

ROSEVILLE
REQUEST FOR COUNCIL DISCUSSION

Agenda Date: 5/08/2017

Agenda Item: 7.f

Department Approval



City Manager Approval



Item Description: Review and provide comment on the first two chapters of a comprehensive technical update to the requirements and procedures for processing subdivision proposals as regulated in City Code Title 11 (Subdivision) (PROJ-0042)

1 **BACKGROUND**

2 The consultants engaged to lead the update of Roseville's Subdivision Code, Mike Lamb and
3 Leila Bunge, have drafted updated code text based on the feedback received from the
4 Planning Commission and City Council regarding the annotated outline of Roseville's
5 existing code; the minutes of the City Council's March 20 discussion are included as Exhibit
6 A. The Planning Commission began reviewing and discussing the first two chapters of the
7 draft subdivision code at its meeting of April 5, and tabled the remainder of the discussion
8 until its upcoming meeting of May 3; the draft minutes of the April 5 discussion are included
9 with this report as Exhibit B.

10 The draft of the subdivision code update is included with this report as Exhibit C. Because
11 presenting a comprehensive update like this entirely in the typical *track changes* format
12 would be difficult to read, the proposed update is presented side-by-side with the existing
13 code text. In this way, each provision of the proposed draft (in the right-hand column) can be
14 compared to the existing text (in the left-hand column). Because the draft presented to the
15 City Council has been updated since April 5 based on the Planning Commission's feedback,
16 such edits to the draft subdivision code are typographically emphasized with strikethrough
17 and underlined text representing deletions and insertions, respectively.

18 **PLANNING DIVISION COMMENT**

19 Many of the proposed amendments to the subdivision code involve modernizing outdated
20 language, auditing definitions to include what is necessary and delete what is not, and
21 removing technical requirements that are better regulated elsewhere.

22 Another result of the proposed changes is that much of what the existing code establishes for
23 application submission requirements and review processes would be updated and relocated to
24 the application forms themselves, rather than leaving them as codified regulations. Based on
25 the feedback received during the April 5 public hearing regarding the proposed process
26 amendments, Planning Division staff will draft updated application forms, which would
27 become exhibits for City Council review of the proposed subdivision code update.

28 The most significant proposed application-review-process change pertains to the minor
29 subdivision. Feedback offered by the Planning Commission and City Council in March

30 coalesced around two positions on simple subdivisions: applications should provide full
31 surveys, grading plans, storm water plans, and the like, in contrast to the sketch-level plans
32 required by the current code; and they should have generally the same review process as they
33 currently have, as opposed to a narrowly defined administrative approval process. This
34 combination of rich application data and a direct path to City Council action is essentially an
35 abridged plat application and review process; the only distinction from a plat would be in the
36 final documentation that is filed at Ramsey County. Correspondingly, this is reflected in the
37 proposed draft as the replacement of the minor subdivision process with a “minor plat”
38 process. The minor plat would be for all applications that:

- 39 • Create three or fewer parcels for new development,
- 40 • Don’t need any new streets, sewers, or other new public infrastructure,
- 41 • Don’t require any variances to zoning or subdivision requirements,
- 42 • Don’t involve any changes to comprehensive plan or zoning designations, and
- 43 • Don’t trigger the park dedication requirements.

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

- 47 • Create four or more parcels for new development,
- 48 • Require an open house meeting prior to application for approval,
- 49 • Need new streets, sewers, or other new public infrastructure,
- 50 • Require variances to zoning or subdivision requirements,
- 51 • Might involve changes to comprehensive plan or zoning designations, or
- 52 • Trigger park dedication requirements.

53 More significant subdivision proposals would require the same process of public review,
54 Planning Commission recommendation, and City Council approval as Roseville is used to,
55 and simpler applications would still have a relatively direct path to final action, but would
56 include more robust information for review at the outset.

57 The City Attorney has been reviewing the draft, in general, as well as responding to specific
58 questions. Nevertheless, prior to final action on the proposed subdivision code update, the
59 City Attorney will be reviewing the entire proposal to ensure that the final ordinance is
60 sound.

61 Roseville’s Public Works Department staff is reviewing the entire proposal to ensure that the
62 revised subdivision code and their forthcoming design standards manual combine to provide
63 all of the necessary regulations without unintended gaps and unnecessary redundancies. The
64 draft subdivision code update has been developed with the design standards manual as a
65 reference; therefore any changes to the draft resulting from this review are expected to be
66 technical in nature.

67 The Parks and Recreation Commission will review the proposed revision to the park
68 dedication regulations at its meeting of May 2, 2017. Generally, proposed amendments to the
69 park dedication regulations pertain to adding a preamble linking park dedication to the City’s

70 goals as expressed in places like the Comprehensive Plan, Parks and Recreation System
71 Master Plan, and the pathway plans, clarifying the thresholds where park dedication is
72 required, and cleaning up outdated information. One significant addition to note is that the
73 proposal would expand the set of occasions when the City would seek dedications of land to
74 include locations that could increase the connectivity of pathways open spaces identified in
75 the community's plans, as authorized by State Statute.

76 **PUBLIC COMMENT**

77 Despite being noticed as a public hearing, no members of the public were present at the April
78 5 Planning Commission meeting to comment on the proposed draft subdivision code. Notice
79 of the continuation of the public hearing at the May 3 Planning Commission meeting has also
80 been published. At the time this report was prepared, Planning Division staff has not received
81 any communications from the public beyond an email received prior to the Planning
82 Commission's March 1 review of the annotated outline. That email has not been reproduced
83 for inclusion with this report, but it remains part of the public record.

84 **REQUESTED DISCUSSION**

85 Mike Lamb will be facilitating this discussion about the first two chapters of the draft
86 subdivision code update, as amended based on the Planning Commission's guidance
87 regarding these same sections. While the public hearing has been tabled until May 3, 2017,
88 the City Council could still take action to adopt a new ordinance by May 22, which is in
89 advance of the May 31, 2017, expiration of the interim ordinance prohibiting residential
90 minor subdivisions.

Exhibits: A: 3/20/2017 City Council C: Chapters 1101 & 1102 of the draft
 minutes Subdivision Code update
 B: 4/5/2017 Planning Commission
 draft minutes

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d. Discuss the Annotated Outline Illustrating Present Structure of the Subdivision Code and How a Rewritten Code Might Differ; Provide Input to Guide the Drafted of an Updated Ordinance (PROJ-0042)

Senior Planner Bryan Lloyd introduced Mike Lamb, consultant with Kimley-Horn, undertaking the rewrite of the city’s subdivision code as detailed in the staff report and related attachments.

Title 11 (Exhibit A), Subdivisions and his Memorandum dated February 23, 2017 (Exhibit B)

Mr. Lamb provided an overview of the five major topics needing review: language in code (definitions) and their consistency with other city code; minor subdivision process as discussed by the Planning Commission and of interest to the City Council; Park Dedication mechanism and how to address that moving forward; Design Standards and any revisions of those standards embedded in code; and those areas for reliance on the Public Works Design Standards Manual currently in process.

In the City Council’s review of Attachment A, Mr. Lamb clarified that the first column represented current code and right hand column provided suggestions from his office and staff. Mr. Lamb further clarified that those are just suggestions, and not recommendations, but simply based on experience and requiring City Council feedback. Mr. Lamb also referenced excerpts provided from the subdivision ordinances in the metropolitan area and language from those that might make sense for Roseville as the basis for edits. Mr. Lamb further referenced some case studies provided from other metropolitan communities and other first-ring suburbs from out-of-state and staff conversations with those cities as well. Mr. Lamb concluded by stating the intent for this to be an outline review only to help staff and his firm determine the proper direction to pursue from the City Council’s perspective.

Exhibit A – Title 11

Page 1

In terms of definitions, Mayor Roe suggested the fewer the better in this portion of code; whether by referencing the Public Works Design Standards Manual or through existing code (e.g. street or design standard components) where those definitions would come out.

Mayor Roe also suggested a general reference to other city documents (e.g. 2008 Pathway Master Plan) rather than specifically referencing them in the subdivision code; with agreement by Councilmember Willmus.

Pages 2 &3

Along with Mayor Roe, Councilmembers McGehee, Willmus and Laliberte were in agreement that they did not want to consider an administrative review process; continuing that approval process through the Planning Commission and City Council or just the City Council as per current practice.

Page 4

1 At the request of Councilmember McGehee, Mr. Lloyd confirmed that any and all
2 application forms and instructions would be revised based on new processes or
3 checklists.
4

5 Specific to minor lot splits and associated checklists for one lot splitting into two,
6 Ms. Collins advised that currently if everything on the checklist was addressed,
7 they were approved administratively.
8

9 Councilmember McGehee stated her intent that everything, including those minor
10 lot splits, be put back on the table, opining that the checklist should be presented
11 to the City Council in agenda packets indicating any or all items checked off, es-
12 pecially related to drainage, sewer and tree preservation.
13

14 Even with minor subdivisions, Councilmember Willmus noted one area of strug-
15 gle was an informal sketch provided (e.g. on the back of a napkin) versus a more
16 detailed and formal application and information process, showing established lo-
17 cations for lot lines, drainage easements, and any other work that would be done
18 on the front end before being brought to the City Council for approval.
19

20 As suggested by City Manager Trudgeon, and confirmed by Councilmember
21 Willmus, this would include a survey.
22

23 As decision makers, Councilmember Willmus noted that the additional infor-
24 mation could have a significant impact on a decision one way or another based on
25 that level of detail provided; and opined that a survey shouldn't create an exces-
26 sive burden for a property owner looking to divide their lot; and he preferred hav-
27 ing that detail available. Councilmember Willmus stated that from his perspec-
28 tive, that detail did not include being advised that the watershed district had yet to
29 sign off, especially if and when those properties may involve part of a larger
30 drainage system or issue within the community. With not receiving that infor-
31 mation upfront, Councilmember Willmus noted that it left out part of the picture,
32 and stated his interest in having that broader picture from materials presented to
33 the City Council, whether or not it created a financial burden on a property own-
34 er.
35

36 Ms. Collins sought clarification on the current process used for minor subdivi-
37 sions and plats, asking if the City Council was okay with that as long as additional
38 information was provided upfront.
39

40 Mayor Roe agreed, referencing recent examples of plats coming before the City
41 Council.
42

43 Without objection, and confirmed by Mr. Lamb, the City Council did not support
44 any administrative process for minor subdivisions; with an up-to-date checklist
45 included at the Planning Commission and/or City Council levels.
46

47 With confirmation by staff, Mayor Roe clarified that open house language would
48 parallel that approved in other sections of code.

1
2 Councilmember Willmus addressed plat requirements for lots on existing streets
3 and requiring municipal services, and whether some accommodation was needed
4 for private drives built to city street specifications but privately maintained.
5

6 Mr. Lloyd advised that there was nothing in the subdivision code; and noted that
7 delved into the area of uncertainty as to whether a subdivision created a flag lot to
8 access properties behind one street or a private street with public streets minus a
9 right-of-way; seeking City Council direction on that point.
10

11 Councilmember Willmus stated that he didn't want to revert to flag lots, but rec-
12 ognized situations where larger lots are subdivided and become smaller, this may
13 be a tool that could help accommodate it and create less expense for surrounding
14 property owners and the broader community as well. Councilmember Willmus
15 opined that the city had it within its purview and public works specifications for
16 those situations.
17

18 Mayor Roe stated that he wasn't against private driveway as a solution.
19

20 Councilmember Willmus noted that there was no language so specific that it
21 would exclude private drives by calling it a street.
22

23 Mayor Roe noted that platting wasn't required for a minor subdivision if other re-
24 quirements were met, with the current process not requiring plats for minor sub-
25 divisions.
26

27 City Manager Trudgeon noted that it involved a process for document and layout
28 approval, but was not a formal plat.
29

30 Regarding item 4, Mayor Roe noted it stated that it seemed obvious from lan-
31 guage providing that a divisional lot didn't require minimum standards.
32

33 Mr. Lamb clarified that the excerpt from the City of St. Paul could be edited ac-
34 cordingly for further consideration by the City Council. Mr. Lamb noted the need
35 for placing the burden on public works when changing slopes to address any wa-
36 ter/sewer issues, or frozen pipes or water being pumped up hill creating low water
37 pressure.
38

39 Mayor Roe noted the need to ensure the close attention of the Public Works staff
40 on those specific issues.
41

42 Page 5

43 Mr. Lamb noted some design standards that would be unique to code.
44

45 At the request of Mayor Roe, Mr. Lamb confirmed the need to address them in
46 the subdivision code versus in general city code (e.g. block sizes).
47

48 Page 6

1 Mayor Roe clarified that lot sizes were addressed in the city's zoning code, not its
2 subdivision code.

3
4 Page 6 (Park Dedication)

5 Mr. Lamb clarified some of this section, noting that references to more formal
6 plans and policies the city had adopted specifically or as part of comprehensive
7 plan updates superceded the subdivision code language developed in 1980. Mr.
8 Lamb noted that he had found only three occasions since that inception of land
9 dedication for park or open space, with the remainder of the situations resulting in
10 cash in lieu of land.

11
12 Mr. Lamb suggested consideration of a way that the subdivision code could help
13 support larger connectivity of the city itself (e.g. connecting trails or sidewalks) in
14 a broader nature than by simply setting a process and approach for cash applied to
15 a park or requiring additional recreation maintenance. Mr. Lamb noted that the
16 idea was to consider that larger picture and use the subdivision as a tool to
17 achieve that larger connectivity.

18
19 Mayor Roe suggested the intent may be to expand the definition of land contribu-
20 tion that could be beyond a specific plot of land, but involve trail connections.

21
22 Mr. Lamb agreed that was the intent, and used several examples in Roseville (e.g.
23 McCarron's Lake area or Old National Guard Armory parcel) as examples of
24 larger tracts of land that could be subdivided, and possibly include another street
25 with a possible trail to connect with the existing system.

26
27 Councilmember Willmus questioned if that didn't lead to situations with addition-
28 al land being donated to areas of the city that already have built-out park and trail
29 infrastructure, limiting the ability to capture dollars to use them in areas of the
30 city without as many amenities available.

31
32 While each would be considered on a case by case basis, Mr. Lamb advised that
33 the focus using existing policies, would be to determine how this code as one of
34 many city tools, could be used to improve connectivity throughout the communi-
35 ty. Mr. Lamb noted that the comprehensive plan now separated the city into six-
36 teen districts, some of which had no park, and others having limited park space
37 (e.g. Twin Lakes Redevelopment Area). Mr. Lamb noted the need for more
38 sidewalks and amenities to provide synergy in connecting around lakes and de-
39 velopment parcels. While agreeing that it differed by location, Mr. Lamb sug-
40 gested a guiding master plan or park/trail document to help the city code reach its
41 purpose.

42
43 Councilmember Willmus spoke against such guiding documents; opining that
44 there were areas in the community without that infrastructure, but could allow
45 them to acquire property on the other side of town.

46
47 Mayor Roe noted that the dollars could still be part of this; with Mr. Lamb con-
48 curring that it was intended as one other option.

1
2 Councilmember Willmus stated that he didn't want to mandate steering each ap-
3 plication to the Parks & Recreation Commission for a recommendation, which he
4 considered being set in place if this was pursued.
5

6 Mayor Roe opined that this simply provided more options on the land side of the
7 equation, and clarified that ultimately land decisions lay with the city, noting that
8 the city didn't need to approve any land donations that it didn't want.
9

10 Councilmember McGehee spoke in support of having more options available, and
11 therefore including that as a tool in the subdivision ordinance.
12

13 Mayor Roe noted that it didn't need to be an either/o situation, but could be a
14 combination. Mayor Roe further clarified that there were limits on how money in
15 the Park Dedication fund could be used that needed to be adhered to in any situa-
16 tion.
17

18 Page 8

19 Mayor Roe agreed with the suggestion to remove any references to city staff sala-
20 ries and refer to the fee schedule.
21

22 Chapter 1104.06

23 At the request of Mayor Roe, Mr. Lloyd advised that this suggestion was as a re-
24 sult of the recent Ramsey County Survey workshop attended by staff related to
25 appropriate signature lines for plats being recorded and the need to allow for
26 property owner signatures sufficient for those being sold between preliminary and
27 final plat recording.
28

29 After further discussion and deliberation, it was determined that the subdivision
30 code reference this requirement, but clarified that it was not responsible for the
31 property owner's recording of documents.
32

33 Under advice by City Attorney Gaughan, while the city has the responsibility to
34 make sure properties transfer legally and not trip up transactions, he noted it was
35 an issue for the property owner. City Attorney Gaughan stated support for refer-
36 ence Ramsey County in code to this affect, but not to specifically address it be-
37 yond protecting the city to make sure plats are recorded properly.
38

39 Page 8 (other)

40 Councilmember McGehee noted her natural interest in tree preservation that she
41 continued to find amazingly unsuccessful to-date.
42

43 At the request of Councilmember McGehee specific to solar orientation, Mr.
44 Lamb referenced some of the ideas provided form other communities, while rec-
45 ognizing that green infrastructure continued to evolve. Mr. Lamb provided some
46 examples from the City of St. Paul toward those efforts (e.g. stormwater park) and
47 how parks and open space continued to change, as well as solar orientation as an
48 owner issue. Mr. Lamb noted the differences for Roseville as a fully-developed

1 community versus a newer community with those things available to be addressed
2 accordingly (e.g. solar orientation and existing tree canopies).
3

4 Councilmember McGehee stated her interest in green infrastructure and use of
5 stormwater ponding to provide for space versus underground tank installation,
6 creating amenities for parks and open space.
7

8 Mr. Lamb recognized that this subdivision code was a revision and intended as an
9 update, and could not do everything for everybody. However, Mr. Lamb suggest-
10 ed that it could be more active in focusing on redevelopment and connectivity, in-
11 cluding rethinking stormwater requirements as a public amenity.
12

13 Mayor Roe suggested their consideration under the “other” park dedication side;
14 while being careful not to mix too many things together.
15

16 Discussion ensued on the triggers for tree preservation at this time under current
17 ordinance and related to preliminary plat, but not triggered by the minor subdivi-
18 sion process as currently written, but through the trigger of new home construc-
19 tion.
20

21 Councilmember McGehee stated her interest in making that tree preservation trig-
22 ger part of the minor subdivision process to avoid clear cutting.
23

24 Councilmember Willmus stated that he wasn’t interested in having that discussion
25 now and was not prepared to make that change tonight, noting that this had been
26 discussed when adopting the tree preservation ordinance at which time it was de-
27 cided by the City Council majority to leave minor subdivisions out of the picture.
28

29 Councilmember Laliberte concurred, advising that she also did not come prepared
30 tonight to consider that issue.
31

32 Mayor Roe suggested additional rationale and a better understanding of that issue
33 when this returns to the City Council in its next draft.
34

35 Mr. Lloyd clarified that with larger plats, street infrastructure and existing house
36 pads often determined tree preservation and placement versus minor subdivisions
37 with one large lot and tree preservation not kicking in until new construction of a
38 new home.
39

40 Ms. Collins noted that while there may be no plans upfront for tree preservation,
41 at the final stage of new home development, the parcel would become subject to
42 it.
43

44 Councilmember Laliberte stated that she still considered that the right way to go,
45 opining that the person initially subdividing the lot may have insufficient infor-
46 mation to make a prudent decision.
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As part of that discussion, Councilmember McGehee noted the need to avoid clear-cut situations developing under some subdivisions, creating neighborhood issues at that point and not providing them with any protection.

Mr. Lamb thanked the City Council for their good feedback, advising that he and staff anticipated returning to the April 5, 2017 City Council meeting with the first draft of a new subdivision ordinance.

1 c. **PROJF0042: Request by the City of Roseville to approve a comprehensive**
2 **technical update to the requirements and procedures for processing**
3 **subdivision proposals as regulated in City Code Title 11 (Subdivisions)**

4 Chair Murphy opened the public hearing for Project File 0042 at approximately
5 8:36 p.m.

6
7 Mr. Lloyd briefly summarized proposed revisions as detailed in the staff report
8 based on City Council direction. Mr. Lloyd advised that this would mostly impact
9 how minor subdivisions were handled from the sketch plan to a formal survey and
10 legal description currently without a hearing before the Planning Commission and
11 handled at the City Council level. Mr. Lloyd advised that the City Council was
12 interested in having that more detailed information available at the front end of the
13 process for the public and commission to consider, currently identified as a simple
14 plat. Mr. Lloyd advised that the remaining process for subdivision proposals and
15 related new public infrastructure for more than three new lots would generally
16 continue as per the current process.

17
18 Mr. Lloyd advised that the other component involved park dedication requirements
19 with the current version largely remaining intact, with the only proposed change
20 referring to state statute for what that park dedication fees could be used for
21 beyond land (e.g. pathway connections, wetland dedications, etc.) and clearly
22 incorporated into language and the trigger point for park dedication and creation of
23 new lots of more than one acre.

24
25 Mr. Lloyd advised that further refinements to language were included in this
26 revision to ensure accuracy without confusion when interpreted.

27
28 At the request of Chair Murphy, Mr. Lloyd addressed the current moratorium in
29 place through the end of May, noting that it was procedurally important that the
30 new subdivision code be in place by then.

31
32 Vice Chair Bull questioned if the park dedication fee would apply to three or four
33 parcels when considering a minor subdivision of three or fewer parcels.

34
35 Mr. Lloyd provided the distinction, agreeing that it needed further clarity, for
36 purposes of which subdivision application was appropriate; and the number of lots
37 that resulted. For the purpose of calculating a park dedication in the example used
38 by Vice Chair Bull, Mr. Lloyd advised that the fee would be considered for the
39 three new developable sites.

40
41 Vice Chair Bull suggested a wording change to clarify it, suggesting that instead of
42 “creating” it state “results in three fewer or more...”

43
44 At the request of Member Kimble, Mr. Lloyd confirmed that a moratorium was in
45 place right now for any residential minor subdivision, even though Title 11 covers
46 both residential and commercial.

RCA Exhibit B

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In the City Council meeting minutes (Attachment B), Member Kimble referenced their discussion moving away from a sketch plan to a more definitive one (e.g. word survey). However, Member Kimble noted that there area a lot of different types, some of which are costly, and therefore stated her confusion as to the intended requirements for some residential lots if and when a survey was required or how they were defined in other areas of code to clarify what was being asked for.

Mr. Lloyd advised that they were not defined elsewhere, and thanked Member Kimble for that good observation for future reference and revision. Generally speaking, Mr. Lloyd advised that the information being sought was to have definitive distances along property boundaries versus approximations. Mr. Lloyd advised that the City Council was interesting in having available site topography, 2' contours and other details not currently seen for a minor subdivision process and now incorporated into application materials to checklist (e.g. survey information, tree preservation, etc.) rather than as currently detailed in the subdivision code itself applicable to a plat application.

Member Gitzen opined that it was reasonable to seek boundary and topography surveys; but suggested including the specific criteria being sought. Member Gitzen noted that those surveys provided the most detail needed, but needed further clarification.

Member Kimble noted the discussion at a past meeting about not defining everything in code, but rather doing so on the application itself to allow for more period changes. However, Member Kimble agreed with the importance of clarity, noting that if something was missed in the application checklist, it required an extra cost to the property owner in order to remobilize the surveyor.

At the request of Member Gitzen, Mr. Lloyd confirmed that this document was similar to that presented to the commission before, with the added discussion and comments of the commission at that time, but in general the same document.

Member Daire, referencing Attachment C showing the existing subdivision ordinance and proposed sections and language, also referenced Attachment D showing the draft public works design standards. Member Daire asked that when this process was completed, both documents would be consistent (e.g. street widths).

Mr. Lloyd advised that the proposed draft manual was crafted in conjunction with the subdivision ordinance as proposed for revision. However, Mr. Lloyd clarified that the draft manual was still under review for consistency and as to whether it met citywide goals.

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Mr. Lloyd Introduced Michael Lamb and Lelia Bunge, consultants with the Kimley-Horn team, contracted to guide the city through these proposed revisions.

Mr. Lamb advised that the team had been working collaboratively with city staff based on their institutional memory with several rounds of comments from the Commission and City Council incorporated in this latest draft (Attachment C). While there aren't a lot of big changes, Mr. Lamb noted that there were lots of minor revisions, including formatting; along with the those noted by Mr. Lloyd in the public works design standards manual and park dedication language components, as directed by the City Council.

With Chair Murphy noting that collector streets no longer appeared in the definition section, but remained in language later on in the document, Mr. Lamb advised that the attempt was made to clarify and clean-up language referring to streets, pathways, pedestrian ways, collector streets, etc. and representing different facilities allowing movement in the community. Therefore, Mr. Lamb advised that the simplified term "street" was used as a catch-all definition, including collector streets.

Attachment C Document Review

Page 1

Member Gitzen noted that Section 6.B removed referenced to state statute 471 related to rights, duties and sought rationale in doing so. Ms. Bunge responded that it had been replaced by another. However, Member Gitzen noted that the ordinance referenced it elsewhere. Ms. Collins responded that when this is codified, the dates for revision would be shown and built from.

Page 2/3

In Section 10, Vice Chair Bull noted that "boulevard" remained. Mr. Lamb advised that a boulevard didn't necessarily define a street or way, but was considered a defining part of a street or landscape area; while a right-of-way was considered a distinction between a facility allowing movement.

Member Daire sought the definition of "butt lot" mentioned later but not defined.

Mr. Lloyd referenced this (Item 220, page 33) as similar to a flag lot and defined by its relationship to other lots.

Mr. Lamb noted that it could also be another reference for a corner lot; with Mr. Lloyd expounding further that it might be a first lot on a block adjacent to the corner.

Mr. Lamb noted that this provided a good example of using outdated language to say a corner lot to make if more clear for general readers of the ordinance.

RCA Exhibit B

137 In Section 19, for definitions and as a general comment, Member Gitzen suggested
138 correcting language when referring to the “office of the county register of deeds”
139 that it be consistent and accurately identified as the “recorder and register of title”
140 or correct verbiage used as applicable.

141
142 In Section 23, Member Gitzen noted pathways were suggested as a physical
143 feature, but when talking about striping, they were defined as rights-of-way.

144
145 Mr. Lamb noted additional edits on definitions could be made; but advised that the
146 city’s current zoning code had been referenced for these newer definitions.
147 However, Mr. Lamb advised that he didn’t look further to city-approved policies
148 (e.g. Pathway Master Plan) for their definitions.

149
150 Member Gitzen advised that he couldn’t find a definition in the Pathway Master
151 Plan; with Mr. Lamb suggested it may require a hybrid definition needing fine-
152 tuning for pathways, trails, paths, or striped shoulders that were distinct from
153 shoulders.

154
155 Member Gitzen concurred that they didn’t seem compatible at this time.

156
157 Vice Chair Bull noted that he found no reference to bikeways even though they
158 were a big consideration for residents. By consensus, Mr. Lamb was directed to
159 include that reference in future iterations and definitions.

160
161 At the request of Member Gitzen, Mr. Lamb confirmed that the comprehensive
162 plan included levels of bike facilities (e.g. on- or off-road) and suggested he defer
163 to that definition.

164
165 In Section 24, Member Gitzen noted that the definition of “pedestrian” referred to
166 the 2017 code. Mr. Lamb advised that this had been pulled from the Pathway
167 Master Plan, and was intended to be referenced once this update had been codified.
168 However, Mr. Lamb agreed that it needed to be specifically referenced as should
169 all such references.

170
171 Further discussion ensued in definitions for “young child,” emergency vehicles”
172 and related inferences used as general definitions and not applying more
173 specifically.

174
175 Specific to defining “emergency vehicles,” Chair Murphy suggested using the
176 existing definition in state law as an accepted definition (also referenced on page
177 31). If the state definition was acceptable, Chair Murphy suggested referencing it
178 without defining it as long as the intent was then when not defined in code, there
179 was an obvious place to find the intended meaning for the general public (e.g. carts
180 patrolling Roseville parks).

181

RCA Exhibit B

182 In reviewing any city-approved code, Mr. Lamb noted the many words begging for
183 definition; but based on his understanding of the blanket direction from the City
184 Council, the inclination was that the fewer definitions the better.

185
186 Member Gitzen stated his understanding of that intent; however, he opined that
187 there needed to be some definition available somewhere; whether referred to in
188 another document or in some other way. Otherwise, Member Gitzen questioned
189 how anyone could be clear on what was being talked about.

190
191 Mr. Lamb suggested referring that concern back to the City Attorney for his input,
192 since he had done some preliminary review of this update.

193
194 Mr. Lloyd concurred, advising that he had spoken with the City Attorney earlier
195 today to hear his first reactions; and noted that he would call this to his attention as
196 well.

197
198 As a general observation, Member Sparby stated that he wasn't comfortable
199 removing language without a clear reference provided elsewhere. While it may be
200 fine to remove "emergency vehicles," if they were included in the language of the
201 document, Member Sparby opined that there needed to be an informed decision
202 made for what should be retained versus a blanket removal that resulted in gaps. If
203 there was an identification of this referenced in the document, Member Sparby
204 opined that it would be beneficial to the process. While agreeing with the process
205 to streamline the document and remove some items no longer needed, Member
206 Sparby noted the difficulty in assessing whether all definitions should be removed.

207
208 From his experience, Chair Murphy referred to the definition in state statute of
209 "emergency vehicles" as an example, deferring to the City Attorney's final
210 guidance as to how and where definitions are removed and where defined
211 elsewhere in ordinance. While sharing the goal of Member Sparby, Chair Murphy
212 also shared the goal of getting ride of spurious definitions.

213
214 Mr. Lamb advised that the City Attorney would be provided with concerns
215 expressed by the commission from a redundancy and review standpoint, and to
216 advise of any legal requirements currently being missed that needed further
217 consideration.

218
219 Member Kimble suggested "streets" be used as an example and in the attempt to
220 provide an overall definition, whether removing individual items were
221 complicating the actual definition

222
223 Mr. Lamb noted that things such as "collector streets" were defined in the
224 comprehensive plan; but agreed that if so desired, the definitions could be returned
225 to this documents. However, Mr. Lamb stated his preference to consult with the
226 City Attorney for his opinion.

227

RCA Exhibit B

228 Member Kimble admitted that it got complicated; and while supportive of cleaning
229 up the ordinance, she also noted the difficulty that may ensue for clarity purposes
230 of those less frequent users if things are not clearly defined.

231
232 Mr. Lamb noted that this brought up the public works design standards manual and
233 another discussion to elaborate the terms and definitions in that document and
234 application requirements. Mr. Lamb noted this represented additional areas where
235 those terms could be clearly defined.

236
237 In Section 22, Vice Chair Bull noted the definition of “owner,” but not going to the
238 extent of “tenant by the entirety.”

239 Member Kimble noted the different definitions for ownership that could be
240 pertinent to this subdivision ordinance; and the need for consistency among
241 documents, such as the zoning code where this definition was found.

242

243 Page 4/5

244 Vice Chair Bull noted that “final plat” ended up with a different definition than in
245 the past, but questioned “preliminary plats.”

246

247 In an effort to further simplify things, Mr. Lloyd responded that the overall goal was
248 if someone was looking for a specific term for “plat” rather than “final plat” in a
249 different place, if so addressed as “pre-plat,” “plat,” and “final plat,” they could
250 immediately see the difference in them. However, while recognizing the rationale
251 in relocating the definitions, Mr. Lloyd admitted that the mark had been missed in
252 refining it.

253

254 In Section 26, Member Gitzen noted the need for standard verbiage as per his
255 previous comment, but also clearly defining “Ramsey County” rather than simply
256 “county.”

257

258 Member Sparby supported Member Gitzen’s suggestion for consistency
259 throughout the document.

260

261 In Section 32, Member Gitzen asked if the intent was to define “sidewalk” as an
262 improved surface; and suggested it may be more germane to provide more clarity.

263

264 Vice Chair Bull agreed, opining that a front yard didn’t necessarily resemble a
265 sidewalk.

266

267 In general, Member Gitzen noted that some other documents talked about “public
268 ways” generally, moving away from streets; and asked if staff or Mr. Lamb had
269 any thoughts on that.

270

271 Mr. Lamb agreed that was the general direction desired.

272

RCA Exhibit B

273 In conjunction with Member Kimble’s previous comment, Mr. Lloyd suggested it
274 may be more appropriate in this document to talk more generally about “public
275 ways” since the functional definitions area addressed in traffic engineering
276 references.

277

278

Page 6/7

279

In Section 48, Member Gitzen noted the need for rewording it to indicate “review
280 by the Planning Commission and approval by the City Council” to recognize the
281 statutory approval process.

282

283

In Section 51, Member Kimble stated that she didn’t understand the common wall
284 subdivision and that it would now be approved administratively by the City
285 Manager rather than a specific City Council action. Member Kimble opined that
286 some smaller actions are different than what had previously been in the
287 subdivision section.

288

289

Mr. Lloyd agreed that this one in particular was and was specific to the
290 recombination process of two adjacent parcels, where one party was interested in
291 acquiring part or all of the area of the adjacent parcel and shifting or re-aligning
292 the boundary between two parcels, while not creating anything new. Mr. Lloyd
293 clarified that this was different than a lot split.

294

295

Member Kimble stated that her rationale was that, even though they may be
296 considered minor actions, from her experience as a Roseville resident, it seemed
297 that that those smaller actions may be more important to a residential
298 neighborhood with an empty lot or an area adjacent to established homes and
299 therefore very important to those living in the immediate area. Member Kimble
300 opined that the more eyes on a land use situation the better, since it could really
301 impact home ownership in the city. While trusting staff, Member Kimble opined
302 that this was something that could become a big issue for residents and therefore
303 even though small, it would be nice to follow the same process.

304

305

Mr. Lloyd clarified that this process is in today’s code for recombinations and
306 achieves what Member Kimble was seeking. If the desire was to move down that
307 path for City Council approval of recombinations, Mr. Lloyd advised that at this
308 point it would require City Council approval without a public hearing and no
309 notification of property owners. The rationale in staff suggesting this change is
310 that if there was no mandated requirement for property owner notification it would
311 open up space on the City Council’s agenda, while if indicated could also be
312 discussed at that time as well.

313

314

Member Kimble recognized that code and setback requirements would still e met,
315 but reiterated how impactful such a land use change could be to adjacent property
316 owners and/or a neighborhood.

317

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318 Chair Murphy noted that such a request required both parcel owners to submit the
319 application; and recognized Member Murphy's concern that there may be third
320 party or larger neighborhood interest as well.

321
322 In Section 51, Member Gitzen asked if many of those common wall duplex and
323 recombination consolidations occurred in Roseville.

324
325 Mr. Lloyd advised that there were few, but staff had received several inquiries
326 where a duplex property with two side-by-side residential units were connected
327 and now ownership of the property was being sought with a new property
328 boundary and shared wall. Mr. Lloyd advised that there were significant building
329 code hurdles to overcome to allow separation of such units.

330
331 Specific to Section 54, Member Gitzen asked if the City Attorney was amenable to
332 correcting a legal description but not that of a neighbor; and questioned if it would
333 be best to removal the required recording of documents after submittal
334 requirements, but after the action. Member Gitzen suggested consistent language
335 that documents be recorded within a certain timeframe or actions would become
336 null and void. While the process remained for recording, Member Gitzen noted it
337 was an action outside the city's role, but suggested a response from the City
338 Attorney.

339
340 In Section 53.3, Mr. Lloyd addressed the current subdivision code related to tax
341 parcel boundaries and how they coincided with platted lots and tax billing.

342
343 Page 8

344 In Section 54, Member Sparby noted the need to address recording time to 60 days
345 rather than "reasonable" time, emphasizing the need to retain a definitive timeline.

346
347 In Section 55, Member Bull reiterated his past comments about revising language
348 for three or fewer lots.

349
350 In Section 56, Member Gitzen reiterated his past comments about the
351 recommendation and approval process.

352
353 Page 9

354 In section 57, Mr. Lloyd noted the need for consistency with Planning
355 Commission review.

356
357 Page 11

358 In Section 65, Vice Chair Bull opined that it should refer to design standards in
359 compliance with this code. Mr. Lloyd responded that it may be broader than this
360 code and subject to other applicable standards (e.g. lot size parameters regulated in
361 zoning code).

362

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363 Specific to Section 68, it was noted that the language should be consistent here and
364 throughout the document to refer to “Community Development Department”
365 rather than Planning Division or staff.
366

367 Discussion ensued on Section 70 regarding the approval period of 60 days and 120
368 days based on state statute.
369

370 Page 13

371 In Section 78, Chair Murphy suggested referring to the Variance Board rather than
372 the Planning Commission.
373

374 Mr. Lloyd advised that he was still discussing that with the City Attorney; with
375 current code referring to the Variance Board and without conflict to-date.
376 However, Mr. Lloyd noted that conflicts that may occur with decisions on a
377 variance part by one body and the subdivision application at the City Council level
378 that could put the city in a difficult spot. Therefore, Mr. Lloyd advised that
379 consideration was being given to bringing that variance element into the City
380 Council’s authority as a single action or by the Planning Commission and City
381 Council as appropriate depending on the subdivision request.
382

383 In Section 77, Member Gitzen noted the definition of variance in Chapter 1004.90,
384 and variations elsewhere, suggesting the need for consistency.
385

386 Mr. Lloyd noted that there were distinctions with practical difficulties in zoning
387 and subdivision variances for unusual hardships.
388

389 Member Gitzen used the City of Afton as an example where they considered no
390 hardships and therefore no granting of variances. Since “hardship” was subjective,
391 Member Gitzen suggested some consistency between the two.
392

393 Referencing his conversations earlier today with the City Attorney, Mr. Lloyd
394 noted subdivision statute language discussing variances needing specific grounds
395 for approval. While there wasn’t much definition provided as to that that meant,
396 Mr. Lloyd opined that it seemed that the conditional use aspect of the zoning code
397 provided for conditions applicable to each. Mr. Lloyd suggested the same
398 conditions could be applied here with parameters set to meet for a variance or
399 identification of that criteria.
400

401 Member Gitzen agreed that would be cleaner.
402

403 In Section 78, Member Gitzen noted the error in notification area at 350’ when it
404 should be 500’.
405

406 Page 14

407 At the request of Member Kimble, Mr. Lloyd confirmed that all of the items
408 shown in Sections 81-92 would be included on the application form. Based on

RCA Exhibit B

409 tonight's feedback, and subsequent to approval, Mr. Lloyd advised that he would
410 develop a draft of application materials to demonstrate what was being carried
411 forward.

412

413 Page 17

414 In Sections 110 and 111, Vice Chair Bull noted the need for data for a final plat as
415 well as a minor subdivision.

416

417 Mr. Lloyd confirmed that, advising that it was still being fleshed out and what
418 each of those applications would need to meet the data overall needs.

419

420 Page 20/21

421 In Section 131, Member Gitzen asked if the language related to connection to the
422 sanitary sewer system was still needed, or if there were actually any spots where
423 connection to the city's water supply (Section 135) would not be required.

424

425 In referencing the previous discussions with the Lake McCarrons redevelopment
426 site (former armory site), Mr. Lamb suggested that it may be possible if utilities
427 were extended.

428

429 Mr. Lloyd stated that it was worth evaluating whether or not this section was
430 intended in earlier versions for areas of the community with private systems still in
431 place.

432

433 Mr. Lamb noted the need to strike "...where connected to...".

434

435 In Section 133, Member Gitzen suggested striking language "...plans submitted to
436 the FHA...".

437

438 Page 22

439 In Section 141.4, Member Gitzen noted the consistency issue with pathways and
440 whether or not they were rights-of-way or physical features.

441

442 In Section 139.2.4, as a general comment, Member Kimble noted for applicable
443 requirements for public works, if someone picked up this ordinance, how would
444 they proceed. Member Kimble asked if actual references would be in place or if
445 an applicant or someone reading the document would have to search for those
446 requirements elsewhere. Member Kimble noted how intimidating that could be for
447 those unfamiliar with the process.

448

449 Ms. Collins advised that the initial intent was to reference the design standards
450 manual. However, after considering the changes that could evolve with that
451 document over time, including its title, Ms. Collins advised that it had been
452 decided to keep things more general for specific design standards and requiring an
453 applicant to seek out that discussion with staff so they can have relevant
454 documents available.

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MOTION

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499

In discussions with the City Attorney earlier today, Mr. Lloyd advised that there may be a point to not have a reference to it at all, since the document may change or be replaced; but as of today, the City Attorney was thinking it was better to have it referenced by title versus just a general reference.

In Section 141, Vice Chair Bull asked if “sidewalks” or “pathways” should be used.

Mr. Lamb advised that in congested traffic areas, as per city code for commercial districts, there was reference to sidewalks, but pathways as defined in this document could mean sidewalks, trails or different facilities beyond a sidewalk. With Member Kimble noting that “sidewalk” was not defined and “pathway” definitions didn’t include sidewalks at all; Mr. Lamb noted this was another consistency issue and thanked her for pointing it out, addressing subjective versus definitive language.

In Section 144, Vice Chair Bull suggested changing from “all parkways” to “all boulevards.

Mr. Lamb responded that the old definitions of parkway had been removed; and in general referred to the understanding of a boulevard as a planted area of a right-of-way; but agreed more work was needed in equating sidewalks located in boulevards.

In Sections 144 and 148, Member Gitzen noted the need for consistence with off-street improvements and those that are or are not allowed in a right-of-way (e.g. rain gardens). If they area allowed, Member Gitzen noted the need to talk about them somewhere; whether encouraged or allowed.

In Section 156, Vice Chair Bull noted the reference to tree preservation; with Mr. Lamb responding that it came up in the annotated outline (Section 1101.03).

Mr. Lloyd clarified that this would also be addressed in application materials if subdividing and creating a new development and related requirements as defined in zoning code, but not specifically referenced in subdivision code.

At approximately 10:00 p.m., Member Murphy moved, seconded by Member Bull to extend the meeting curfew as detailed in the Uniform Commission Code.

Discussion ensued regarding whether to continue this to the next commission meeting; timing to get this before the City Council; with commissioners preferring more time before making a recommendation to the City Council; and staff’s suggestion for individual commissioners to provide staff with additional feedback for grammatical or technical corrections; while focusing remaining discussion time

RCA Exhibit B

500 on larger policy discussions and subsequent recommendations, with each of the
501 areas of suggested change tracked for the benefit of the City Council.

502
503 Ms. Collins clarified that the public works design standards manual was provided
504 for reference and would not be reviewed by the commission.

505
506 Chair Murphy withdrew his motion to extend the meeting.

507
508 **MOTION**
509 **Member Murphy moved, seconded by Member Sparby to TABLE discussion**
510 **to the first Planning Commission meeting in May.**

511
512 **Ayes: 6**
513 **Nays: 0**
514 **Motion carried.**

515
516 It was noted that the last item covered tonight was Section 148, page 23 to be used
517 as the starting point for subsequent review.

518
519 Member Gitzen noted that he had other changes and comments and would forward
520 them to staff to incorporate or bring to the full commission's attention.

521
522 With staff advising their intent to provide the City Council with a preliminary look
523 at the document, with this input, on April 24th, the consensus of the commission
524 was that it would be helpful to hear their input as to the direction the commission
525 was going.

526
527 Due to the lateness of the hour, and without objection, at approximately 10:00
528 p.m., Chair Murphy continued the public hearing to the May Planning
529 Commission meeting.

530

Title 11 - Subdivisions

1.	<u>CHAPTER 1101: GENERAL PROVISIONS</u> <u>(CURRENT CODE)</u>	<u>CHAPTER 1101: GENERAL PROVISIONS</u> <u>(PROPOSED CODE WITH PC EDITS)</u>
2.	1101.01: Purpose and Jurisdiction	1101.01: Purpose and Jurisdiction
3.	1101.02: Definitions	1101.02: Definitions
4.	1101.01: PURPOSE AND JURISDICTION:	1101.01: PURPOSE AND JURISDICTION:
5.	<p>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.</p>	<p>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 arranged by a guiding city plan. All subdivisions of land lying within the incorporated limits of the City <u>and any other plats regulated by Ramsey County</u> shall in all respects fully comply with the regulations set forth in this Title.</p>
6.	<p>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)</p>	<p>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, 462, <u>471</u>, 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)</p>
7.	1101.02: DEFINITIONS:	1101.02: DEFINITIONS:
8.	For the purpose of this Title, certain words and terms are defined as follows:	For the purpose of this Title, certain words and terms are defined as follows:

9.	ALLEY: A public right of way which affords a secondary means of access to abutting property. (Ord. 215, 7-5-1956)	DEFINITION REMOVED
10.	BOULEVARD: The portion of the street right of way between the curb line and the property line. (1990 Code)	BOULEVARD: The portion of the street right-of-way between the curb line and the property line. (1990 Code).
11.		<u>CORNER LOT: A lot of which at least (2) adjacent sides abut for their full lengths upon a street, provided that the interior angle at the intersection of such 2 sides is less than 135 degrees. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangents to the curve at its point of beginning within the lot or at the points of intersection of the side lot lines with the street line intersect at an interior angle of less than 135 degrees. (Source: Roseville Zoning Code, Title 10, 1001.10)</u>
12.	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.	DEFINITION REMOVED
13.	COLLECTOR STREET: A street which carries traffic from minor streets of residence development and the principal circulating streets within such a development.	DEFINITION CONSILDATED UNDER PUBLIC WAY
14.	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.	DEFINITION REMOVED
15.	CUL-DE-SAC: A short minor street having one open end and being permanently terminated at the other by a vehicular turnaround.	DEFINITION CONSILDATED UNDER PUBLIC WAY

16.	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.	DEFINITION REMOVED
17.	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)	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. (Source: Roseville Zoning Code , Title 10, 1001.10)
18.	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)	DEFINITION REMOVED
19.	FINAL PLAT: A map or plan of a subdivision and any accompanying material as described in Section 1102.04.	DEFINITION REMOVED
20.	LOT: A portion of a subdivision or other parcel of land intended for building development or for transfer of ownership.	LOT: A tract of land, designated by metes and bounds, land survey, minor land division or plat, and recorded in at the office of the county register of Ramsey County Recorder and Registrar of Titles Office deeds . (Source: Roseville Zoning Code , Title 10, 1001.10)
21.	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.	DEFINITION REMOVED
22.	MINOR STREET: A street other than a thoroughfare or collector street which affords local access to abutting properties.	DEFINITION CONSOLIDATED UNDER PUBLIC WAY
23.	OWNER: Includes the plural as well as the singular, and includes any person.	OWNER: Any sole owner, part owner, or joint owner, tenant in common, joint tenant, or tenant by the entirety . (Source: Roseville Zoning Code , Title 10, 1001.10)

24.		<p>PATHWAYS: A public or private right-of-way <u>facility</u> across a block or providing access within a block to be used by pedestrians <u>and cyclists</u>. Includes- <u>Accommodates</u> <u>May also include</u> trails, footpaths, pedestrian paths, and striped shoulders as discussed elsewhere in the code.</p>
25.		<p>PEDESTRIAN: A Pedestrian is any person afoot or in a wheelchair (both motorized and non-motorized). It can also mean a young child on a tricycle or small bike. <u>(Source: Roseville 2008 Pathways Master Plan)</u> (2017-Code)</p>
26.	<p>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.</p>	<p>DEFINITION REMOVED</p>
27.		<p>PLAT, FINAL PLAT: The plan or map for the subdivision or addition to be filed for record <u>at the Ramsey County Recorder and Registrar of Titles Office in the County,</u> where such subdivision or addition is located. (2017-Code)</p>
28.	<p>PLANNING COMMISSION: The Planning Commission of the City.</p>	<p>DEFINITION REMOVED</p>
29.	<p>PRELIMINARY PLAT: A tentative map or plan of a proposed subdivision as described in Section 1102.02.</p>	<p>PRELIMINARY PLAT: A map or plan of a proposed subdivision as described in Section 1102.02.</p> <div style="border: 1px solid red; padding: 5px; margin-top: 10px;"> <p><u>CHANGE: Definition removed. A preliminary plat is a process not a definition.</u></p> </div>
30.	<p>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)</p>	<p>DEFINITION REMOVED</p>

31.	ROADWAY: A driving surface made for vehicular traffic, including public and private roads and drive aisles. (Ord. 1167, 7-8-1996)	DEFINITION CONSOLIDATED UNDER PUBLIC WAY
32.		STREET PUBLIC WAY: A public or private right-of-way which affords primary access by pedestrians and vehicles to abutting properties.; Also refers to <u>street</u> , thoroughfare, avenue, highway, road, roadway, collector street, arterial street, cul-de-sac, marginal access street, private street/road. (Ord. 216, 7-5-1956; and 2017 Code)
33.		RIGHT-OF-WAY (R.O.W.): The words “right-of-way” shall include any street, alley, boulevard, parkway, highway, or other public thoroughfare. (Source: <u>Roseville Zoning Code</u> , Title 10, 1001.10)
34.		SIDEWALK: An improved pedestrian surface that is typically located adjacent to a roadwaypublic way. The portion of the street between the curb line and the adjacent property line intended for the use of pedestrian right-of-way. (Source: Title 10, 1001.10)
35.	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)	DEFINITION MOVED TO PUBLIC WAY
36.	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)	DEFINITION REMOVED
37.	STREET WIDTH: The shortest distance between curb lines or edge of pavement.	DEFINITION REMOVED
38.	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	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 transfer of ownership or building

	<p>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.</p>	<p>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.</p>
<p>39.</p>	<p>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)</p>	<p>DEFINITION CONSILDATED UNDER PUBLIC WAY</p>

Title 11 - Subdivisions

40.	<u>CHAPTER 1102: PLAT PROCEDURES</u> (CURRENT CODE)	<u>CHAPTER 1102: PLAT PROCEDURES</u> (PROPOSED CODE WITH PC EDITS)
41.	1102.01: Procedure	1102.01: Procedure
42.	<u>1102.02: Variances – MOVED FROM 1104 HERE FOR REFERENCE</u>	1102.02: Variances
43.	1102.02: Necessary Data for Preliminary Plat	1102.03: Necessary Data for Preliminary Plat
44.	1102.03: Requirements Governing Approval of Preliminary Plat	1102.04: Requirements Governing Approval of Preliminary Plat
45.	1102.04: Necessary Data for Final Plat	1102.05: Necessary Data for Final Plat
46.	1102.05: Acceptance of Streets	1102.06: Acceptance of Streets
47.	1102.06: Required Land Improvements	1102.07: Required Land Improvements
48.	1102.07: Arrangements for Improvements	1102.08: Arrangements for Improvements
49.	1102.01: PROCEDURE:	1102.01: PROCEDURE:
50.	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:	Before dividing any tract of land into two or more lots or parcels, the owner or applicant shall submit a preliminary plat of the subdivision for the <u>approval review by</u> the Planning Commission and <u>approval of the City</u> the Council.
51.	A. Sketch Plan:	REMOVED
52.	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.	REMOVED
53.	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.	REMOVED

<p>54.</p>	<p>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)</p>	<p>REMOVED</p>
<p>55.</p>	<p>Platting Alternatives</p> <p>Platting Alternatives and Variance text moved from Chapter 1104 to 1102 to compare to new placement of these sections in the code.</p>	<p>A. Platting Alternatives</p>
<p>56.</p>	<p>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):</p>	<p>The following processes may be utilized, within the parameters set forth therein, as alternatives to the plat procedures established in this Chapter. <u>Owner shall refer to the Platting Alternatives application or contact the Community Development Department for additional information regarding the process for platting alterantives.</u></p>
<p>57. Page 8 of 32</p>	<p>1. 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</p>	<p>1. Common Wall Duplex Subdivision: A common wall duplex minor subdivision may be approved by the City Manager upon recommendation of the Community Development Department. 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 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. See Platting Alternatives Application for details on submittal requirements.</p> <p><u>PC recommended removal of Common Wall Duplex Subdivision process.</u></p>

	<p>setbacks except the common wall property line.</p> <p>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 the approval of the subdivision.</p>	
<p>58.</p>	<p>2. 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.</p>	<p>2. Recombination: to divide one recorded lot or parcel to permit the adding of a parcel of land to an abutting lot and create two buildable parcels. The proposed subdivision may be approved by the City Manager upon recommendation of the Community Development Department. The proposed recombination shall not cause any portion of the existing lots, parcels, or existing buildings to be in violation of this regulation or the zoning code. See Platting Alternatives- Application for details on submittal requirements.</p> <div style="border: 1px solid red; padding: 5px; margin-top: 10px;"> <p><u>NOTE: no public hearing required for recombination.</u></p> </div>
<p>59.</p>	<p>3. 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</p>	<p>3. Consolidations: The owner of two or more single-family contiguous parcels or lots of record may consolidate said parcels or lots into one parcel of record. The proposed consolidation may be approved by the City Manager upon recommendation of the Community Development Department. The proposed consolidation shall not cause any portion of the</p>

	<p>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.</p>	<p>existing lots, parcels, or existing buildings to be in violation of this regulation or the zoning code. See Platting Alternatives Application for details on submittal requirements.</p> <p><u>Consolidations process under review. Staff reviews plats by platted boundaries not tax boundaries.</u></p>
<p>60.</p>	<p>4. 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.</p>	<p>4. Corrections: Approval of a corrective subdivision may be requested by an <u>applicant/owner</u> with a survey or description of a parcel or lot that has been found to be inadequate to describe the actual boundaries. This type of subdivision creates no new lots or streets. The proposed corrective subdivision may be approved by the City Manager upon recommendation of the Community Development Department. The proposed parcels 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. See Platting Alternatives Application for details on submittal requirements.</p> <p><u>NOTE: PC recommended adding a deadline for recording platting alternatives at the County once approved by the City. Community Development staff found from previous applicants that this is difficult to enforce.</u></p> <p><u>City attorney to review Corrections section.</u></p>

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

B. Minor Plat:

1. Purpose: The Minor Plat process may be utilized when all of the following criteria are present:
 - I. The proposal subdivides or consolidates existing lots of record resulting in three or fewer parcels.
 - II. The subject property is adequately served by public utilities and street right-of-way, and no further utility or street right-of-way is necessary.
 - III. The anticipated development on the lot or lots resulting from the proposed consolidation or subdivision is supported by the comprehensive land use plan designation applicable to the subject property.
 - IV. The existing or anticipated development on the lot or lots resulting from the proposed consolidation or subdivision conforms, or is made to conform, to the zoning regulations applicable to the subject property.
 - V. The proposed subdivision does not qualify for park dedication under the requirements established in Section 1103.07 of this Title.~~When a subdivision creates a total of three or fewer parcels, situated in an area where public utilities and street right of way that 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 and plat shall be submitted to the City Council at a public hearing with notice provided to all~~

		<p>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. Applicant shall refer to the Minor Subdivision Application or contact the Community Development Department for additional information regarding the process.</p>
<p>62.</p>		<p><u>2. Applications: The owner of property on which a minor plat is proposed shall file an application for approval of the minor 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. Complete applications shall be reviewed in a public hearing before, and acted upon by, the City Council according to the process set forth in Chapter 108 of this Code. Applications for Minor Plat approval shall not be accepted if:</u></p> <p><u>I. A proposed minor plat has been denied, and an application requests approval of substantially the same subdivision on the same property within 1 year of the date of said denial.</u></p> <p><u>II. A proposed Minor Plat represents the further subdivision of a lot which, itself, is the result of any subdivision approved within 5 years preceding said application.</u></p>
<p>63.</p>		<p><u>3. Validation and Expiration: A Minor Plat approval shall be validated by the applicant through the filing of the approved plat at Ramsey County within 1 year of the date of the approval. Notwithstanding this time limitation, the City Council may approve extensions of the time</u></p>

		<p><u>allowed for validation of the Minor Plat approval if requested in writing by the applicant; 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.</u></p>
<p>64.</p>		<p>1.4. All other subdivision proposals, referred to herein as major subdivision or subdivision, that do not fall within the regulations listed previously shall be submitted for the approval of the <u>review by the</u> Planning Commission and the <u>approval of the City</u> Council in the following manner:</p>
<p>65.</p>	<p>B. Developer Open House Meeting</p>	<p>B.C. Developer Open House Meeting</p>
<p>66.</p>	<p>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.</p>	<p>1. Purpose: Prior to submitting an application for a Pp preliminary Pp plat of 4 or more lots/parcels, an applicant <u>owner</u> 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.</p>
<p>67.</p>	<p>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.</p>	<p>2. Applicant <u>Owner</u> Responsibility: The applicant <u>owner</u> shall be responsible for the following items:</p> <ul style="list-style-type: none"> i. Completed Open House Form (application) ii. Payment of fee and escrow iii. Provision of applicable information regarding the project/request

		<ul style="list-style-type: none"> iv. Determined the open house location, date, and time v. Required submittal of open house summary upon conclusion of meeting
<p>68.</p>	<p>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 meeting space is not available the applicant shall arrange for the meeting to be held at the City Hall Campus.</p>	<p>3. General: <u>ApplicantOwner</u> 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.</p>
<p>69.</p>	<p>4. Invitations: The applicant shall prepare a printed invitation identifying the date, time, place, and purpose of the open house and shall mail the invitation to the recipients in a list prepared and provided in electronic format by Community Development Department staff. The recipients will include property owners within the public hearing notification area established in Chapter 108 of the City Code, members of the Planning Commission and City Council, and other community members who have registered to receive the invitations. The invitation shall clearly identify the name, phone number, and email address of the host of the open house to be contacted by invitees who have questions but are unable to attend the open house. The invitations shall also include a sentence that is substantially the same as the following:</p>	<p>REMOVED</p>
<p>70.</p>	<p>This open house meeting is an important source of feedback from nearby property owners and is a required step in the process of seeking City approval for</p>	<p>REMOVED</p>

	<p>the proposed preliminary plat. A summary of the comments and questions raised at the open house meeting will be submitted to the City as part of the formal application.</p>	
<p>71.</p>	<p>5. Summary: A written summary of the open house shall be submitted as a necessary component of a preliminary plat. The summary shall include a list of potential issues/concerns and any possible mitigations or resolutions for resolving the issue(s) and/or concern(s). Citizens are also encouraged to submit their own summary of the meeting highlighting concerns/issues and any mitigations and resolutions. It is encouraged that a list (name and address) of attendees be kept and submitted with open house summary.</p>	<p>REMOVED</p>
<p>72.</p>	<p>C. Submission; Filing: Four copies of the preliminary plat shall be filed with the Community Development Director prior to the regular Planning Commission meeting at which the plat is to be considered, together with the filing fee and an abstractor's certified property certificate showing the property owners within 500 feet of the outer boundary of proposed subdivision. (Ord. 1357, 1-14-2008)</p>	<p><u>D. Preliminary Plat Process: The process shall be utilized when any of the following criteria are present:</u></p> <ol style="list-style-type: none"> <u>1. The proposal subdivides or consolidates existing lots of record resulting in four or more parcels.</u> <u>2. The subject property is not adequately served by public utilities and street right-of-way, and further utility or street right-of-way is necessary.</u> <u>3. The anticipated development on the lot or lots resulting from the proposed consolidation or subdivision would require an amendment to the comprehensive land use plan designation applicable to the subject property.</u> <u>4. The existing or anticipated development on the lot or lots resulting from the proposed consolidation or subdivision would require one or more variances to the zoning regulations applicable to the subject property.</u>

		<p><u>4-5. The proposed subdivision qualifies for park dedication under the requirements established in Section 1103.07 of this Title.</u></p>
<p>73.</p>	<p>D. Action by Planning Staff: Prior to the meeting of the Planning Commission at which the preliminary plat is to be considered, the Community Development Director and Public Works Director shall examine the plat for compliance with this and other ordinances of the City, and submit a written report to the Commission. (1990 Code; 1995 Code)</p>	<p><u>D-E. Applications: The owner of property on which a preliminary plat is proposed shall file an application for approval of the preliminary 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. 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. If a proposed preliminary plat is denied, an application for approval of substantially the same subdivision on the same property shall not be accepted within 1 year of the date of said denial.</u></p>
<p>74.</p>	<p>E. Hearing by Planning Commission</p>	<p><u>E-F. Validation and Expiration: A preliminary plat approval shall be validated by the applicant through application for approval of the final plat of the proposed subdivision within 6 months of the date of said preliminary plat approval. Notwithstanding this time limitation, the City Council may approve extensions of the time allowed for validation of the preliminary plat approval if requested in writing by the applicant; 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 plat approval. A preliminary plat approval shall automatically expire if the approval is not validated as described herein.</u></p>

75.	1. Hearing on the Preliminary Plat: The Planning Commission shall hold a public hearing on the preliminary plat in accordance with the procedure set forth in Chapter 108 of this Code.	REMOVED Report of The Planning Commission: Within ten days after the completion of the hearing, the Planning Commission staff shall make a report concerning the preliminary plat unless the Planning Commission requests additional time as set forth in Chapter 108 of this Code.
76.	2. Report of The Planning Commission: Within ten days after the completion of the hearing, the Planning Commission shall make a report concerning the preliminary plat unless the Planning Commission requests additional time as set forth in Chapter 108 of this Code.	REMOVED
77.	F. Action By The City Council: (on preliminary plats)	REMOVED Action By The City Council: (on preliminary plats)
78.	1. The recommendation of the Planning Commission on the preliminary plat shall be considered by the City Council, and the City Council shall approve or disapprove the plan within 120 days after the application was accepted as complete or such date as extended by the applicant or City Council. If the City Council shall disapprove said preliminary plat, the grounds for any such refusal shall be set forth in the proceedings of the City Council and reported to the person or persons applying for such approval. (Ord.1176, 11-25-1996)	REMOVED The recommendation of the Planning Commission on the preliminary plat shall be considered by the City Council, and the City Council shall approve or disapprove the plan within 120 days after the application was accepted as complete or such date as extended by the applicant or City Council. If the City Council does not approve the preliminary plat, the grounds for any such refusal shall be set forth in the proceedings of the City Council and reported to the applicant. (Ord.1176, 11-25-1996)
79.	2. Approval of the preliminary plat shall not be construed to be approval of the final plat. (1990 Code; 1995 Code) (Ord. 1296, 10-20-2003)	REMOVED Approval of the preliminary plat shall not be construed to be approval of the final plat. (1990 Code; 1995 Code) (Ord. 1296, 10-20-2003)
80.	G. Final Plat:	F-G Final Plat:
81.	1. Final Plat Submission: The owner or subdivider shall submit the final plat of a proposed subdivision not later than six months after the date of approval of the preliminary plat; otherwise, the preliminary plat will be	1. <u>Applications: The owner of property on which a final plat is proposed shall file an application for approval of the final plat by paying the fee set forth in Chapter 314 of this Code and submitting a completed application form and</u>

	<p>considered void unless an extension is requested in writing by the subdivider and granted by the City Council. The owner or subdivider shall also submit with the final plat an up to date certified abstract of title or registered property report and such other evidence as the City Attorney may require showing title or control in the applicant. (Ord. 1176, 11-25-1996) (Ord. 1296, 10-20-2003) (Ord. 1363, 3-24-2008)</p>	<p><u>supporting documents as set forth on the application form.</u></p>
<p>82.</p>	<p>2. Required Changes Incorporated: The final plat shall have incorporated all changes or modifications required by the City Council; in all other respects it shall conform to the preliminary plat. It may constitute only that portion of the approved preliminary plat which the subdivider proposes to record and develop at the time, provided that such portion conforms with all the requirements of this Title. (1990 Code; 1995 Code) (Ord. 1296, 10-20-2003)</p>	<p>2. Required Changes Incorporated: The final plat shall have incorporated all changes or modifications required by the City Council <u>and</u> ; in all other respects, it shall conform to the preliminary plat. It may constitute only that portion of the approved preliminary plat which the applicant proposes to record and develop at the time, and per all the requirements of this Title. (1990 Code; 1995 Code) (Ord. 1296, 10-20-2003)</p>
<p>83.</p>	<p>H. Approval and Recording: The City Council shall act upon a final plat application within 60 days of the submission of a completed application. The refusal to approve the plat shall be set forth in the proceedings of the City Council and reported to the person or persons applying for such approval. If the final plat is approved, the subdivider shall record said plat with the County Recorder within one year after the date of approval and prior to the issuance of any building permit; otherwise, the approval of the final plat shall be considered void. (1990 Code; 1995 Code) (Ord. 1296, 10-20-, 2003) (Ord. 1363, 3-24-2008)</p>	<p>F. Approval and Recording: The City Council shall act upon a final plat application within 60 days of the submission of a completed application. The refusal to approve the plat shall be set forth in the proceedings of the City Council and reported to the <u>applicantowner</u> for such approval. If the final plat is approved, the <u>applicantowner</u> shall record said plat with <u>Ramsey County Recorder and Registrar of Titles Office</u> the County Recorder within one year after the date of approval and prior to the issuance of any building permit; otherwise, the approval of the final plat shall be considered void. (1990 Code; 1995 Code) (Ord. 1296, 10-20-, 2003) (Ord. 1363, 3-24-2008)</p>

84.	<p>VARIANCES:</p>	<p>1102:02: VARIANCES (MOVED FROM CHAPTER 1104)</p>
85.	<p>A. Hardship: Where there is undue hardship in carrying out the strict letter of the provisions of this Code, the City Council shall have the power, in a specific case and after notice and public hearings, to vary any such provision in harmony with the general purpose and intent thereof and may impose such additional conditions as it considers necessary so that the public health, safety and general welfare may be secured and substantial justice done.</p>	<p>A. <u>Hardship: Purpose: Regulations pertaining to the process of subdividing land and to the characteristics of lots created by subdivisions 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, as defined by Minnesota Statute 462.358 Subd. 6. Where there is undue hardship in carrying out the strict letter of the provisions of this Code, the City Council shall have the power, in a specific case and after notice and public hearings, to vary any such provision in harmony with the general purpose and intent thereof and may impose such additional conditions as it considers necessary so that the public health, safety and general welfare may be secured and substantial justice done.</u></p>
86.	<p><u>B.</u> Procedure For Variances: Any owner of land may file an application for a variance by paying the fee set forth in section 1015.03 of this title, providing a completed application and supporting documents as set forth in the standard community development department application form, and by providing the city with an abstractor's certified property certificate showing the property owners within three hundred fifty feet (350') of the outer boundaries of the parcel of land on which the variance is requested. The application shall then be heard by the variance board or planning commission upon the same published notice, mailing notice and hearing</p>	<p><u>B. Applications: The owner of property on which a subdivision variance is proposed shall file an application for approval of the variance by paying the fee set forth in Chapter 314 of this Code and submitting a completed application form and supporting documents as set forth on the application form. Complete applications shall be reviewed in a public hearing according to the process set forth in Chapter 108 of this Code. If a proposed subdivision variance is denied, an application for substantially the same variance on the same property shall not be accepted within 1 year of the date of the denial.</u></p>

	<p>procedure as set forth in chapter 108 of this code. (Ord. 1359, 1-28-2008)</p>	
<p>87.</p>		<p><u>C. Approval: The City may impose conditions in the granting of subdivision variances. A condition must be directly related to, and must bear a rough proportionality to, the impact created by the variance. In order to approve a requested subdivision variance, the Planning Commission may recommend, and the City Council shall adopt, findings pertaining to the following specific grounds:</u></p> <ol style="list-style-type: none"> <u>1. The proposal is consistent with the Comprehensive Plan;</u> <u>2. The proposal is in harmony with the purposes and intent of the zoning and subdivision ordinances;</u> <u>3. An unusual hardship on the land exists; and</u> <u>4. The variance, if granted, will not alter the essential character of the locality.</u> <p>Procedure For Variances: Any owner of land may file an application for a variance by paying the fee, providing a completed application, and supporting documents as set forth in the Community Development Department application form, and by providing the city with an abstractor's certified property certificate showing the property owners within three hundred fifty feet (350') of the outer boundaries of the parcel of land on which the variance is requested. The application shall then be heard by the Planning Commission upon the same published notice, mailing notice and hearing procedure as set forth in chapter 108 of this code. (Ord. 1359, 1-28-2008)</p>

88.	1102.02: NECESSARY DATA FOR PRELIMINARY PLAT:	1102.03: NECESSARY DATA FOR PRELIMINARY PLAT:
89.	In addition to the data prescribed by the law of the State of Minnesota, the preliminary plan shall include the following data:	In addition to the data prescribed by the law of the State of Minnesota, the preliminary plat for minor and major all subdivisions shall include all the data listed on the application. Applicant shall refer to the Preliminary Plat Application or contact the Community Development Department for additional information regarding the process.
90.	A. Identification and Description:	<p><u>NOTE: All data requirements for preliminary plats were removed and will be included in the application.</u></p>
91.	1. Proposed name of subdivision, which name shall not duplicate the name of any plat previously recorded in the County.	
92.	1. Location by township, section, town or range or by other legal description.	
93.	2. Names and addresses of the owner or subdivider having control of the lands included in said plan, the designer of the plan and the surveyor.	
94.	4. Graphic (engineering) scale not less than one (1) inch to one hundred (100) feet.	
95.	5. North point (designated as true north).	
96.	6. Date of preparation.	
97.	A. Existing Conditions:	
98.	1. Boundary line of proposed subdivision clearly indicated.	
99.	2. Existing zoning classification.	
100.	3. Total approximate acreage in said plan.	
101.	4. Location, widths and names of all existing or previously platted streets or other public ways showing type of improvement, if any, railroad	

	and utility rights of way, parks and other public open spaces, permanent buildings and structures, easements and section and corporate lines within the tract and to a distance of one hundred (100) feet beyond the tract.	
102.	5. Location and size of existing sewers, water mains, culverts or other underground facilities within the tract and to a distance of one hundred (100) feet beyond the tract. Such data as grades, invert elevations and location of catch basins, manholes and hydrants shall also be shown.	
103.	6. Boundary lines of adjoining unsubdivided or subdivided land within one hundred (100) feet, identified by name and ownership. (Ord. 216, 7-5-1956)	
104.	7. Topographic data including contours at vertical intervals of not more than two (2) feet, except that contour lines shall be no more than one hundred (100) feet apart. Water courses, marshes, rock outcrops and other significant features also shall be shown. Topography maps shall be clearly indicated with dotted lines.	
105.	B. Subdivision Design Features:	
106.	1. Layout of streets showing right-of-way widths and names of streets. The name of any street previously used in the City or its environs shall not be used, unless the proposed street is an extension of an already named street in which event the name shall be used.	
107.	2. Location and widths of alleys, pedestrian ways and utility easements.	

108.	3. Typical cross-sections of streets and alleys, together with an indication of the proposed storm water runoff.	
109.	4. Approximate center line gradients of streets and alleys, if any.	
110.	5. Location, size and approximate gradient of sewer lines.	
111.	6. Layout, numbers and typical dimensions of lots to the nearest foot.	
112.	7. Minimum front and side street building setback lines indicating dimensions of same.	
113.	8. Areas, other than streets, alleys, pedestrian ways and utility easements, intended to be dedicated or reserved for public use including the size of such area or areas in acres. (Ord. 216, 7-5-1956)	
114.	1102.03: REQUIREMENTS GOVERNING APPROVAL OF PRELIMINARY PLAT:	1102.04: REQUIREMENTS GOVERNING APPROVAL OF PRELIMINARY PLAT:
115.	A. Recommendations by Planning Commission: The Planning Commission may recommend and the City Council may require such changes or revisions as the City Council deems necessary for the health, safety, general welfare and convenience of the City.	A. Conditions of Approval: For both major and minor subdivisions, the City Council may require such changes or revisions as the City Council deems necessary for the health, safety, general welfare and convenience of the City to be incorporated into the final plat. For major subdivisions, the Planning Commission may also recommend to the City Council changes or revisions.
116.	B. Tentative Approval: The approval of a preliminary plat by the Planning Commission and the City Council is tentative only involving merely the general acceptability of the layout as submitted.	B. Flooding: No subdivision will be approved for a subdivision which is subject to periodic flooding, or which contains poor drainage facilities and which would make adequate drainage of the streets and lots impossible. However, if the <u>applicantowner</u> agrees to make improvements which will, in the opinion of the Public Works Director, make the area completely safe for

		residential occupancy and provide adequate street and lot drainage, the preliminary plat of the subdivision may be approved. (Ord. 216, 7-5-56)
117.	C. Subsequent Approval: Subsequent approval will be required of the engineering proposals pertaining to water supply, storm drainage, sewerage and sewage disposal, gas and electric service, grading, gradients and roadway widths and the surfacing of streets by the Public Works Director and other public officials having jurisdiction prior to the approval of the final plat by the City.	REMOVED
118.	D. Flooding: No plat will be approved for a subdivision which is subject to periodic flooding, or which contains poor drainage facilities and which would make adequate drainage of the streets and lots impossible. However, if the subdivider agrees to make improvements which will, in the opinion of the Public Works Director, make the area completely safe for residential occupancy and provide adequate street and lot drainage, the preliminary plat of the subdivision may be approved. (Ord. 216, 7-5-56)	REMOVED
119.	1102.04: NECESSARY DATA FOR FINAL PLAT:	1102.05: NECESSARY DATA FOR FINAL PLAT:
120.	A. General: All information, except topographic data and zoning classification required on the preliminary plat shall be accurately shown.	All information required on the preliminary plat for a minor or major subdivision shall be accurately shown and comply with Ramsey County plat requirements. ApplicantOwner shall refer to the Final Plat Application or contact the Community Development Department for additional information regarding the process.
121.	B. Additional Delineation:	

122.	<p>1. Accurate angular and lineal dimensions for all lines, angles and curvatures used to describe boundaries, streets, alleys, easements, areas to be reserved for public use and other important features. Lot lines to show dimensions in feet and hundredths.</p>	<div style="border: 1px solid red; padding: 5px;"> <p><u>NOTE: All data requirements for final plats were removed and will be included in the application.</u></p> </div>
123.	<p>2. An identification system for all lots and blocks.</p>	
124.	<p>3. True angles and distances to the nearest established street lines or official monuments (not less than 3), which shall be accurately described in the plat.</p>	
125.	<p>4. Municipal, township, county or section lines accurately tied to the lines of the subdivision by distances and angles.</p>	
126.	<p>5. Radii, internal angles, points and curvatures, tangent bearings and lengths of all arcs.</p>	
127.	<p>6. Accurate location of all monuments, which shall be concrete six inches by six inches by thirty inches (6" x 6" x 30") with iron pipe cast in center. Permanent stone or concrete monuments shall be set at each corner or angle on the outside boundary. Pipes or steel rods shall be placed at the corners of each lot and at each intersection of street center lines. All U.S., State, County or other official benchmarks, monuments or triangulation stations in or adjacent to the property shall be preserved in precise position.</p>	
128.	<p>7. Accurate outlines, legal descriptions of any areas to be dedicated or reserved for public use or for the exclusive use of property owners within the subdivision with the purpose indicated therein.</p>	
129.	<p>8. Certification by a registered land surveyor to the effect that the plat represents a survey</p>	

	made by such surveyor and that monuments and markers shown thereon exist as located and that all dimensional and geodetic details are correct.	
130.	9. Notarized certification by owner and by any mortgage holder of record of the adoption of the plat and the dedication of streets and other public areas.	
131.	10. Certifications showing that all taxes and special assessments due on the property to be subdivided have been paid in full.	
132.	11. Approval by signature of City, County and State officials concerned with the specifications of utility installations. (Ord. 216, 7-5-56)	
133.	12. Form for approval by County authorities as required. (Ord. 245, 5-10-58)	
134.	1102.05: ACCEPTANCE OF STREETS:	1102.06: ACCEPTANCE OF STREETS:
135.	A. Approval of Plat or Annexation into City not Considered Acceptance: If any plat or subdivision contains public streets or thoroughfares which are dedicated as such, whether located within the corporate limits of the City or outside the corporate limits or contains existing streets outside of said corporate limits, the approval of the plat by the City Council or the subsequent annexation of the property to the City shall not constitute an acceptance by the City of such streets or thoroughfares, nor the improvements constructed or installed in such subdivision, irrespective of any act or acts by an officer, agent or employee of the City with respect to such streets or improvements.	A. Approval of Plat or Annexation into City not Considered Acceptance: If any plat or subdivision contains public streets or thoroughfares which are dedicated as such, whether located within the corporate limits of the City or outside the corporate limits or contains existing streets outside of said corporate limits, the approval of the plat by the City Council or the subsequent annexation of the property to the City shall not constitute an acceptance by the City of such streets or thoroughfares, nor the improvements constructed or installed in such subdivision, irrespective of any act or acts by an officer, agent or employee of the City with respect to such streets or improvements.
136.	B. Acceptance by Resolution of City Council: The acceptance of such streets or thoroughfares shall be made only by the approval of a resolution by the	B. Acceptance by Resolution of City Council: The acceptance of such streets or thoroughfares shall be made only by the approval of a resolution by

	<p>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 streets or thoroughfares 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 street or thoroughfare within a reasonable foreseeable time, the City Council, upon the recommendation of the Public Works Director may, by resolution, temporarily accept such street or thoroughfare for the purpose of maintenance by the City, and defer the completion of the street or thoroughfare by the developer until such local improvement has been constructed. (Ord. 280, 8-4-59; amd. 1995 Code)</p>	<p>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 streets or thoroughfares 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 street or thoroughfare within a reasonable foreseeable time, the City Council, upon the recommendation of the Public Works Director may, by resolution, temporarily accept such street or thoroughfare for maintenance by the City, and defer the completion of the street or thoroughfare by the <u>applicantowner</u> until such local improvement has been constructed. (Ord. 280, 8-4-59; amd. 1995 Code)</p>
<p>137.</p>	<p>1102.06: REQUIRED LAND IMPROVEMENTS:</p>	<p>1102.07: REQUIRED LAND IMPROVEMENTS:</p>
<p>138.</p>	<p>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)</p>	<p>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 <u>applicantowner</u>'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; Ord. 373, 5-28-62; amd. 1995 Code</p>
<p>139.</p>	<p>A. Sewers:</p>	<p>A. Sewers:</p>
<p>140.</p>	<p>1. Sanitary Sewers: Sanitary sewers shall be installed to serve all properties in the subdivision where a connection to the City</p>	<p>1. Sanitary Sewers: Sanitary sewers shall be installed to serve all properties in the subdivision where a connection to the City</p>

	sanitary sewer system is available or where detailed plans and specifications for sanitary sewers to serve the subdivision are available.	sanitary sewer system is available or where detailed plans and specifications for sanitary sewers to serve the subdivision are available. All improvements shall meet the requirements of the Public Works Design Standards manual.
141.	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.	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. All improvements shall meet the requirements of the Public Works Department.
142.	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.	3. Neighborhood Grading and Drainage Plan: The developer will submit a Neighborhood Grading and Drainage Plan indicating the elevation of proposed houses, surrounding ground and the direction of flow. The developer will adhere <u>shall not deviate from</u> to this plan, and the developer shall obtain prior written acceptance from the Public Works Director before any changes can be made. All improvements shall meet the requirements of the Public Works Department.
143.	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.	MOVED TO ARRANGEMENTS FOR IMPROVEMENTS SECTION BELOW
144.	B. Water Supply: Where a connection to the City water system is presently available, water	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.	distribution facilities including pipe fittings, hydrants, valves, etc., shall be installed to serve all properties within the subdivision. All improvements must also meet the requirements of the Public Works Department.
145.	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)	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). All improvements shall meet the requirements of the <u>Public Works Design Standards manual</u> Public-Works Department .
146.	D. Street Improvements ¹ :	D. Street Improvements ² : <div style="border: 1px solid red; padding: 5px; margin: 5px 0;"><u>Public Works to confirm if this section should be in the subdivision code or the Public Works Design Standards manual.</u></div>
147.	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)	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)
148.	2. All pavements shall be constructed in accordance with the provisions of applicable requirements of the City.	2. All pavements shall be constructed in accordance with the provisions of applicable requirements of the Public Works Department.
149.	3. Concrete curbs and gutters on all streets within the subdivision shall be constructed in	3. Concrete curbs and gutters on all streets within the subdivision shall be constructed in

¹ See also Chapters 703 and 704 of this Code.

² See also Chapters 703 and 704 of this Code.

	accordance with applicable requirements of the City.	accordance with applicable requirements of the Public Works Department.
150.	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.	4. In congested traffic areas or in areas where the City Council deems necessary for the health, safety and general welfare of this community, pathways or equivalent shall be constructed in accordance with the applicable requirements of the Public Works Department.
151.	5. Storm water inlets and necessary culverts shall be provided within the roadway improvement at points specified by the Public Works Director.	5. Storm water inlets and necessary culverts shall be provided within the roadway improvement at points specified by the Public Works Director <u>Department</u> .
152.	6. All curb corners shall have a radii of not less than 15 feet, except at collector and marginal access streets where they shall be not less than 25 feet.	6. Curb concerns shall meet the requirements of the Public Works Department.
153.	7. All parkways within the dedicated street area shall be graded and sodded in an approved manner. (Ord. 216, 7-5-56; amd. 1995 Code) (Ord.1358, 1-28-2008)	7. All boulevards-parkways within the dedicated street area shall be graded and sodded in an approved manner <u>as specified by the Public Works Department</u> . (Ord. 216, 7-5-56; amd. 1995 Code) (Ord.1358, 1-28-2008)
154.	E. Off-Street Improvements:	E. Off-Street Improvements:
155.	1. One tree having a trunk diameter (measured 12 inches above ground) of not less than 2 ½ inches shall be planted in a naturalistic way in the front yard of each lot in the subdivision, except that corner lots shall have 2 trees. They shall be accepted by the City only after one growing season as a live and healthy plant. Trees shall not be allowed to be planted in the boulevard area.	1. All open areas of a lot that are not used for buildings, parking or circulation areas, patios, or storage must be constructed to conform to the Landscaping and tree preservation requirements of <u>requirements of 1011.03</u> of this Code. <div style="border: 1px solid red; padding: 5px; margin-top: 10px;"><u>PC suggested adding rain gardens in off-street improvements section of the subdivision code. Community Development staff recommended that it could be discussed in stormwater requirements of the PW design standards manual.</u></div>

156.	<p>2. Driveways must be constructed of pavement approved by the Public Works Director. Each driveway shall be graded within the dedicated area to fit the boulevard section, and shall be a minimum of 12 feet in width in the boulevard area (excluding radii). The construction shall conform to City requirements, and the grade of the driveway shall conform to the requirements of the State Building Code.</p>	<p>2. Driveways must be constructed to conform to the requirements in the Public Works Department and the grade of the driveway shall conform to the requirements of the State Building Code.</p>
157.	<p>3. The entire boulevard area, except driveways, shall be sodded with a good quality weed free sod.</p>	<p>3. The entire boulevard area, except driveways, shall be sodded per specifications of the Public Works Department.</p>
158.	<p>4. All drainage swales shall be graded and sodded with a good quality weed free sod. (1990 Code; amd. 1995 Code)</p>	<p>4. All drainage swales shall be graded and sodded per specifications of the Public Works Department. (1990 Code; amd. 1995 Code)</p>
159.	<p>F. Pedestrianways: Pedestrianways installed or required by the City Council, shall be constructed according to specifications approved by the Public Works Director. (1995 Code)</p>	<p>REMOVED</p>
160.	<p>F. Public Utilities:</p>	<p>F. Public Utilities:</p>
161.	<p>1. All new electric distribution lines (excluding main line feeders and high voltage transmission lines), telephone service lines and services constructed within the confines of and providing service to customers in a newly platted residential area shall be buried underground. Such lines, conduits or cables shall be placed within easements or dedicated public ways in a manner which will not conflict with other underground services. Transformer boxes shall be located so as not to be hazardous to the public.</p>	<p>1. All new electric distribution lines (excluding main line feeders and high voltage transmission lines), telephone service lines and services constructed within the confines of and providing service to customers in a newly platted residential area shall be buried underground. Such lines, conduits or cables shall be placed within easements or dedicated public ways in a manner which will not conflict with other underground services. Transformer boxes shall be located so as not to be hazardous to the public.</p>
162.	<p>2. The City Council may waive the requirements of underground services as set forth in subsections</p>	<p>2. The City Council may waive the requirements of underground services as set forth in</p>

	<p>1 and 2 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. (Ord. 598, 5-26- 69)</p>	<p>subsections 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. (Ord. 598, 5-26- 69)</p>
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[PC discussion ended here.](#)