

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Agenda Date: 5/23/2016
Agenda Item: 10.a

Department Approval

City Manager Approval



Item Description: Request for approval of minor clarifying amendments to §1103.06 (Lot Standards) of the Subdivision Code (**PROJ-0001**)

APPLICATION INFORMATION

Applicant: City of Roseville

Location: N/A

Property Owner: N/A

Open House Meeting: none required

Application Submission: N/A

City Action Deadline: N/A

PLANNING COMMISSION ACTION

The public hearing for this application was held by the Planning Commission on May 4, 2016, and voted 7 – 0 to recommend approval of the requested subdivision text amendment.

1 **BACKGROUND**

2 City Code §1103.06 establishes requirements for minimum lot sizes and parameters for how lots
3 are shaped. Recent application of these requirements, some established with the original
4 Subdivision Code in 1956 and some much more recently, in 2008, has proven challenging, and
5 Planning Division staff is presently developing a timeline for working with a consultant to
6 rewrite the Subdivision Code. That timeline might realistically extend until late 2016 and even
7 into 2017, but Planning Division staff has been receiving a large number of inquiries from
8 homeowners who are seriously considering subdividing their parcels and staff hopes to gain
9 clarity on the following lot size and shape parameters before a high volume of subdivision
10 applications are submitted.

11 **SUMMARY OF THE PROPOSED TEXT AMENDMENTS**

12 **§1103.06A & B: Minimum Residential Lot Size**

The residential lot size language from 1956 (i.e., 85 feet in width, 11,000 square feet in area, and so on) worked well up until the new zoning code was adopted in 2010; under the updated zoning code, however, the original lot size parameters have continued to apply to single-family lots in LDR-1 zoning district, whereas smaller single-family lots (i.e., 60 feet wide and 6,000 square feet) are allowed in the LDR-2 district, and even smaller single-family lots (i.e., 40 feet wide and 4,800 square feet) in the MDR district. Since the 2010 zoning standards were adopted, approving plats with lots for single-family detached homes has been largely problematic if those single-family lots have been less than 85-feet wide and 11,000 square feet in area. The proposed amendment deletes the size specifications from this section of the subdivision code, refers the reader to the applicable zoning district standards, and re-letters the subsequent code provisions.

§1103.06F: Side Lot Lines

When Ordinance 216 was adopted in April 1956, creating Roseville's Subdivision Code it focused on regulating community growth through plats and developments that converted agricultural or unused land into residential, commercial, and industrial subdivisions. The provision that became §1103.06F (i.e., "Sidelines of lots shall be substantially at right angles or radial to the street line.") ensured that lots were designed with regular, predictable shapes. When the application of this regulation is in the context of a new plat with new streets, compliance is relatively easy to achieve. But this provision is much more difficult to apply—and comply with—when minor subdivisions of two or three lots are proposed parcel by parcel.

Based on some of the recommendations of the 2007 Single-Family Lot Split Study, the Subdivision Code was amended in 2008 such that §1103.06F now reads "Side lines of lots shall be at right angles or radial to the street line," eliminating the word "substantially," and §1104.05 specifies that the Variance Board is responsible for acting on subdivision variance requests through the same process as zoning variances. Individual minor subdivision applications of existing parcels in suburban subdivisions (that frequently are not laid out in a rectangular grid) have proven to be increasingly challenging to process as a result of these amendments to an outdated Subdivision Code that regulates all subdivisions as though they are large plats of open land.

Strictness of Side Lot Line Requirements

Having adopted stricter requirements for how new lots are shaped, fewer subdivision proposals are able to meet those standards. If Roseville is to continue to allow single-family residential lots to be subdivided or split if they meet the standards, as recommended in the lot split study, then Roseville should adopt less rigid standards that are more easily met by a variety of parcels.

The other option is to decide that adhering to the stricter lot-shape standards is more important to the community than allowing new parcels to be created that meet or exceed the size and area standards. This decision is within the City's legislative authority, but it would mean that some potential subdivisions of relatively large parcels would be prohibited if new side lot lines are not strictly perpendicular or radial to the street line.

Subdivision Variances

If the City Council were to decide to maintain strict requirements for the alignment of new side lot lines, it would be inappropriate to then encourage subdividers to seek variances from those strict requirements. Code requirements should be amended as necessary to fairly reflect what Roseville intends to support or prohibit, reserving variances for those instances of actual hardship or practical difficulty.

The variance remains an important tool in certain circumstances, but the existing code provisions separate the decision-making responsibilities between the Variance Board, which is responsible for deciding whether to approve a variance request (e.g., for a not-strictly-perpendicular side lot line), and the City Council, which retains the authority to approve or deny the proposed subdivision. Under this arrangement, a decision by the Variance Board to deny a subdivision variance essentially decides that the subdivision cannot be approved, even though the Variance Board lacks the authority to act on subdivision applications.

Flag Lots

Flag lots are not prohibited, *per se*, but the strict “right angles or radial” provision is a *de facto* prohibition of the deflections in lot lines (or “zigzagging”, as the lot split study report calls it) necessary to create a flag lot. Planning Division staff suggests that if flag lots are effectively prohibited, the Subdivision Code should state more explicitly that flag lots are not permitted.

PUBLIC COMMENT

The public hearing for the proposed zoning amendment was held by the Planning Commission on May 4, 2016; draft minutes of the public hearing are included with this RCA as part of Exhibit A. At the time this report was prepared, Planning Division staff has not received additional communications from the public.

LEVEL OF CITY DISCRETION IN DECISION-MAKING

Action taken on a proposed zoning change is legislative in nature; the City has broad discretion in making land use decisions based on advancing the health, safety, and general welfare of the community.

PLANNING COMMISSION RECOMMENDATION

Pass an ordinance amending City Code Section 1103.06 (Lot Standards) to clarify the City’s requirements for the size and shape of new residential parcels, based on the findings and recommendation of the Planning Commission, the content of this RCA, public input, and City Council deliberation.

Pass a motion approving the proposed ordinance summary.

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) By motion, deny the request. Denial should be supported by specific findings of fact based on the City Council’s review of the application, applicable City Code regulations, and the public record.

Attachments: A: 5/4/2016 RPCA packet and
draft public hearing minutes

B: Draft ordinance
C: Draft ordinance summary

Prepared by: Senior Planner Bryan Lloyd
651-792-7073
bryan.lloyd@cityofroseville.com



**REQUEST FOR PLANNING COMMISSION ACTION
PUBLIC HEARING**

Agenda Date: 5/4/2016
Agenda Item: 6a

Item Description: Request for approval of minor clarifying amendments to §1103.06 (Lot Standards) of the Subdivision Code (**PROJ-0001**)

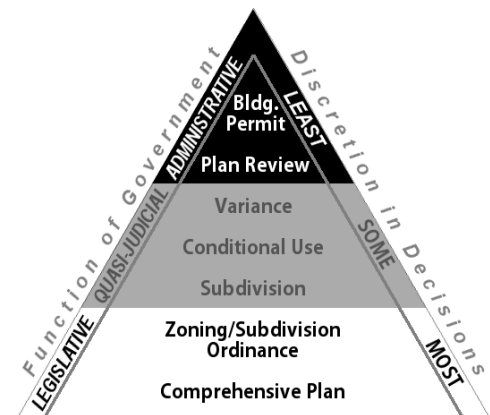
APPLICATION INFORMATION

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

LEVEL OF CITY DISCRETION IN DECISION-MAKING

Action taken on a proposed zoning change is **legislative** in nature; the City has broad discretion in making land use decisions based on advancing the health, safety, and general welfare of the community.



PROPOSAL

City Code §1103.06 establishes requirements for minimum lot sizes and parameters for how lots are shaped. Recent application of these requirements, some established with the original subdivision code in 1956 and some much more recently, in 2008, has proven challenging. It should be noted that Planning Division staff is developing a firm timeline for working with a consultant to rewrite the Subdivision Code. That timeline, however, might realistically extend until late 2016 and even into 2017, but Planning Division staff has been receiving a large number of inquiries from homeowners who are seriously considering subdividing their parcels and staff hopes to gain clarity on the following lot size and shape parameters before a high volume of subdivision applications are submitted.

§1103.06A & B: Minimum Residential Lot Size

This is the part of the Subdivision Code that specifies lot size standards for single-family detached homes; it says:

A. The minimum lot dimensions in subdivisions designed for single-family detached dwelling developments shall be:

1. Eighty five (85) feet wide at the established building setback line and on outside street curvatures.
2. Not less than one hundred ten (110) feet in minimum depth.
3. Not less than eleven thousand (11,000) square feet in area.

B. The minimum corner lot dimensions for single-family detached dwelling developments where permitted under the Zoning Code shall be:

RCA Exhibit A

1. One hundred (100) feet wide at the established building setback line.
2. Not less than one hundred (100) feet in depth.
3. Not less than twelve thousand five hundred (12,500) square feet.

This language from 1956 worked well up until the new zoning code was adopted in 2010, but since that time, the above lot size parameters have continued to apply to single-family lots in LDR-1 zoning district, but smaller single-family lots (i.e., 60 feet wide and 6,000 square feet) are allowed in the LDR-2 district, and even smaller single family lots (i.e., 40 feet wide and 4,800 square feet) in the MDR district. Since these new zoning standards were adopted, approving plats with lots for single-family detached homes has been problematic if those single-family lots have been smaller than 85-feet wide and 11,000 square feet in area. Based on the initial discussion with the Planning Commission on April 6, 2016, the proposed amendment will delete the size specifications, refer the reader to the applicable zoning district standards, and re-letter the subsequent code provisions.

A. The minimum lot dimensions in subdivisions ~~designed for single family detached dwelling developments shall be:~~ shall be those of the underlying zoning district as defined 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.

- ~~1. Eighty five (85) feet wide at the established building setback line and on outside street curvatures.~~
- ~~2. Not less than one hundred ten (110) feet in minimum depth.~~
- ~~3. Not less than eleven thousand (11,000) square feet in area.~~

~~B. The minimum corner lot dimensions for single family detached dwelling developments where permitted under the Zoning Code shall be:~~

- ~~1. One hundred (100) feet wide at the established building setback line.~~
- ~~2. Not less than one hundred (100) feet in depth.~~
- ~~3. Not less than twelve thousand five hundred (12,500) square feet.~~

§1103.06F: Side Lot Lines

When Ordinance 216 was adopted in April 1956 and published in The Rose Tribune, §7(f)(7) looked like this:

- (7) Side lines of lots shall be substantially at right angles or radial to the street line.

Later recodifications of Roseville's City Code changed the numbering of that particular section to §1103.06F, as it is today, but the language was unchanged for 50 years. A current survey of subdivision requirements in Roseville's neighboring communities yielded the following:

- Little Canada §1006.020.D.: Side lines of lots shall be approximately at right angles to street lines or radial to curved street lines.
- Maplewood §34-8.(f)(5): Sidelines of lots shall be substantially at right angles or radial to the street line.
- Arden Hills §1130.07 Subd.4: Side lines of lots shall be substantially at right angles or radial to the street line.

- Shoreview §204.030(C)(4): Side lines of lots shall be substantially at right angles to straight street lines, or radial to curved street lines.
- New Brighton §26-12(4): Side lines of lots shall be substantially at right angles to the street line.
- Falcon Heights §109-51(a): The lot size, width, depth, shape and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

(b): Lot dimensions shall conform to chapter 113, zoning.

Most of these regulations are strikingly similar to Roseville's provision, and in each of those cases, the regulation of lot size and shape followed sections establishing standards for street design, right-of-way configuration, and the size and shape of blocks. Subdivision codes arranged in such a way seem to have focused on regulating new growth of their communities through plats and developments that converted agricultural or unused land into residential, commercial, and industrial subdivisions. Section 1103.06F establishes a requirement that aims to ensure lots are designed with regular, predictable shapes. Lots might be sort of pie-shaped around cul-de-sacs or curves, but they should be more or less rectangular along straight streets. When the application of that regulation is in the context of a new plat with new streets, such regulations are quite sensible and compliance is relatively easy to achieve. But Planning Division staff asserts that this same provision is much less sensible—and compliance is much more difficult—when minor subdivisions of two or three lots are proposed parcel by parcel.

In 2007, the City Council engaged the community in a Single-Family Lot Split Study to evaluate the impact of minor subdivisions on the community and to develop an appropriate course of action for regulating them into the future. The study yielded several recommendations. These recommendations are most germane to the present topic:

A. General Single-Family Residential Subdivision Policy

1. The City Council should continue to allow single-family residential lots to be subdivided or split if they meet the standards set forward by the City Code. (Consensus Recommendation)

B. Subdivision Code

2. The City Council should amend the Subdivision Ordinance to include variance language not currently found in this code by reiterating the variance language found in the Zoning Code. (Consensus Recommendation)
3. The City Council should amend the lot line requirement within the Subdivision Ordinance to require that lot lines are perpendicular to the front property line unless a variance is obtained. (Consensus Recommendation)
- 7.a. The City Council should allow the creation of flag lots and continue to hear them through the variance process. (Majority Recommendation—6 votes)
- 7.b. The City Council should prohibit the creation of flag lots within the City. (Minority Recommendation—2 votes)

Based on the report and the input from public hearings and Planning Commission recommendations, the City Council amended the Subdivision Code in 2008 such that §1103.06F now reads "Side lines of lots shall be at right angles or radial to the street line," eliminating the

RCA Exhibit A

word “substantially,” and §1104.05 specifies that the Variance Board is responsible for acting on subdivision variance requests through the same process as zoning variances. Individual minor subdivision applications of existing parcels in suburban subdivisions (that typically are not laid out in a rectangular grid) have proven to be increasingly challenging to process as a result of these amendments to an outdated Subdivision Code that regulates all subdivisions as though they are large plats of open land.

What follow are some observations and comments about internal conflicts or unintended consequences of the lot split study recommendations and the subsequent code amendments.

- Having adopted stricter requirements for how new lots are shaped, fewer subdivision proposals will be able to meet those standards. Planning Division staff posits that if Roseville is to “continue to allow single-family residential lots to be subdivided or split if they meet the standards” then Roseville should either adopt standards that are more easily met by a variety of parcels or formalize the fact that adhering to the stricter lot-shape standards is more important to the community than facilitating subdivisions and creating new parcels that meet or exceed the size and area standards. Planning Division staff believes, though, that it is inappropriate to maintain strict requirements and encourage subdividers to seek variances from them.
- The variance remains an important tool in certain circumstances, but the existing code provisions separate the decision-making responsibilities between two bodies. If a minor subdivision application were submitted for approval of a new parcel that, for some reason, had a new side lot line that was not quite radial to the street line, a variance would be required. The existing Subdivision Code makes the Variance Board responsible for deciding whether to approve the variance request, but the City Council retains the authority to approve or deny the proposed subdivision. If the Variance Board were to find that the hypothetical proposal did not meet the test for approving the variance for a non-radial side lot line and denied the variance, that decision would be final. In cases like this, the Variance Board’s decisions essentially decide whether a subdivision can be approved even though they don’t have the authority to act on subdivision applications.
- Flag lots are not prohibited, *per se*, but the strict “perpendicular or radial” provision is a *de facto* prohibition of the deflections in lot lines (or “zigzagging”, as the lot split study calls it) necessary to create a flag lot. Planning Division staff suggests that if flag lots are not supported, the subdivision code should be clear about that, especially since it’s difficult to imagine what sort of “hardship” or “practical difficulty” would support a variance to create a flag lot where a more conventional subdivision is not possible.

In light of the problematic Subdivision Code language discussed above and the large number of subdivision applications that could be submitted before a comprehensive revision to the code can be completed, Planning Division staff recommends an amendment that substantially relaxes the “perpendicularity” requirement so that reasonable subdivisions of irregular parcels can be considered and evaluated by staff, the public, and the City Council for whether the proposals conform to the purpose and intent of the provisions governing the shapes of new parcels. Staff recommends the following amendment:

~~F. Side lines of lots shall be at right angles or radial to the street line. 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 because the locations of the boundaries of such lots are easier to understand than the boundaries of lots with complex, irregular shapes, and because they ensure greater flexibility in situating and designing homes for the new lots.~~

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 front the 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 line(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 subdivision applicants often cannot change those boundaries to make them more regular if the boundaries have complex or unusual alignments. 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, which abut a street with a relatively narrow strip of land (i.e., the “flag pole”) that passes beside a neighboring parcel and have the bulk of land area (i.e., the “flag”) located behind that neighboring parcel, are not permitted, because the flag pole does not meet the required minimum lot width according to the standard measurement procedure.

PUBLIC COMMENT

At the time this report was prepared, Planning Division staff has not received any communication from the public about the proposal to amend the Subdivision Code.

RECOMMENDED ACTION

By motion, recommend approval of the proposed amendments to §1103.06 of the City Code, based on the comments and findings of this report.

ALTERNATIVE ACTIONS

Pass a motion to table the item for future action.

By motion, recommend denial of the proposal.

Prepared by: Senior Planner Bryan Lloyd
651-792-7073
bryan.lloyd@cityofroseville.com



a. **PROJECT FILE 0001, Amendment 4
Request by the City of Roseville to clarify regulations in City Code, Title 11
(Subdivisions) pertaining to configuration of boundaries for new single-family lots
and to clarify applicability of specified lot size standards.**

Chair Boguszewski opened the public hearing for PROJECT FILE 0001 at 7:04 p.m.

Senior Planner Bryan Lloyd reviewed the request as detailed in the staff report dated May 4, 2016 and rationale for suggested changes and specific to minimum residential lot sizes (Section 1103.06.A and B) and side lot lines (Section 1103.06.F). Mr. Lloyd presented some graphical depictions of hypothetical subdivisions, **attached hereto and made a part hereof**, to illustrate how the existing requirements can produce lot shapes that might not be intended by the code even though the subdivision might conform to the requirements.

Mr. Lloyd noted that some Subdivision Code language remained from when Ordinance 216 was originally adopted in April of 1956 and compared with today's reality were no longer applicable in a nearly-developed first-ring suburb such as Roseville.

At the request of Member Daire, Mr. Lloyd provided verbal and illustrative examples of flag lots in Roseville and other metropolitan suburbs that were not within the confines of the code's intention.

For clarification purposes, Chair Boguszewski noted that the changes outlined and recommended by staff in the report, lines 142 – 164 were mostly directive with subsections guiding and defining the basic rationale for the language revisions. Chair Boguszewski noted these provided some flexibility in interpreting general guidelines when considering those lots considered suitable and appropriate, while giving some semblance of a parallel or perpendicular nature.

Mr. Lloyd agreed that was a good characterization, with the intent of the code to provide for regular and predictable lots, but the ability for review on a case by case basis.

Chair Boguszewski opined that, with agreement from his colleagues, this language could be incorporated with the other recommended language revisions, keyed back to the underlying zoning district, and all within one motion; as confirmed by Mr. Lloyd.

Member Daire clarified with Mr. Lloyd that Item 3.F (line 161) categorically forbade flag lots, with the exception of if and when a variance was indicated for a specific situation.

Mr. Lloyd advised that, as a result of a previous Lot Split Study Task Force undertaking, staff found conflicting situations after enactment of the current subdivision ordinance. While the Task Force hadn't wanted to prohibit flag lots, the majority of the task force members indicated if someone came forward to pursue a flag lot, it could be considered if subjected to a variance process, and based upon square footage, and lot width and depth.

Member Bull stated his issue in keeping city code succinct, and in his interpretation of the initial Item F, and then the following language in lines 147 – 164, it caused flags to go up for him. While understanding staff's clarification, Member Bull sought to ensure the code was not using vague terms, such as "geometric" that could be defined with multiple regular shapes, including circles and cones that would be considered undesirable. Member Bull opined he found the proposed revised language too subjective (e.g. line 157) when talking about irregularities, and questioned who was responsible for making that call; and suggested something needed to be described to help with that definition. Member Bull reiterated his preference that any code revisions remove vagaries and be more definable for users of the code.

Mr. Lloyd advised that, in general he agreed that clear and simple is preferable to convoluted and vague. However, in this case, Mr. Lloyd advised that the attempt was to remove a clear statement (line 142) that in reality was simply not feasible geometrically speaking. Therefore, Mr. Lloyd advised that the intent of the revised language was not to be brief, but address the actual reality of working with simple shapes, whether that meant rectangles, squares, cones or pie shapes, with it being hard to characterize as

directionally-linear. As to who decides, Mr. Lloyd noted that ultimately the City Council had that role as the final body reviewing and approving or denying subdivision request. As to what is too irregular, Mr. Lloyd admitted he wasn't sure he could specifically address that, and may have to rely on a lot as it related to other parcels like it in that location or with a more objective review.

In such a situation, Chair Boguszewski asked what recourse an applicant would have if they submitted an application and it was deemed by staff as too irregular, and how they could appeal that decision.

Mr. Lloyd advised that staff can support or not support an application and make a recommendation accordingly to the City Council. However, if that body determined differently from staff's recommendation, Mr. Lloyd opined that the appeal process would be subject to court relief if not applicable for the City Council serving in their role as the Board of Adjustments and Appeals.

At the request of Chair Boguszewski, Mr. Lloyd clarified that the application would not end at the staff level, but the applicant could decide if they wanted to see the application process through to the Planning Commission and City Council even without staff's support; or they could choose to withdraw their application and not spend time and money to ultimately reach a potential similar point later on.

Member Daire opined that it struck him that there were fewer and fewer options for development and subdivisions in Roseville; and if situations developed with enough caveats or ways out for a property owner's development rights to not be unduly limited, as fewer opportunities are available, more qualifiers were needed to address that possibility. Having been part of a planning staff once, Member Daire, expressed his sympathetic recognition of staff's desire to open the door to development but at the same time have the ability to defend the rationale for that development.

Mr. Lloyd agreed that was valid on the city's point for rationale requirements and adherence with them or variance requests; but noted the city didn't need to facilitate an infinite number of subdivisions unless proven acceptable with the intent of the city's code as indicated by the Lot Split Study report supporting continued allowance of parcel subdivisions as appropriate. Mr. Lloyd noted the numerous building permit applications coming through the city for home additions to homes built in the 1950's without enough space unless encroaching on setbacks, it prompted many variance requests in the past. Rather than leaving such over-limiting requirements in place when the city consistently approved those previous variance requests in the past, Mr. Lloyd opined it had prompted the city to now be in this position when a parcel was large enough to accommodate a subdivision. Mr. Lloyd also noted that the easier subdivisions had already been done, leaving those more challenging to remain. Therefore, if the city continues to support those subdivisions, Mr. Lloyd opined that it made sense to have regulations in place rather than requiring an applicant to come forward with a variance request.

Chair Boguszewski closed the public hearing at 7:33 p.m.; no one spoke for or against.

MOTION

Member Cunningham moved, seconded by Member Murphy to recommend to the City Council APPROVAL of the proposed AMENDMENTS (Subdivisions) to Roseville City Code, Section 1103.06, based on the comments and findings of the staff report dated May 4, 2016.

Chair Boguszewski stated his agreement with this revised language and indexing it to underlying zoning. However, Chair Boguszewski also agreed with Member Bull's concerns in not having "wishy-washy" terms, while at the same time he offered his support for paragraphs one and two providing more factors for consideration of and not limiting subdivisions, but outlining a process before seeking a variance. Chair Boguszewski opined that within the philosophy of government, the human element couldn't be completely removed; and spoke in support of the motion.

Member Murphy expressed his appreciation of the concerns expressed by Member Bull; but spoke in support of the motion, based on lines 137-141 specifically. While it may take

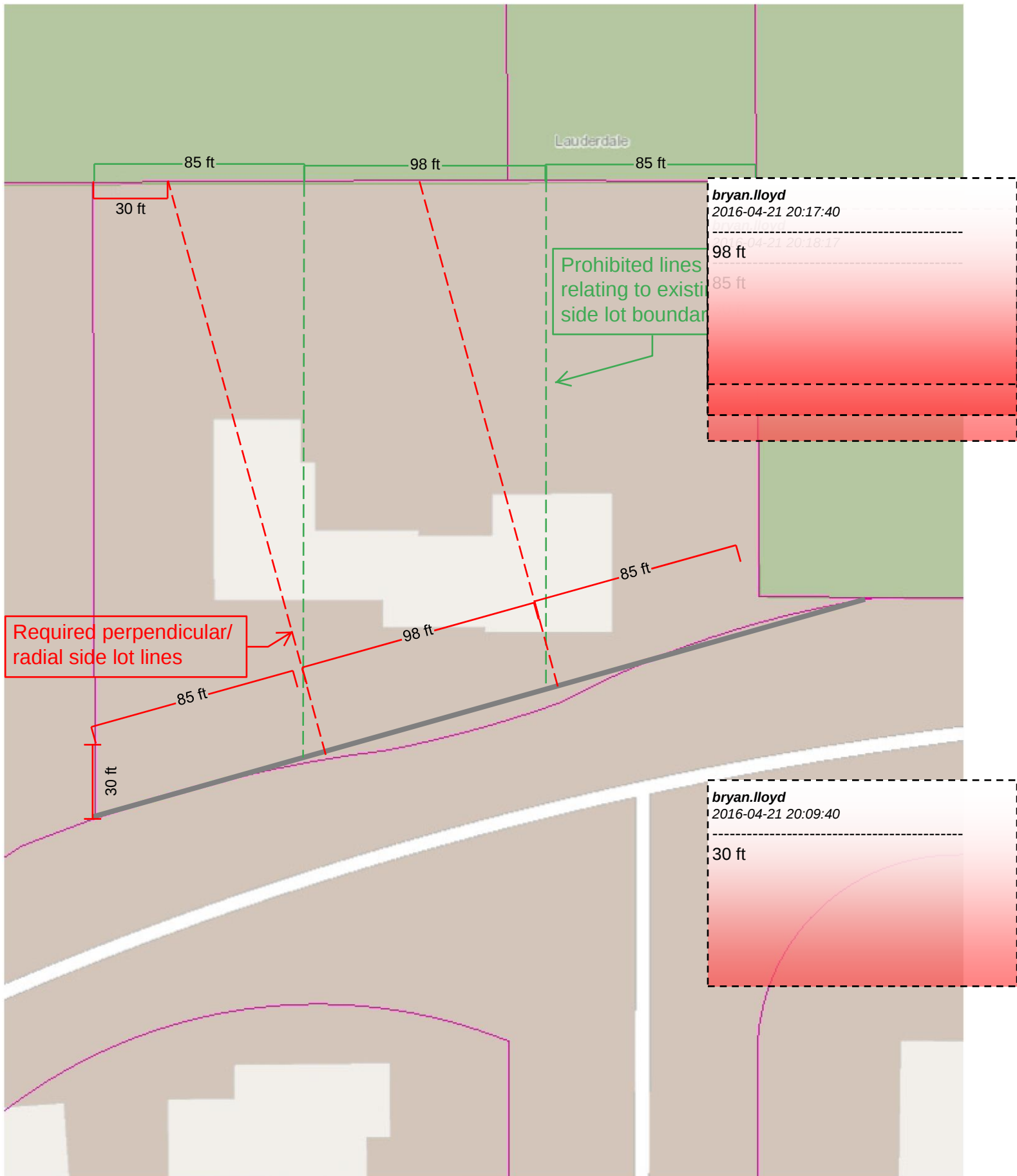
RCA Exhibit A

108 a few words to accomplish that goal, Member Murphy opined that the language did
109 support the overall goals.

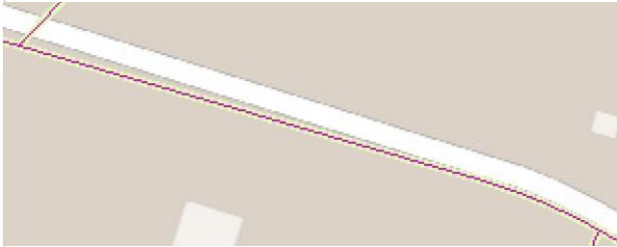
110 Member Cunningham echoed her colleagues, and while not liking ambiguous language,
111 agreed that these revisions created opportunities for applicants; and opined it would
112 benefit the city in the long run.

113 Member Bull stated that what made this plausible for him was the comments made by Mr.
114 Lloyd in an applicant's ability to go beyond city staff for subsequent discussions by the
115 Planning Commission and City Council; and therefore he would support the motion.

116 **Ayes: 7**
117 **Nays: 0**
118 **Motion carried**
119



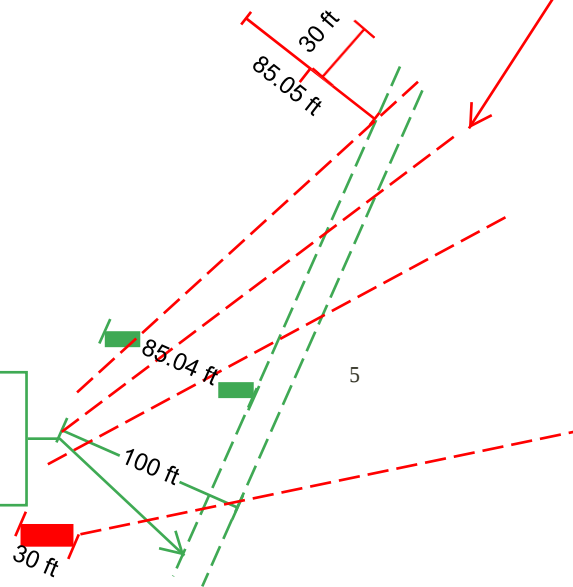
12



Required perpendicular/
radial side lot lines

7

Prohibited lines
relating to existing
side lot boundaries



5

bryan.lloyd
2016-04-21 19:44:05

30 ft

bryan.lloyd
2016-05-04 20:35:09

240.25 ft

259.68 ft

bryan.lloyd
2016-05-04 20:26:22

2.65 in

1.00 ft

10 ft

19



18

3



ORDINANCE NO. ____

AN ORDINANCE AMENDING TITLE 11 OF THE CITY CODE CLARIFYING THE INTENT AND APPLICABILITY OF CERTAIN SUBDIVISION REGULATIONS

The City Council of the City of Roseville does ordain:

Section 1. The Roseville City Code is hereby amended as follows.

1103.06: LOT STANDARDS:

A: The minimum lot dimensions in subdivisions designed for single-family detached dwelling developments ~~shall be:~~ shall be those of the underlying zoning district as defined 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.

1. ~~Eighty five (85) feet wide at the established building setback line and on outside street curvatures.~~

2. ~~Not less than one hundred ten (110) feet in minimum depth.~~

3. ~~Not less than eleven thousand (11,000) square feet in area.~~

~~B: The minimum corner lot dimensions for single-family detached dwelling developments where permitted under the Zoning Code shall be:~~

1. ~~One hundred (100) feet wide at the established building setback line.~~

2. ~~Not less than one hundred (100) feet in depth.~~

3. ~~Not less than twelve thousand five hundred (12,500) square feet.~~

C:B: The minimum dimensions at the rear lot line of any lot shall be thirty (30) feet.

D:C: Butt lots shall be platted at least five (5) feet wider than the average interior lots in the block.

E:D: Streets.

1. Public Streets: See Section 1103.021.

2. Private Streets: Private streets may be allowed by the Council in its discretion provided they meet the following conditions:

a. Are not gated or otherwise restrict the flow of traffic;

b. Demonstrate a legal mechanism will be in place to fund seasonal and ongoing maintenance; and

c. Meet the minimum design standards for private roadways as set forward in Section 1103.021. (Ord. 1359, 1-282-2008)

F:E: ~~Side lines of lots shall be at right angles or radial to the street line. (Ord. 1359, 1-28-2008)~~ 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 because the locations of the boundaries of such lots are easier to understand than the boundaries of lots with complex, irregular shapes, and because they ensure greater flexibility in situating and designing homes for the new lots.

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 front the 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 line(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 subdivision applicants often cannot change those boundaries to make them more regular if the boundaries have complex or unusual alignments. 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, which abut a street with a relatively narrow strip of land (i.e., the “flag pole”) that passes beside a neighboring parcel and have the bulk of land area (i.e., the “flag”) located behind that neighboring parcel, are not permitted, because the flag pole does not meet the required minimum lot width according to the standard measurement procedure.

G:F: Double frontage lots shall not be permitted, except:

1. Where lots back upon a thoroughfare, in which case vehicular and pedestrian access between the lots and the thoroughfare shall be prohibited, and (Ord. 216, 7-5-1956)
2. Where topographic or other conditions render subdividing otherwise unreasonable. Such double frontage lots shall have an additional depth of at least twenty (20) feet greater than the minimum in order to allow space for a protective screen planting along the back lot line and also in such instances vehicular and pedestrian access between lots and the thoroughfare shall be prohibited. (Ord. 245, 5-101958)

H:G: Lots abutting upon a water course, drainage way, channel or stream shall have an additional depth or width as required to assure house sites that meet shoreland ordinance requirements and that are not subject to flooding.

I:H: In the subdividing of any land, due regard shall be shown for all natural features such as tree growth, water courses, historic spots or similar conditions which, if preserved, will add attractiveness and value to the proposed development. (Ord. 216, 7-5-1956; amd. 1995 Code)

J:I: Where new principal structures are constructed on lots contiguous to roadways designed as major thoroughfares in the City's Comprehensive Plan, driveways servicing such lots shall be designed and constructed so as to provide a vehicle turnaround facility within the lot. (Ord. 993, 2-10-1986)

K:J: 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. (Ord. 1359, 1-28-2008)

Section 2. Effective Date. This ordinance amendment to the City Code shall take effect upon the passage and publication of this ordinance.

Passed this 23rd day of May 2016.

ORDINANCE SUMMARY NO. ____

**AN ORDINANCE AMENDING TITLE 11 OF THE CITY CODE CLARIFYING THE
INTENT AND APPLICABILITY OF CERTAIN SUBDIVISION REGULATIONS**

The following is the official summary of Ordinance No. approved by the City Council of the City of Roseville, Minnesota on May 23, 2016:

The Roseville City Code, Title 11, Subdivision Code, has been amended to rectify an apparent conflict with the Zoning Code relating to lot size requirements, and to clarify the City's purpose and intent of regulations pertaining to the shapes of newly-subdivided lots.

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