
559 ~~feet. Blocks over nine hundred (900) feet long may require pedestrianways at~~
560 ~~their approximate centers. The use of additional access ways to schools, parks~~
561 ~~or other destinations may be required by the City Council.~~
562 ~~B.—Blocks shall be shaped so that all blocks fit readily into the overall plan of the~~
563 ~~subdivision and their design must evidence consideration of lot planning, traffic~~
564 ~~flow and public open space areas.~~
565 ~~C.—Blocks intended for commercial, institutional and industrial use must be designated~~
566 ~~as such and the plan must show adequate off-street areas to provide for parking,~~
567 ~~loading docks and such other facilities that may be required to accommodate motor~~
568 ~~vehicles.~~
569 ~~D.—Where a subdivision borders upon a railroad or limited access highway right of way, a~~
570 ~~street may be required approximately parallel to, and at a distance suitable for, the~~
571 ~~appropriate use of the intervening land as for park purposes in residential districts or~~
572 ~~for parking, commercial or industrial purposes in appropriate districts. Such distances~~
573 ~~shall be determined with due regard for the requirements of approach grades and~~
574 ~~possible features grade separations. (Ord. 216, 7-5-1956)~~

575 **~~1103.06: LOT STANDARDS:~~**

- 576 ~~A.—The minimum lot dimensions in subdivisions designed for single-family~~
577 ~~detached dwelling developments shall be those of the underlying zoning district~~
578 ~~as defined in Title 10 of this Code, or of the intended zoning district if the~~
579 ~~subdivision is in conjunction with a zoning change, in addition to any~~
580 ~~requirements herein defined.~~
581 ~~B.—The minimum dimensions at the rear lot line of any lot shall be thirty (30) feet.~~

582 C.—Butt lots shall be platted at least five (5) feet wider than the average interior lots in
583 the block.
584 D.—Streets:
585 1. Public Streets: See Section 1103.021.
586 2. Private Streets: Private streets may be allowed by the Council in its
587 discretion provided they meet the following conditions:
588 a. Are not gated or otherwise restrict the flow of traffic;
589 b. Demonstrate a legal mechanism will be in place to fund seasonal and
590 ongoing maintenance; and
591 c. Meet the minimum design standards for private roadways as set forward in
592 Section 1103.021.
593 (Ord. 1359, 1-282-2008)
594 E.—The shapes of new lots shall be appropriate for their location and suitable for
595 residential development. Lots with simple, regular shapes are considered most
596 appropriate and suitable for residential development because the locations of the
597 boundaries of such lots are easier to understand than the boundaries of lots with
598 complex, irregular shapes, and because they ensure greater flexibility in situating
599 and designing homes for the new lots.
600 1.—Lots which are appropriate for their location and suitable for residential
601 development often have:
602 a. side lot lines that are approximately perpendicular or radial to front the lot
603 line(s) of the parcel(s) being subdivided, or
604 b. side lot lines that are approximately parallel to the side lot line(s) of the
605 parcel(s) being subdivided, or
606 c. side lot lines that are both approximately perpendicular or radial to the front lot
607 line(s) and approximately parallel to the side lot line(s) of the parcel(s) being
608 subdivided.
609 2. It is acknowledged, however, that property boundaries represent the limits of
610 property ownership, and subdivision applicants often cannot change those
611 boundaries to make them more regular if the boundaries have complex or unusual
612 alignments. Subdivisions of such irregularly shaped parcels may be considered,
613 but the shapes of proposed new lots might be found to be too irregular, and
614 consequently, applications can be denied for failing to conform adequately to the
615 purposes for which simple, regular parcel shapes are considered most appropriate
616 and suitable for residential development.
617 3. Flag lots, which abut a street with a relatively narrow strip of land (i.e., the
618 “flag pole”) that passes beside a neighboring parcel and have the bulk of land area
619 (i.e., the “flag”) located behind that neighboring parcel, are not permitted, because
620 the flag pole does not meet the required minimum lot width according to the
621 standard measurement procedure
622 F.—Double frontage lots shall not be permitted, except:
623 1. Where lots back upon a thoroughfare, in which case vehicular and pedestrian
624 access between the lots and the thoroughfare shall be prohibited, and (Ord. 216, 7-5-
625 1956)
626 2. Where topographic or other conditions render subdividing otherwise unreasonable.
627 Such double frontage lots shall have an additional depth of at least twenty (20) feet
628 greater than the minimum in order to allow space for a protective screen planting
629 along the back lot line and also in such instances vehicular and pedestrian access
630 between lots and the thoroughfare shall be prohibited. (Ord. 245, 5-10-1958)
631 G.—Lots abutting upon a water course, drainage way, channel or stream shall have
632 an additional depth or width as required to assure house sites that meet
633 shoreland ordinance requirements and that are not subject to flooding.
634 H.—In the subdividing of any land, due regard shall be shown for all natural features such
635 as tree growth, water courses, historic spots or similar conditions which, if preserved,

636 will add attractiveness and value to the proposed development. (Ord. 216, 7-5-1956;
637 ~~and. 1995 Code~~)
638 ~~I. Where new principal structures are constructed on lots contiguous to roadways~~
639 ~~designed as major thoroughfares in the City's Comprehensive Plan, driveways~~
640 ~~serving~~
641 ~~such lots shall be designed and constructed so as to provide a vehicle turnaround~~
642 ~~facility within the lot. (Ord. 993, 2-10-1986)~~
643 ~~J. Where new single family residential lots are created on a new street, the driveway~~
644 ~~cut for the new lot must be placed within the new street. (Ord. 1359, 1-28-2008)~~
645
646 **1103.07: PARK DEDICATION:**
647
648 ~~A. Condition to Approval: As a condition to the approval of any subdivision of land in~~
649 ~~any zone, including the granting of a variance pursuant to Section 1104.04 of this~~
650 ~~Title, when a new building site is created in excess of one acre, by either platting or~~
651 ~~minor subdivision, and including redevelopment and approval of planned unit~~
652 ~~developments, the subdivision shall be reviewed by the Park and Recreation~~
653 ~~Commission. The Commission shall recommend either a portion of land to be~~
654 ~~dedicated to the public for use as a park as provided by Minnesota Statutes 462.358,~~
655 ~~subdivision (2)(b), or in lieu thereof, a cash deposit given to the City to be used for~~
656 ~~park purposes; or a combination of land and cash deposit, all as hereafter set forth.~~
657 ~~B. Amount to be Dedicated: The portion to be dedicated in all residentially zoned areas~~
658 ~~shall be 10% and 5% in all other areas.~~
659 ~~C. Utility Dedications Not Qualified: Land dedicated for required street right of way or~~
660 ~~utilities, including drainage, does not qualify as park dedication.~~
661 ~~D. Payment in lieu of dedication in all zones in the city where park dedication is deemed~~
662 ~~inappropriate by the City, the owner and the City shall agree to have the owner deposit~~
663 ~~a sum of money in lieu of a dedication. The sum shall be reviewed and determined~~
664 ~~annually by the City Council by resolution. (Ord. 1061, 6-26-1989)~~
665 ~~E. Park Dedication Fees may, in the City Council's sole discretion, be reduced for~~
666 ~~affordable housing units as recommended by the Housing and Redevelopment~~
667 ~~Authority for the City of Roseville.~~
668 ~~(Ord. 1278, 02/24/03)~~

CHAPTER 1104

ADMINISTRATION AND ENFORCEMENT

SECTION:

~~1104.01: Inspection at Subdivider's Expense~~

~~1104.02: Building Permit~~

~~1104.03: Occupancy Permit~~

~~1104.04: Platting Alternatives (Ord. 1395, 9-13-2010)~~

~~1104.05: Variances~~

~~1104.06: Record of Plats~~

~~1104.01: INSPECTION AT SUBDIVIDER'S EXPENSE:~~

~~All required land improvements to be installed under the provisions of this Title shall be inspected during the course of construction by the Public Works Director. Salaries and all costs pursuant to such inspection shall be paid by the owner or subdivider in the manner provided in Section 1102.07 of this Title. (Ord. 216, 7-5-1956; 1990 Code)~~

~~1104.02: 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 subdivision as defined herein which has been approved for platting until all requirements of this Title have been complied with fully. (Ord. 216, 7-5-1956; 1990 Code)~~

~~1104.03: OCCUPANCY PERMIT:~~

~~No occupancy permit shall be granted for the use of any structure within a subdivision 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 and are suitable for car traffic. (Ord. 216, 7-5-1956; 1990 Code)~~

~~1104.04: PLATTING ALTERNATIVES:~~

~~The following processes may be utilized, within the parameters set forth therein, as alternatives to the plat procedures established in Chapter 1102 (Ord. 1395, 9-13-2010):~~

~~A. Common Wall Duplex Subdivision: A common wall duplex minor subdivision may be approved by the City Manager upon recommendation of the Community Development Director. The owner shall file with the Community Development Director three copies of a certificate of survey prepared by a registered land surveyor showing the parcel or lot, the proposed division, all building and other structures or pavement locations and a statement that each unit of the duplex has separate utility connections. This type of minor subdivision shall be limited to a common wall duplex minor subdivision of a parcel in an R-2 District or other 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. Within 60 days after approval by the City Manager, the applicant for the common wall duplex minor subdivision shall record the subdivision and the certificate of survey with the Ramsey County Recorder. Failure to record the subdivision within 60 days shall nullify~~

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the approval of the subdivision.

~~B. Recombination: to divide one recorded lot or parcel in order to permit the adding of a parcel of land to an abutting lot and create two buildable parcels, the proposed subdivision, in sketch plan form, shall be submitted to the City Council for approval. No hearing or Planning Commission review is necessary unless the proposal is referred to the commission by the Community Development Director for clarification. The proposed recombination shall not cause any portion of the existing lots or parcels to be in violation of this regulation or the zoning code. Within 30 days after approval by the City Council, the applicant shall supply a certificate of survey to the Community Development Director and City Manager for review and approval. After completion of the review and approval by the Community Development Director and City Manager, the survey shall be recorded by the applicant with the Ramsey County Recorder within 60 days after approval by the City Manager.~~

~~C. Consolidations: The owner of two or more contiguous parcels or lots of record may, subject to Community Development Director and City Manager approval, consolidate said parcels or lots into one parcel of record by recording the consolidation with Ramsey County Recorder as a certificate of survey showing same, within 60 days of approval. No hearing is necessary unless the proposal is appealed by the applicant to the City Council. The proposed parcels shall not cause any portion of the existing lots, parcels, or existing buildings to be in violation of this regulation or the zoning code.~~

~~D. Corrections: When a survey or description of a parcel or lot has been found to be inadequate to describe the actual boundaries, approval of a corrective subdivision may be requested. This type of subdivision creates no new lots or streets. The proposed corrective subdivision, in sketch plan form, along with a letter signed by all affected owners agreeing to the new subdivision, shall be submitted to the City Council for approval. No hearing or Planning Commission review is necessary unless the proposal is referred to the Commission by the Community Development Director for clarification. The proposed parcels shall not cause any portion of the existing lots, parcels, or existing buildings to be in violation of this regulation or the zoning code. A certificate of survey illustrating the corrected boundaries shall be required on all parcels. Within 30 days after approval by the City Council, the applicant shall supply the final survey to the Community Development Director and City Manager for review and approval. After completion of the review and approval by the Community Development Director and City Manager, the survey shall be recorded by the applicant with the Ramsey County Recorder within 60 days. Failure to record the subdivision within 60 days shall nullify the approval of the subdivision.~~

~~E. Three Parcel Minor Subdivision: When a subdivision creates a total of three or fewer parcels, situated in an area where public utilities and street rights of way to serve the proposed parcels already exist in accordance with City codes, and no further utility or street extensions are necessary, and the new parcels meet or exceed the size requirements of the zoning code, the applicant may apply for a minor subdivision approval. The proposed subdivision, in sketch plan form, shall be submitted to the City Council at a public hearing with notice provided to all property owners within 500 feet. The proposed parcels shall not cause any portion of the existing lots, parcels, or existing buildings to be in violation of this regulation or the zoning code. Within 30 days after approval by the City Council, the applicant shall supply the final survey to the Community Development Director for review and approval. A certificate of survey shall be required on all proposed parcels. After completion of the review and approval by the City Manager, the survey shall be recorded by the applicant with the Ramsey County Recorder within 60 days. Failure to record the subdivision within 60 days shall nullify the approval of the subdivision. (Ord. 1171, 9-23-1996) (Ord. 1357, 1-14-2008)~~

762 (Ord. 1395, 9-13-2010)

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763 **~~1104.05: VARIANCES:~~**

764 ~~A. Hardship: Where there is undue hardship in carrying out the strict letter of the~~
765 ~~provisions of this Code, the City Council shall have the power, in a specific case and~~
766 ~~after notice and public hearings, to vary any such provision in harmony with the general~~
767 ~~purpose and intent thereof and may impose such additional conditions as it considers~~
768 ~~necessary so that the public health, safety and general welfare may be secured and~~
769 ~~substantial justice done.~~

770 ~~B. Procedure For Variances: Any owner of land may file an application for a variance by~~
771 ~~paying the fee set forth in section 1015.03 of this title, providing a completed~~
772 ~~application and supporting documents as set forth in the standard community~~
773 ~~development department application form, and by providing the city with an abstractor's~~
774 ~~certified property certificate showing the property owners within three hundred fifty~~
775 ~~feet (350') of the outer boundaries of the parcel of land on which the variance is~~
776 ~~requested. The application shall then be heard by the variance board or planning~~
777 ~~commission upon the same published notice, mailing notice and hearing procedure as~~
778 ~~set forth in chapter 108 of this code. (Ord. 1359, 1-28-2008)~~

779 **~~1104.06: RECORD OF PLATS:~~**

780 ~~All such plats of subdivisions after the same have been submitted and approved as provided~~
781 ~~in this Title shall be filed and kept by the City Manager among the records of the City. (Ord.~~
782 ~~216, 7-5-1956)~~

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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):

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. 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 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: 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 Roadways

1102.04: Required 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. Due regard shall be shown for all natural features such as tree growth, water courses, historic locations, or similar conditions.
2. Conditions of Approval: The City may require such changes or revisions to any proposal as deemed necessary for the health, safety, general welfare, and convenience of the City. For Major Plats, the Planning Commission may also recommend to the City Council such changes or revisions.
3. Flooding: No 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 an approved subdivision or consolidation 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 an approved subdivision or consolidation 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: 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 platting alternative creates no new lots or streets. The proposed correction 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.

2. Applications: The owner of property on which a platting alternative is proposed shall file an application for approval of the 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 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 used when all of the following criteria are present. All other subdivision proposals that do not fall within the regulations listed herein 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 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 1103.06 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, 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. 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.
3. Validation and Expiration: Adhering to Ramsey County's Manual of Guidelines for Subdivision Plats, 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 apply when any of the following criteria are present:
- 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 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 1103.06 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, 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.

4. Validation and Expiration of Preliminary Approval: Preliminary approval of a Major Plat shall be validated by the owner through application for final approval of the plat of the proposed subdivision within six months of the date of said preliminary approval. Notwithstanding this time limitation, the City Council may approve extensions of the time allowed for validation of the preliminary 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 preliminary approval. Preliminary approval of a Major Plat shall automatically expire if the approval is not validated as described herein.

5. Application for Final Approval

- a. Applications: The owner of property on which final approval of a Major Plat is requested shall file an application 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 Development Agreement as described in Section 1102.05 of this Chapter. The City Council shall act upon an application for final approval of a Major Plat within 60 days of the submission of a completed application.

- b. Required Changes Incorporated: The final plat shall have incorporated all changes or modifications required by the City Council in the preliminary approval of the Major Plat and shall otherwise be substantially the same as said plat.

- 6. Validation and Expiration of Final Approval: Adhering to Ramsey County's Manual of Guidelines for Subdivision Plats, final approval of a Major Plat 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 said final approval. Notwithstanding this time limitation, the City Council may approve extensions of the time allowed for validation of the final 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 final approval. Final approval of a Major Plat shall automatically expire if the approval is not validated as described herein.

E. Refusal to Approve

The refusal to approve a plat or platting alternative shall be set forth in the proceedings of the City Council and reported to the owner. If approval of a proposal is so denied, an application for approval of substantially the same plat or platting alternative on the same property shall not be accepted within one year of the date of said denial.

1102:02: Variances

- A. Purpose: Regulations pertaining to the process of subdividing or consolidating land and to the characteristics of the resulting lots are established in Title 11 (Subdivisions) and Title 10 (Zoning) of this Code. There are occasions, however, where it may be appropriate to vary the regulations as they apply to specific properties where an unusual hardship on the land exists, pursuant to Minnesota Statute 462.358 Subd. 6.
- B. Applications: The owner of property on which a 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 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 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 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 roadways 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 roadways 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 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

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283 developer shall not deviate from this plan without first obtaining written acceptance from
284 the Public Works Director of such changes.

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

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

290 D. Roadway Improvements: The following standards shall apply to all City and private
291 roadways, when newly constructed or reconstructed as a result of plat approval. All local
292 residential roadways shall be constructed in conformance with the Public Works Design
293 Standards manual.

294 1. All roadways shall be paved, with curb and gutter, in conformance with standards for the
295 applicable functional classification.

296 2. Pathways shall be constructed in accordance with the Pathways Master Plan and the
297 applicable standards of the Public Works Department along the width of a development
298 site abutting any roadway of functional classification Collector or greater.

299 3. Storm water inlets and necessary culverts shall be provided within the roadway
300 improvement at points specified by the Public Works Department.

301 4. All unpaved portions of boulevards and medians within the dedicated right-of-way area
302 shall be graded and the soil therein stabilized in accordance with applicable standards.

303 5. Roadway Width

304 a. To ensure adequate access for emergency vehicles, no roadway shall be
305 constructed to a width less than 24 feet.

306 b. Parking Restrictions: For roadways with functional classification of Collector or
307 greater, on-street parking shall be reviewed by the Public Works Department.
308 For Local and Marginal Access roadways, "No Parking" signs shall be installed
309 in accordance to the following:

310 ≥ 24 feet and < 26 feet No parking on both sides of the street (signs on both
311 sides).

312 ≥ 26 feet and < 32 feet No parking on one side of the street (signs on one side).

313 ≥ 32 feet Parking permitted on both sides of the street (no signs
314 needed).

315 In cases where the specified width is impractical, however, the City Council may
316 reduce this dimension, as outlined in the City street width policy.

317 F. Public Utilities

318 1. All new electric distribution lines (excluding main line feeders and high voltage
319 transmission lines), telephone service lines and services constructed within the confines
320 of and providing service to customers in a newly platted residential area shall be buried
321 underground. Such lines, conduits, or cables shall be placed within easements or

dedicated public ways. The placement of transformer boxes and other above ground facilities shall be reviewed and approved by the City Engineer.

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 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 applicant after payment of all costs and expenses to the City have been paid.

- D. Roadway Access to Improved Lots Required: It is not the intent of this Section to require the owner to develop the entire plat, and to make all the required improvements, at the same time. However, building permits will not be granted for development of lots without access to roadways 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

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1103.03: Easements

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. Center line horizontal curvatures shall conform to the following minimum 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%

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

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 20 feet wide

1103.04: Block Standards

- A. Blocks over 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 the 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 that abuts a street with a relatively narrow strip of land, which fails to conform to the minimum required lot width, as defined in Section 1001.10 of this Code, and which passes beside a neighboring parcel.
 - b. The “flag” is the buildable part of a flag lot, which is connected to the street by the flag pole, and which is located behind the neighboring parcel.
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 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 one acre or more and resulting in a net increase of

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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 1102.05 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
Minimum Rear Lot Width ^d	45 feet
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.

d The horizontal distance between side lines of a lot, measured at right angles to its depth at the minimum required rear yard building setback line.

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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 10th day of July, 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 July 10, 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