

ROSEVILLE
REQUEST FOR COUNCIL DISCUSSION

Agenda Date: 5/15/2017

Agenda Item: 7.e

Department Approval



City Manager Approval



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

BACKGROUND

The consultants engaged to lead the update of Roseville's Subdivision Code, Mike Lamb and Leila Bunge, have drafted updated code text based on the feedback received from the Planning Commission and City Council regarding the annotated outline of Roseville's existing code; the minutes of the City Council's March 20 discussion are included as Exhibit A. The Planning Commission reviewed the last chapter of the draft subdivision code at its meeting of May 3, and tabled the final review and public hearing of the complete draft until its upcoming meeting of June 7; the draft minutes of the May 3 discussion are included with this report as Exhibit B.

The draft of the subdivision code update is included with this report as Exhibit C. Because presenting a comprehensive update like this entirely in the typical *track changes* format would be difficult to read, the proposed update is presented side-by-side with the existing code text. In this way, each provision of the proposed draft (in the right-hand column) can be compared to the existing text (in the left-hand column). Because the draft presented to the City Council has been updated since May 3 based on the Planning Commission's feedback, such edits to the draft subdivision code are typographically emphasized with strikethrough and underlined text representing deletions and insertions, respectively.

PLANNING DIVISION COMMENT

Many of the proposed amendments to the subdivision code involve modernizing outdated language and removing technical requirements that are better regulated elsewhere. As has been discussed, this is a process of finding a balance between providing applicants information pertinent to how Roseville regulates plats and gathering elsewhere information about how Roseville regulates the developments that might be facilitated by the plats. Also, the entire contents of Chapter 1104 of the existing code are proposed to be distributed to other parts of the code (as exemplified by the May 8 discussion of "platting alternatives" and minor plats). Once this process of draft review is complete, Planning Division staff intends to prepare appropriate applications and a template for a standard developer agreement that can be reviewed with the final draft of the updated code to verify that they appropriately complement the updated Subdivision Code.

Roseville’s Public Works Department staff is reviewing the entire proposal to ensure that the revised subdivision code and their forthcoming design standards manual combine to provide all of the necessary regulations without unintended gaps and unnecessary redundancies. The draft subdivision code update has been developed with the design standards manual as a reference; therefore any changes to the draft resulting from this review are expected to be technical in nature. A final draft of the Public Works Design Standards manual will be prepared after this review to account for the balance struck between subdivision regulations and development regulations in the Subdivision Code.

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

Proposed amendments to the park dedication regulations have been a major focus of review; perhaps, then, there is value in detailing the rationale behind the proposed changes here.

Purpose section (line 253 in Exhibit C)

- The existing code does cite legislation that enables the City to require park dedication as a condition of approval of a subdivision application, but the citation is incomplete. It puts a subdivider on notice that Roseville will exercise its authority to require park dedication, but it appears to ignore the City’s obligation to ensure that dedications of land or cash bear a rough proportionality to the recreational need created by the proposed subdivision or development.
- Subdivision 2c of the enabling legislation further requires the City to demonstrate an “essential nexus” or a connection between the requirement to dedicate land (or cash in lieu of land) and the public purpose being served by the requirement. This is why the proposed draft of the subdivision code specifies that Roseville will consult its Comprehensive Plan, Parks and Recreation System Master Plan, and Pathways Master Plan when deciding whether to accept land or fees—or both—in satisfaction of the park dedication requirement. This seems particularly important when the Parks and Recreation System Master plan only discusses acquisition of additional park land in one general area (i.e., the southwestern quadrant of the city) and one other specific location (i.e., connecting Villa Park with Reservoir Woods), and when the Pathways Master Plan identifies several planned-but-undeveloped pathway connections throughout the community

Condition to Approval section (line 254 in Exhibit C)

- This is where the proposed draft notifies subdividers that Roseville intends to utilize its park dedication authority and attempts to clarify the attributes of a subdivision proposal that qualify it for park dedication. While Planning Commissioners had some uncertainty about the rationale behind the current “more than 1 acre” qualifier for park dedication, the proposed draft does not intend to change the qualifying attributes; further refinement of the current draft may be necessary if it seems at odds with the existing provisions or if the qualifying size needs to be adjusted.
- The proposed draft of this section also attempts to clearly demonstrate “nexus” by expanding on the description of how the City will evaluate the most appropriate

application of the park dedication requirement for each proposal. The draft language specifies that Roseville will review how each particular location compares to the City's approved plans and policies for expansion of recreational facilities as it weighs its park dedication options.

Amount to be Dedicated section (line 255 in Exhibit C)

- This section was initially interpreted as a statement of the monetary value of cash dedications; consequently, the proposal called for the replacement of the existing code text with a reference to the Fee Schedule, which is where the cash fees are established. Parks and Recreation Department staff explained that the existing text refers to the amount of land to be dedicated, so the text was restored and amended for greater clarification.

If this existing code language does pertain to *land* dedications, however, the current figures seem to be inconsistent with the required fees in lieu of land dedication. As a specific example, the existing code says that 5% of land area will be required for dedication in non-residential subdivisions, but the 2017 fee schedule requires a cash alternative equal to 10% of the value of the land area in non-residential subdivisions. By contrast, one would expect 5% of the land area to exactly equal 5% of the land value. Since this was a topic of concern by the Planning Commission, Planning Division staff reviewed City Council Ordinance 1061, which established the park dedication requirements, and found that the current land dedication figures are unchanged from their original adoption in 1989. Because the cash alternative has increased significantly since then, it would seem that a current analysis is necessary to update the land dedication figures to demonstrate the "rough proportionality" required by statute.

Payment in Lieu of Dedication section (line 257 in Exhibit C)

- In order to formalize the process of making and receiving payment of a park dedication fee, the updated subdivision code proposes to require a developer agreement with each plat approval, and proposal to make itemization of park dedication fees a component of the development agreement. This is the reason for the reference to City Code Section 1102.07, which is where the developer agreement provision was located at the time the current draft was prepared; this citation may need to change as the final draft of the subdivision code update is prepared.
- This section is also proposed to include a reference to the Fee Schedule for specification of the applicable park dedication fees.

Line 258 in Exhibit C

- This section has historically acknowledged the City Council's authority to waive or reduce park dedication fees to facilitate development of affordable housing units, presumably because affordable housing development is particularly sensitive to costs and not because residents of affordable housing do not demand recreational facilities. The proposed draft strikes this provision, however, in recognition of the City Council's recent adoption of the Public Financing and Business Subsidy Policy that outlines a variety of ways to support development without waiving fees.

The Parks and Recreation Commission reviewed the proposed revision to the park dedication regulations at its meeting of May 2, 2017. A memo from Parks and Recreation Department staff detailing that review and illustration of how the review would affect the proposed draft of the subdivision code update is included with this RCA as Exhibit D, but the main points are as follows:

- Keep the Park Dedication Ordinance simple, clear and concise
- Do not use language that creates potential for negotiation
- Limit the opportunity for potential conflicts and competition for funds (funds are limited and unpredictable)
- Limit Park Dedication to land for parkland purposes only, cash or combination (not to expand to trails, pathways,) for use within park boundaries only
- Add back the Land Dedication amount of 5% and 10% (this should be very specific)
- Important that all Park Dedication issues are referred to the Parks and Recreation Commission

PUBLIC COMMENT

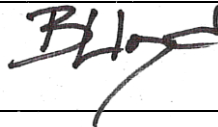
Despite being noticed as a public hearing, no members of the public were present at the April 5 or May 3 Planning Commission meetings to comment on the proposed draft subdivision code. At the time this report was prepared, Planning Division staff has not received any communications from the public beyond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

REQUESTED DISCUSSION

Discuss the final chapters of the draft subdivision code update, as amended based on the Planning Commission's guidance regarding these same sections. Council's input on the draft will be incorporated into the final draft reviewed by the Planning Commission at the June 7, 2017, public hearing.

Exhibits:	A: 3/20/2017 City Council minutes	C: Chapters 1103 & 1104 of the draft Subdivision Code update
	B: 5/3/2017 Planning Commission draft minutes	D: Comments from Parks & Recreation Director
		E: Park Dedication Statute language

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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

RCA Exhibit A

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

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

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

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

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

As decision makers, Councilmember Willmus noted that the additional information could have a significant impact on a decision one way or another based on that level of detail provided; and opined that a survey shouldn't create an excessive burden for a property owner looking to divide their lot; and he preferred having that detail available. Councilmember Willmus stated that from his perspective, that detail did not include being advised that the watershed district had yet to sign off, especially if and when those properties may involve part of a larger drainage system or issue within the community. With not receiving that information upfront, Councilmember Willmus noted that it left out part of the picture, and stated his interest in having that broader picture from materials presented to the City Council, whether or not it created a financial burden on a property owner.

Ms. Collins sought clarification on the current process used for minor subdivisions and plats, asking if the City Council was okay with that as long as additional information was provided upfront.

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

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

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

RCA Exhibit A

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

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

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

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

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

Mayor Roe noted that platting wasn't required for a minor subdivision if other requirements were met, with the current process not requiring plats for minor subdivisions.

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

Regarding item 4, Mayor Roe noted it stated that it seemed obvious from language providing that a divisional lot didn't require minimum standards.

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

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

Page 5

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

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

Page 6

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

Page 6 (Park Dedication)

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

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

Mayor Roe suggested the intent may be to expand the definition of land contribution that could be beyond a specific plot of land, but involve trail connections.

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

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

While each would be considered on a case by case basis, Mr. Lamb advised that the focus using existing policies, would be to determine how this code as one of many city tools, could be used to improve connectivity throughout the community. Mr. Lamb noted that the comprehensive plan now separated the city into sixteen districts, some of which had no park, and others having limited park space (e.g. Twin Lakes Redevelopment Area). Mr. Lamb noted the need for more sidewalks and amenities to provide synergy in connecting around lakes and development parcels. While agreeing that it differed by location, Mr. Lamb suggested a guiding master plan or park/trail document to help the city code reach its purpose.

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

Mayor Roe noted that the dollars could still be part of this; with Mr. Lamb concurring that it was intended as one other option.

Councilmember Willmus stated that he didn't want to mandate steering each application to the Parks & Recreation Commission for a recommendation, which he considered being set in place if this was pursued.

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

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

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

Page 8

Mayor Roe agreed with the suggestion to remove any references to city staff salaries and refer to the fee schedule.

Chapter 1104.06

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

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

Under advice by City Attorney Gaughan, while the city has the responsibility to make sure properties transfer legally and not trip up transactions, he noted it was an issue for the property owner. City Attorney Gaughan stated support for reference Ramsey County in code to this affect, but not to specifically address it beyond protecting the city to make sure plats are recorded properly.

Page 8 (other)

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

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

RCA Exhibit A

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

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

Mr. Lamb recognized that this subdivision code was a revision and intended as an update, and could not do everything for everybody. However, Mr. Lamb suggested that it could be more active in focusing on redevelopment and connectivity, including rethinking stormwater requirements as a public amenity.

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

Discussion ensued on the triggers for tree preservation at this time under current ordinance and related to preliminary plat, but not triggered by the minor subdivision process as currently written, but through the trigger of new home construction.

Councilmember McGehee stated her interest in making that tree preservation trigger part of the minor subdivision process to avoid clear cutting.

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

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

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

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

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

Councilmember Laliberte stated that she still considered that the right way to go, opining that the person initially subdividing the lot may have insufficient information to make a prudent decision.

RCA Exhibit A

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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.

Chair Murphy continued the public hearing for Project File 0042 at approximately 6:45 p.m. held over from the April 5, 2017 meeting.

Community Development Director Kari Collins introduced Leila Bunge, consultant with Michael Lamb of the Kimley-Horn team to guide tonight's discussion of these proposed revisions. Ms. Collins noted that the first portion of proposed subdivision ordinance, as reviewed by the Planning Commission at their last meeting, would be reviewed by the City Council at their May 8, 2017 meeting.

Member Gitzen asked staff to provide a draft preliminary clean copy for further review of the actual proposed code at a later meeting; with concurrence by the remainder of the commission.

After the May 8th City Council meeting, Ms. Collins advised that City Council comment would also be incorporated into the next iteration and could be sent out to the commission via email for them to provide their feedback to the City Council for anticipated ordinance enactment at the May 22nd City Council meeting to meet the deadline of the moratorium expiring May 31, 2017.

Mr. Lloyd noted that the City Council's review had been delayed as there was insufficient time on their last meeting schedule; with the new timeframe for review at the May 8th and 15th meetings, and enactment at the May 22nd meeting.

Chair Murphy asked when the commission would receive an update from last night's review of the document (e.g. park dedication fees) by the Parks & Recreation Commission.

Mr. Lloyd advised that the meeting minutes and comments were still being assembled by Parks & Recreation Department staff today; but he would insert the more obvious items of their review at that point in tonight's discussion.

Attachment C Document Review (continued)

At the commission's last review of the document on April 5th, the last item covered was Page 23, Section 148 that would serve as the intended starting point for tonight's review. However, Mr. Lloyd initiated tonight's review by summarizing the revisions made at that April meeting seeking confirmation or additional feedback before proceeding to the later sections.

In his review of the subdivision code earlier today, Mr. Lloyd advised that he could find no reference to “corner lots” anywhere else in the subdivision code and therefore, may not be needed even though it was referenced as a definition in accordance with the updated zoning code.

RCA Exhibit B

1 Based on tonight's Variance Board discussion, Member Kimble asked if there was
2 anywhere else in the subdivision code or other areas of code that addressed corner
3 and reverse corner lots.

4
5 Mr. Lloyd advised that it was addressed elsewhere in city code, and had been
6 mentioned in the past when the subdivision code had minimum lot size standards;
7 but as of last year's revisions had been relegated to the zoning code and therefore
8 no longer defined elsewhere.

9 10 Page 3, Section 23

11 Member Bull noted that in this section and throughout the document wording had
12 been changed from "applicant" to owner (sole, part or joint owner). However, if a
13 company owns a parcel and they're located elsewhere in the country, perhaps
14 involving a board of directors of shareholders, Member Bull asked how they could
15 have an agent representative applying on their behalf, opining that this language
16 seemed awkward.

17
18 Mr. Lloyd responded that the City Attorney had advised that the most important
19 element was to make sure the owner was making the application; with common
20 practice for a local agent or developer to carry that application forward on their
21 behalf. Mr. Lloyd noted that the city had to allow for that and that it could be
22 further clarified in application forms accordingly.

23
24 Member Bull opined that "owner" seemed to have a lot of references; but stated
25 his preference for a definition of "owner" and "registered agent" or a proper name
26 for that role.

27
28 Member Kimble questioned that suggestion, noting the difference in identifying
29 the ownership of a lot versus someone else processing the application that
30 wouldn't change that ownership; and opined that the proposed language seemed
31 appropriate from her perspective. Member Kimble noted the common practice for
32 a local representative to present and process an application on behalf of an owner;
33 noting that the owner had to be the applicant even if they delegated the processing
34 to someone else.

35
36 Mr. Lloyd suggested that the City Attorney's recommendation probably
37 recognized that very situation.

38
39 Member Gitzen agreed, noting that the definition was of "owner" not "applicant."

40
41 With confirmation by Member Bull, Member Daire asked if Member Bull's intent
42 was to revise wording to define sole or joint owners or designated representatives.
43 Member Bull noted that references used to be for "applicant" and "developer" but
44 now had been changed enmass to "owner."

45 46 Page 4, Section 24

1 Mr. Lloyd noted the change to facility versus right-of-way, with deference to local
2 and/or state traffic enforcement as allowed to define non-motorized or non-
3 vehicular traffic (e.g. bicyclists) but without need to specifically define in the
4 subdivision code.

5
6 Page 4, Section 29 and Page 7, Section 50

7 Using the Java request as an example, Member Bull addressed consideration of a
8 preliminary plat as an item rather than a process. As another example in line 50,
9 Member Bull noted that it states "...shall submit a preliminary plat..." noting that
10 you don't submit a process, but instead a packet of documents. Member Bull
11 noted the need for consistency.

12
13 Mr. Lloyd advised that this was described in the Procedures Chapter; and opined
14 that the suggested language provided sufficient context and definition of
15 preliminary plats as a standalone definition that further definition was not needed
16 specific to preliminary plat documents.

17
18 Member Gitzen suggested leaving the old definition in place, separating
19 preliminary plats from plats; with concurrence by Members Kimble and Bull.

20
21 Mr. Lloyd clarified that the rationale was to eliminate preliminary plat by
22 recognizing that it was a preliminary version with the plat serving as the final
23 version.

24
25 Member Bull suggested differentiating pre and final versions of the plat.

26
27 Member Kimble suggested the commission may be getting too detailed on
28 language specifics.

29
30 Page 5, Sections 32, 33 and 34

31 Mr. Lloyd and Ms. Bunge addressed the definition of "street" to "public way" to
32 incorporate what was involved without defining in this document and
33 encompassing all types of public ways and facilities.

34
35 Member Gitzen stated that he was not comfortable with this proposed language;
36 and instead suggested "public passageway, such as...designed for travel by
37 pedestrians or vehicles." Member Gitzen further suggested removing the right-of-
38 way language (Section 33). When thinking of a public or private right-of-way,
39 Member Gitzen opined that most people think of an easement; where in this case it
40 was referring to a physical street, creating confusion when later on in the
41 document rights-of-way area referred to as an easement. Member Gitzen
42 suggested changing language accordingly in Section 32 and removing Section 33
43 in its entirety.

44
45 By consensus, Sections 33 and 34 were recommended for removal.

Page 8, Section 56, 57

Mr. Lloyd advised that application instructions were made more consistent with other plat applications.

If the intent is to remove archaic language, Member Daire suggested changing “utilized” to “used” or “using,” with Mr. Lloyd suggesting “...are alternatives to plat procedures.”

Chair Murphy asked staff to review April meeting minutes to review if “common wall” had been removed or not; however Member Gitzen noted that the City Council in their review could make the decision whether or not to remove it.

Mr. Lloyd concurred, advising that this marked up version had been provided to the City Council for their review and deliberation.

Page 9, Section 58

As with Section 57, Mr. Lloyd advised that the approval could be by the City Manager as consistent with other zoning applications; with proposed language to strike that involvement in the process and refer to administrative approval by the Community Development Department.

In the previous definition, Member Gitzen noted that it asked for a survey for recombinations; with Mr. Lloyd responding that after approval, submission of a survey was required to ensure consistency, while applications only require a sketch plan format.

At the request of Member Gitzen, Mr. Lloyd advised that he had discussed a timeline with the City Attorney and his suggestion was to provide one even if city staff was unable to control it at all times. Mr. Lloyd advised that the City Attorney had pointed out that there are times when it could be enforced, such as by withholding a building permit until completion of the process. Mr. Lloyd suggested adding language in, with that timeframe pending, in Sections 57, 58 and 60, establishing a timeline for recording a plat.

As an example, Member Kimble referenced a recent alternate plat project she was involved with in the City of St. Paul and their requirement for recording within two years, with a one year extension possible before having to go through the process again.

Chair Murphy stated that sounded beyond reasonable from his perspective.

Mr. Lloyd clarified that a longer timeline makes sense from his perspective if the Planning Commission and City Council were making decisions intended to be in place for perpetuity; and as time changes things there would be occasions that it would be prudent to have an expiration for approvals.

RCA Exhibit B

1 Member Bull stated that he was reluctant to specify anything that might give
2 anyone the idea that that had two years to record a plat.

3
4 Member Gitzen suggested deferring to the City Attorney for the timeline.

5
6 Chair Murphy suggested, with consensus of the body, a one year timeline for
7 recording ALL plat, or to seek an extension.

8 9 Page 9-10, Section 59 (Consolidations)

10 Mr. Lloyd suggested language changes for minor plats when discussing their
11 purpose, with draft language talking about subdivisions or a consolidation of lots.
12 As discussed last time, Mr. Lloyd suggested it would be prudent to regulate lot
13 sizes and with consolidations a platting of underlying lot boundaries that they be
14 addressed accordingly.

15
16 Member Gitzen noted that you couldn't get rid of underlying lot boundaries.

17
18 Mr. Lloyd provided an example of consolidating adjoining lots for tax purposes,
19 but if a house was built across those adjacent lots it could create future problems.
20 Mr. Lloyd advised that the intent was to take a more explicit approach to regulate
21 development according to platted versus tax parcels to avoid development on top
22 of parcel lot lines, making consolidations no longer a platting alternative.

23
24 At the request of Member Gitzen, Mr. Paschke confirmed that in some cases, a
25 property owner was required to replat such lots now.

26
27 For tracts of land that are under common ownership and involving several platted
28 lots with a few tax parcels, Mr. Lloyd advised that there was a need to make sure
29 those parcels area platted in such a away to remove property ownership
30 boundaries. If development doesn't violate those boundaries, Mr. Lloyd advised
31 that an owner hadn't been required to replat them to-date, but in the future would
32 be required to do so; and opined that reconsolidation of platted lots served as a plat
33 even if a simple plat versus a platting alternative.

34
35 Mr. Lloyd noted that Item #4 would remain and be further edited based on City
36 Attorney advice, and to eliminate the City Manager involvement as with other
37 areas of the subdivision code.

38 39 Pages 11-12, Section 61

40 At the request of Chair Murphy specific to park dedication (Item B.V Minor Plats)
41 Mr. Lloyd reviewed proposed language intended to subdivide parcels as noted.

42
43 As a general question, Member Daire asked if this revised subdivision ordinance
44 would prohibit the creation of flag lots.

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1 Mr. Lloyd responded that he thought so, but they were regulated in a later chapter
2 yet to be discussed by the commission; but as a subdivision standard would
3 specifically be prohibited other than on a case-by-case variance review.
4

5 Page 12, Section 62

6 Specific to Item 2.ii, Mr. Lloyd addressed rational to protect time and resources
7 involved with repetitive inquiries. At the request of Member Sparby, Mr. Lloyd
8 clarified that if an application came forward under changed circumstances, it
9 would be seen as a new application process in the regulatory framework and would
10 not bar an owner from coming forward with an application.
11

12 Member Sparby stated that he would prefer putting such a bar in the language for
13 the submission process rather than relying on a one year ban.
14

15 Member Bull agreed with Member Sparby, opining that he didn't like thins that
16 limited the ability of citizens to seek relief if there was a process in place to
17 administer and recognize differences in applications.
18

19 Chair Murphy stated that he was unsure if he agreed with Member Sparby as long
20 as the Board of Adjustments (City Council) was available for that review, this
21 provision also served to protect the city's staff time and resources with repeat
22 applications. With an appeal process to the Board of Adjustments, Chair Murphy
23 opined that it accomplished the goal and a safety net for citizens to be heard.
24

25 Member Bull referenced a development proposal that was submitted many
26 different times from 2007 through 2016 substantially the same thing and requiring
27 considerable review time.
28

29 Member Sparby suggested lowering the submission application to six months
30 rather than one year, noting that the application's composition or staff may change
31 and free an applicant to move forward.
32

33 Specific to submitting substantially the same application, Members Kimble, Bull
34 and Gitzen, along with Chair Murphy agreed with the one year provision; with
35 Member Sparby deferring to his colleagues.
36

37 Mr. Lloyd advised that the intent was to avoid serial applications when the
38 ultimate goal is turning one lot into two via this subdivision ordinance; thus staff's
39 recommendation for five years unless submitting the application as a major plat
40 process, but not for minor plats.
41

42 In Section 63 , Mr. Lloyd again addressed the time limitation.
43

44 In this section, as well as in Chapter 1102.05 (page 24), Member Gitzen referenced
45 that necessary data for a final plat (major or minor) and Ramsey County

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1 requirements; and suggested language as previously noted for a review process at a
2 surveyor's office.

3
4 Mr. Lloyd concurred, noting that would be addressed in the next iteration as it was
5 changed to ordinance formatting rather than this side-by-side comparison; and to
6 track changes from a global perspective.

7
8 Member Gitzen stated that his concern was that an ordinary citizen if not familiar
9 with development projects may not be aware of the filing process.

10
11 As the global process for preliminary plat review and approval proceeds, Mr.
12 Lloyd suggested deletion of Section 120. However, Mr. Lloyd agreed that the
13 expanded context needed to consider the process and filing with Ramsey County
14 and how the applicant could be informed of that process, probably in the
15 application form itself.

16
17 Member Gitzen reiterated the need in the subdivision ordinance to inform
18 applicants of the process beyond just filing the final plat; with Member Kimble
19 suggesting an overview of steps to be followed, including timelines and fees either
20 in the application form or subdivision code itself.

21
22 Mr. Lloyd stated that he envisioned the application materials would describe the
23 process more fully and provide the applicant with a timeline.

24
25 Member Gitzen asked that staff refer to that process in this subdivision code so
26 applicants understand the process.

27
28 At the request of Member Kimble, Mr. Lloyd confirmed that staff was running a
29 parallel path in developing application forms and once the new ordinance is in
30 place would inform applications of what was needed.

31
32 Member Bull asked that staff be consistent in distinguishing the process from the
33 result as it related to the platting process.

34 35 Page 13, Section 65 (Developer Open House Meeting)

36 Using the recent Minnesota State Fair Interim Use application with many different
37 property owners rather than ownership by the State Fair of those sites, Member
38 Bull noted his concern in using "owner" versus "applicant."

39
40 Mr. Paschke reiterated the process involved co-applicants and clarified that the
41 process was different for open houses, with applicants moving forward with an
42 open house without requiring the involvement of the property owner. Mr. Paschke
43 noted that this simply intended as the first touch as to whether or not a project was
44 worth moving forward. Also in the case of the State Fair, Mr. Paschke advised
45 that each property owner provided a letter of support for the State Fair as the
46 applicant.

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1
2 In Section 66, Member Kimble alluded to the developer open house, while Section
3 65 still says that the owner shall hold the open house.

4
5 Mr. Lloyd duly noted that error and advised it would be changed to be made
6 consistent and would restore it to “applicant.”
7

8 With Member Bull noting that the next line stated “owner,” and their
9 responsibilities, Member Kimble noted that in some cases, the developer will not
10 close on a property until approvals area received at which time the closing would
11 occur on the land and they would then become the owner.
12

13 In that circumstance, Member Sparby noted that the applicant needed authority
14 from the owner to move forward with the open house.
15

16 From a practical standpoint, Mr. Lloyd noted that it would be unwise for an owner
17 to move forward without an agreement in place.
18

19 In order to ensure that relationship is in place, Member Sparby suggested retaining
20 “applicant” in the new language.
21

22 Mr. Lloyd advised that the owner would likely be aware of and even involved in
23 the open house process; but from his perspective the distinction was the open
24 house process itself held prior to the city becoming involved in a major way. Mr.
25 Lloyd noted the intent of the open house as a venue for public review of a proposal
26 before an application was made for approvals. If an applicant is seeking
27 approval/denial on a property, Mr. Lloyd opined that it was important for the
28 owner to be explicitly identified.
29

30 Member Sparby stated that he’d support “owner/applicant.”
31

32 Member Kimble suggested “applicant and/or owner.”
33

34 Page 18, Section 83

35 Again, Member Gitzen asked that the applicant be made aware of the process and
36 timeline.
37

38 Page 19, Sections 84 and 86

39 Member Kimble noted the distinctions in “hardship” and “practical difficulty,”
40 with Mr. Lloyd explaining that they were intentionally different based on State
41 Statute related to land use and zoning and recent revisions to their language from
42 “hardships” to “practical difficulty.” However, Mr. Lloyd advised that State
43 Statutes continue to talk in places about “unusual hardships” making that
44 definition hard to determine in Statute. Mr. Lloyd advised that he had taken this
45 language verbatim from State Statute after his conversation with the City Attorney.
46

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1 Member Gitzen stated that he didn't think State Statute defined it; and asked staff
2 to confirm that the Statute was still in place or if it had been further amended as
3 they had been discussing. Member Gitzen opined that "undue hardship"
4 represented a strict definition, but he thought the legislature's intent was to revise
5 it to "practical difficulties" in both cases. Member Gitzen opined it was worth
6 verifying whether or not the standards of each were totally different if not.

7
8 In Section 86, in response to Member Sparby, Mr. Lloyd advised that his
9 understanding was that specific grounds for a variance were no applicable to case
10 law; with Member Sparby suggesting that staff further review whether the four
11 factors were considered in case law as factors to consider.

12
13 Mr. Lloyd clarified that the City Attorney had been supportive of those four
14 factors as viable, specific grounds as long as the city was certain nothing else was
15 being left out of that consideration.

16 Page 21, Sections 88, 89 and through Section 113

17 Again, as previously noted, Mr. Lloyd reiterated that the ordinance formatting
18 would provide a sense of how everything fit together globally and with necessary
19 data for preliminary plats included in the major plat process, noted that this
20 provision was no longer needed.

21 Page 23, Chapter 1102.03, Section 114 (Requirements governing approval of 22 Preliminary plats)

23 While a discussion with city the City Attorney and Public Works staff was
24 indicated, from a global perspective, Mr. Lloyd suggested these items made more
25 sense in Chapter 1102.01 related to processing of any subdivision. However, Mr.
26 Lloyd opined that it made sense to retain Section 115 to apply conditions of
27 approval as noted, with further review to edit out any remaining redundancies.

28
29 To make an area completely safe, Member Gitzen suggested changing the wording
30 if it remained to a different standard than "adequate drainage."

31
32 Mr. Lloyd confirmed that he proposed to move that to Chapter 1102.01.

33 Page 24, Section 120

34 Mr. Lloyd noted removal as it was discussed in the procedures section for final
35 plats.

36 Page 26, Section 134

37 While this may seem like an archaic section, Mr. Lloyd clarified that "streets" are
38 not automatically accepted as a public street until staff ensures they meet city
39 standards and requirements.

40
41 In talking about developer agreements, Member Gitzen asked how or whether this
42 applied.

Mr. Lloyd opined that this applied more broadly, such as public streets obtained through annexation, but for practical purposes, neither he nor the City Attorney could see any reason to retain it.

With Member Kimble asking if it could occur as private roads became public, Mr. Lloyd agreed that could be addressed in the development agreement; but under those circumstances, it may be prudent to retain it.

Chapter 1102.06, Page 27, Section 137 and Page 29, Section 147 (Required Land Improvements)

Mr. Lloyd noted the intent to remove these sections for inclusion in the Public Works design standard manual without further specificity in the subdivision code.

Recess

Chair Murphy recessed the meeting at approximately 8:07 p.m. and reconvened at approximately 8:12 p.m.

Attachment C Document Review (new)

Section 137, Chapter 1102.07 – (Chapter 1102.06 of current code)

Page 30, Section 153, Item #7

Since there is no definition of “parkways,” Member Kimble asked if that was clear to everyone.

Mr. Lloyd advised that this was an error in tracking changes, and advised that the intent was to use “boulevard.”

In Section 155, Mr. Lloyd suggested, as previously suggested by the commission, to allow for rain gardens and natural stormwater features if and when they make design-sense rather than requiring turf grass or sod, as long as they stabilized soils and met Public Works design requirements.

Member Daire asked if an abutting property owner on a street was allowed to plant decorative grasses or blooming boulevards.

Mr. Lloyd responded that there was no codified position on that, and if and when property owners are interested in these front yard and/or public right-of-way areas, they could work with the Public Works Department to seek their approval of their intended plantings, as this was their domain.

Page 31, Sections 153 (page 30) and 157

Member Gitzen opined that these sections appeared to be the same and questioned whether both were needed.

Mr. Lloyd responded that Section 153 was under the category of street improvements, but offered to talk more with the Public Works Department as to whether the reference should be “parkway” indicating a grass area between driving lanes (e.g. Wheelock and Lexington Parkways).

1
2 If so, Member noted the need for a definition for “parkway.”

3
4 In Section 157, discussion ensued about the intent and definition of a “boulevard”
5 as a non-paved part of a right-of-way (except for driveways, pathways or
6 walkways) and therefore was distinct or if it needed to be distinguished or
7 removed.

8
9 Member Kimble suggested this be given further consideration.

10
11 In Section 160 related to public utilities, Member Gitzen suggested this section
12 was more applicable to the Public Works Department than the Planning
13 Commission.

14
15 On the flip side, Chair Murphy noted that this may still include a requirement for
16 public comment at the commission or City Council level even if the Public Works
17 Department served as the presenter based on their technical skills to make a
18 recommendation to the commission.

19
20 Member Gitzen opined that the Planning Commission wouldn’t need to review it;
21 with Member Sparby recommended language such as, “...suggested after study by
22 the Public Works Department and recommendation by the Planning Commission;”
23 agreeing that study seemed out of the commission’s jurisdiction. Mr. Lloyd noted
24 that a public hearing could be held at the City Council meeting, with the
25 consensus of the body being for the Public Works Department to provide a report
26 to the Planning Commission for recommendation to the City Council.

27
28 In Section 156, Mr. Lloyd noted the recommended changes were from the Public
29 Works Department for a “licensed” rather than a “registered” professional
30 engineer.

31
32 Page 35, Line 161

33 At the request of Chair Murphy, Mr. Lloyd reviewed the rationale for leaving this
34 door open for occupancy with the potential for homes being completed prior to
35 final paving of a street, with possibly only the first lift applied.

36
37 Page 36, Chapter 1103 (Design Standards)

38 After minimal discussion, the consensus of the body was to remove Chapters
39 1103.01 (Street Plan) and 1103.02 (Streets) and refer to the Public Works design
40 standards manual.

41
42 Mr. Lloyd noted there were some areas with distinction despite the chapter name
43 of “streets,” and the application of physical facilities and rights-of way widths
44 required for functional classifications in residential subdivisions or commercial
45 plats, that may provide relevant information for someone layout out a plat.
46

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1 However, Member Gitzen noted that curvatures, horizontal street lines and other
2 items were design standards.

3
4 With further discussion, Mr. Lloyd advised that the Public Works Department had
5 supported moving physical facility requirements into their design standards, but
6 information guiding layout of a plat document they had felt some value in
7 preserving it here. However, Mr. Lloyd advised that he would further consult with
8 them for the next iteration of the code.

9
10 Members Gitzen and Kimble noted the preference to have information in only one
11 place to avoid redundancies as well as inconsistencies.

12
13 Mr. Lloyd agreed, but noted the need for balancing where that most current
14 information should be located and suggested it may be helpful to have those
15 parameters listed here without going into too much detail.

16
17 Member Gitzen suggested having them in one place or the other, but if included in
18 both documents, they needed to match; but stated his preference for references in
19 code to the manual.

20
21 Member Kimble suggested the categories could remain in the subdivision code by
22 reference guiding people to the Public Works design manual.

23
24 Chair Murphy advised staff to make the City Council aware of their strong
25 recommendation without significant review of Chapters 1102.01 and 1102.02 was
26 for the subdivision code to recognize the categories while referring to the Public
27 Works design manual to avoid duplication or errors.

28 29 Page 38, Sections 194 – 197

30 Mr. Lloyd advised that he needed to revisit street widths with the Public Works
31 staff, but thought it was helpful to leave street widths in the subdivision code.

32
33 In reflecting on his experience as a transportation planner with the City of
34 Minneapolis, Member Daire noted the relationship with street width, snow
35 accumulation and placement of mailboxes. As he had shared with Community
36 Development Director Collins earlier for her in turn sharing his comments with the
37 Public Works Department, Member Daire suggested some consideration should be
38 given parking control with vehicle and street access, especially with the advent of
39 more on-street bike lanes and what standards should apply for them. Member
40 Daire noted the correlation with various street widths and types when considering
41 their location to ensure the safety of cyclists. Since this is an area of considerable
42 concern for him, Member Daire suggested city street width standards be raised;
43 including how to deal with three lane streets and turn lanes to keep traffic moving
44 smoothly as well as bike lanes. Therefore, Member Daire advised that his
45 suggestion had been for the Public Works Department to consider more specificity
46 in its design standards.

1
2 Since this is the way of the future, Member Kimble offered her agreement, noting
3 that it wasn't addressed now (e.g. Ramsey County roadways) and noted a number
4 of items in the current subdivision code that are not yet addressed in Public Works
5 design standards at this point.

6
7 In summary, Chair Murphy directed staff to migrate as appropriate.

8
9 Page 39

10 Member Gitzen suggested these also be included in Public Works design
11 standards.

12
13 Page 40, Chapter 1103-04 (Easements), Section 209

14 Member Gitzen suggested revised language to read." Easements at least a total of
15 10' wide along the front and side, and corner lot lines as well as centered on rear
16 and side lot lines."

17
18 At the request of Member Gitzen, Mr. Lloyd advised that he would consult with
19 the Public Works Department whether a statement was still needed about
20 reflection or anchor points.

21
22 In Section 210, Member Gitzen suggested rewording "drainage easements" to
23 allow stormwater easements on platted land.

24
25 Page 41, Chapter 1103.05 (Block Standards), Section 213

26 With Roseville being a fully-developed community, Mr. Lloyd advised that the
27 Public Works Department's suggestion was to remove the upper boundary and use
28 the more realistic 900' long block as the upper boundary.

29
30 In Section 215, Member Gitzen questioned how and what was being designated or
31 what plan was referenced.

32
33 Page 42, Section 226

34 At the request of Member Daire, Mr. Lloyd noted this was referring to private
35 streets and their physical requirements the same as that of a public street in case
36 they should eventually become public versus private.

37
38 As discussion ensued, staff was directed to clarify that any references to 20' width
39 for private streets should be corrected to ensure they were a minimum of 24' to
40 accommodate emergency vehicles.

41
42 Page 43, Section 229

43 Member Gitzen noted that side lot lines were "perpendicular" to front lot lines.

44
45 Page 43, Section 233

1 As previously noted, flag lots are no longer allowed unless considered on a case-
2 by-case basis under a variance.

3
4 In Section 235, Member Daire sought clarification of the definition for “major
5 thoroughfares.”

6
7 Mr. Lloyd noted this was a topic from the Variance Board meeting, and addressing
8 single-family homes versus parking lots and circulation for turnarounds, especially
9 related to county roadways; and current requirements for a turnaround area to
10 avoid backing out directly into the roadway. Mr. Lloyd advised that the definition
11 of “major thoroughfare” is yet to be determined.

12
13 At the request of Member Gitzen as to whether or not the comprehensive plan
14 defined types of streets, Mr. Lloyd clarified that as it applied in the past, it was
15 specific to county roadways, but advised that he would continue to work with the
16 Public Works staff to determine the appropriate level tied to functional
17 classifications for definition or description in some other way.

18
19 Page 44, Section 237

20 Mr. Lloyd advised that shoreland lots were not referenced in Chapter 1017 of the
21 shoreland zoning code.

22
23 Page 45, Chapter 1103.07 (Park Dedication), Section 242

24 Noting reference to “city” at its discretion, Member Sparby asked if this should be
25 defined as the “City Council” instead; with Mr. Lloyd clarifying that ultimately it
26 did mean the City Council upon recommendation by the Parks & Recreation
27 Commission, but ultimately a decision for the City Council. Mr. Lloyd advised
28 that the only reason “city” was used rather than specifying the “City Council,” was
29 that other participants were involved in the process.

30
31 Member Sparby stated his preference for more specificity to indicate the City
32 Council rather than suggesting city staff made that determination.

33
34 Pages 45-46, Section 243

35 Mr. Lloyd asked that the commission disregard italicized text intended for last
36 night’s Parks & Recreation Commission discussion.

37
38 At the request of Member Daire, Mr. Lloyd clarified that the trigger involved the
39 net increase in development sites and land area of at least one acre or more. Mr.
40 Lloyd further clarified the current process versus the proposed process for minor
41 plat processes that now would require a public hearing before the City Council
42 took action on a park dedication. With concerns raised by Member Daire on
43 impacts to homeowners attempting to subdivide their property and being subject to
44 a park dedication fee, Mr. Lloyd put the conditions of approval in context in a
45 practical sense of most of those situations falling below the threshold of one acre
46 that would trigger this provision. On the flip side, Mr. Lloyd noted that a minor

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1 plat process could be used in a large commercial plat if no new infrastructure or
2 rezoning was required, with such a sizable development potential then exempted
3 from park dedication requirements if following Member Daire's logic.
4

5 Referencing last night's Parks & Recreation Commission meeting, Chair Murphy
6 asked how the Planning Commission could be aware of the results of their meeting
7 specific to the subdivision code and whether or not the Planning Commission
8 agreed with their recommendations short of individual comments to the City
9 Council.
10

11 Ms. Collins advised that staff could provide that feedback to the Planning
12 Commission via email as soon as it became available, at which time if there was
13 anything drastic, individual commissioners could advise staff accordingly. While
14 recognizing the timing conflicts, Ms. Collins noted that the meetings are archived
15 on the city website for optional viewing by the commission as well.
16

17 Noting that meeting minutes were not posted on the website until approved, Chair
18 Murphy expressed interest in getting something similar to meeting minutes from
19 last night's Parks & Recreation Commission meeting for review as soon as possible
20 in order to review them and provide comment to the City Council.
21

22 Mr. Lloyd advised that he anticipated having a distilled version at a minimum
23 included in the next iteration of the draft subdivision code.
24

25 Chair Murphy asked that, upon receipt of that information by individual Planning
26 Commissioners, they communicate their feedback directly to Community
27 Development Department for forwarding to or directly to the City Council.
28

29 In Section 244, Mr. Lloyd briefly summarized the bulk of his conversations with
30 Parks & Recreation staff earlier today related land area or fees in lieu of park
31 dedication. Whatever the results, Mr. Lloyd opined that it was important that the
32 subdivision code still reference land for dedication and advised that it would not be
33 removed in new language, but still tie land dedication with cash dedication as
34 approved in the city's fee schedule annually.
35

36 In Section 245, Item C, at the request of Member Kimble, Mr. Lloyd advised that
37 State Statute dictated a nexus or connection between what was being required as
38 park land or fee dedications and what it was intended for, previously at 7% and
39 now increased to 10%.
40

41 Page 47, Section 247

42 Should this section survive, Chair Murphy noted an error in still referencing the
43 HRA rather than the EDA.
44

45 Member Kimble opined that it seemed that Roseville didn't want to encourage
46 development, especially in the City Council not supporting waiving park

1 dedication fees or any permit fees for affordable housing projects that typically
2 have huge funding gaps.

3
4 Ms. Collins advised that in 2016, the EDA had adopted a policy, with their
5 determination that the only fee they'd consider waiving would be Sewer Access
6 Charges (SAC) credits, but had stated loud and clear that that waiving any other
7 fees would not be considered under their policy.

8
9 Given that strong agreement by the City Council, Mr. Lloyd advised that the
10 language was being removed from the revised subdivision code.

11
12 General Discussion

13 At the request of Chair Murphy, Mr. Lloyd reviewed the next steps and inclusion
14 of Parks & Recreation Commission comments on park dedication and other
15 pertinent areas; reconciling Public Works standards and any potential conflicts on
16 a staff level; City Attorney recommendations; and tonight's comments of the
17 Planning Commission in the next iteration into a regular text version of the
18 subdivision code to see how provisions now flow.

19
20 Member Daire advised Mr. Lloyd that he found reference to "private streets" on
21 page 13 of Attachment D, Item 10; with Mr. Lloyd advising that he would make
22 sure this was not an oversight in the Public Works design standards. Mr. Lloyd
23 assured Member Daire that a minimum street width of 24' for private streets was
24 considered standard, and was supported by the Fire Marshal too.

25
26 Discussion ensued as to whether the Planning Commission was prepared to make a
27 recommendation to the City Council tonight on a revised subdivision code given
28 the tight timeframe; and whether or not to conclude the public hearing tonight.

29
30 Ms. Collins recommended recommendation for approval contingent on further
31 City Attorney review and review by the Public Works Department for
32 redundancies or inconsistencies and additional feedback from the Parks &
33 Recreation Commission. Ms. Collins advised that another option would be to
34 schedule a special Planning Commission meeting to meet the May 31, 2017
35 moratorium deadline.

36
37 Chair Murphy stated that he was not comfortable recommending approval to the
38 City Council of a document the Planning Commission had yet to see or review in
39 its entirety. Chair Murphy recognized the goal, but questioned if that would create
40 significant problems if that goal wasn't met.

41
42 Further discussion ensued related to timing, including receipt of City Council
43 feedback in addition to those others noted.

44
45 Member Bull opined that the Commission had to have time to perform their role
46 before making a recommendation.

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1
2 Member Daire noted the considerable time spent on this project, expressing his
3 interest in seeing it through.
4

5 If another session was needed, Ms. Collins asked individual commissioners to
6 submit their comments to staff before the meeting to allow time for a more
7 judicious review by staff.
8

9 While that usually worked, Member Bull opined that sometimes those individual
10 suggestions were interpreted by staff into text but didn't necessarily reflect what
11 had been recommended.
12

13 Ms. Collins suggested comment sections from individual commissioners so the
14 suggestions wouldn't be incorporated into text until they received a collective
15 review and consensus.
16

17 Chair Murphy suggested waiting to discuss this until all written items were
18 available and then project a timeframe from their.
19

20 Ms. Collins noted that the City Council would want the commission to feel
21 comfortable with their recommendation.
22

23 Chair Murphy opined that he didn't see the train going off the track if the
24 moratorium was suspended on May 31st before the Planning Commission made
25 their recommendation to the City Council in early June if delayed to their next
26 regular commission meeting.
27

28 **MOTION**

29 **Member Daire moved, seconded by Chair Murphy, to continue the public**
30 **hearing until the next scheduled regular Planning Commission meeting of**
31 **June 5, 2017.**
32

33 **Ayes: 6**

34 **Nays: 0**

35 **Motion carried.**
36

37 Chair Murphy thanked Mr. Lloyd and Ms. Bunge for facilitating tonight's
38 discussion.
39

Title 11 - Subdivisions

173.	<u>CHAPTER 1103: DESIGN STANDARDS</u>	<u>CHAPTER 1103: DESIGN STANDARDS</u>
174.	1103.01: Street Plan	1103.01: <u>Street Roadway</u> Plan
175.	1103.02: Streets	1103.02: <u>Streets Rights-of-Way</u>
176.	1103.021: Minimum Roadway Standards	1103.021: Minimum Roadway Standards
177.	1103.03: Alleys and Pedestrianways	1103.03: Pathways
178.	1103.04: Easements	1103.04: Easements
179.	1103.05: Block Standards	1103.05: Block Standards
180.	1103.06: Lot Standards	1103.06: Lot Standards
181.	1103.07: Park Dedication	1103.07: Park Dedication
182.	1103.01: STREET PLAN:	1103.01: <u>STREET ROADWAY</u> PLAN:
183.	The arrangement, character, extent, width, grade and location of all streets shall conform to the Comprehensive Plan, the approved standard street sections, and plates of applicable chapters, and shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic, to topographical conditions, to runoff of storm water, to public convenience and safety and in their appropriate relation to the proposed uses of the area to be served. (Ord. 216, 7-5-1956)	New streets and related pathways <u>rights-of-way</u> shall comply to a master street plan that is based on <u>conform to</u> the City's Comprehensive Plan and Pathways Master Plan to promote a safe, efficient, sustainable, and connected network for all users and modes.
184.	1103.02: STREETS:	1103.02: <u>STREETS RIGHTS-OF-WAY</u> : PW Dept to review this section to see if it should be moved to the PW Design Standards manual.
185.	A. Right of Way: All rights of way shall conform to the following minimum dimensions (1995 Code):	A. <u>Right-of-Way</u> Width: All <u>The width of all rights-</u> rights-of-of <u>way</u> shall conform to the following minimum dimensions <u>corresponding to the functional classifications of the roadways therein-</u> (1995 Code):
186.	Collector streets 66 feet	<u>Principal Arterial</u> as determined by the <u>applicable jurisdiction governing the roadway</u>

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		<u>Minor Arterial</u> as determined by the applicable jurisdiction governing the roadway
		Collector- streets 66 feet
187.	Local streets 60 feet	Local- streets 60 feet
188.	Marginal access streets 50 feet	Marginal <u>Access-access streets</u> 50 feet
189.	B. Horizontal Street Lines: Where horizontal street lines within a block deflect from each other at any one point more than 10° there shall be a connecting curve. Minimum center line horizontal curvatures shall be:	B. Horizontal Street Lines: Where horizontal street-right-of-way lines within a block deflect from each other at any one point more than 10° there shall be a connecting curve. Minimum center line horizontal curvatures shall be <u>conform to the following minimum dimensions corresponding to the functional classifications of the roadways therein:</u>
190.	Collector streets 300 feet	<u>Principal Arterial</u> as determined by the applicable jurisdiction governing the roadway <u>Minor Arterial</u> as determined by the applicable jurisdiction governing the roadway Collector- streets 300 feet
191.	Minor streets 150 feet	Minor streets <u>Local</u> 150 feet <u>Marginal Access</u> feet
192.	C. Tangents: Tangents at least 50 feet long shall be introduced between reverse curves on collector streets.	C. Tangents: Tangents at least 50 feet long shall be introduced between reverse curves on collector-streets <u>Collector rights-of-way.</u>
193.	D. Center Line Gradients: All center line gradients shall be at least 0.5% and shall not exceed on:	D. Center Line Gradients: All center line gradients shall be at least 0.5% and shall not exceed on the <u>following gradients corresponding to the functional classifications of the roadways therein:</u>
194.	Collector streets 4 %	<u>Minor Arterial</u> % Collector- streets 4 %
195.	Minor streets 6 %	Minor streets <u>Local</u> 6 % <u>Marginal Access</u>
196.	E. Connecting Street Gradients: Different connecting street gradients shall be connected with vertical parabolic curves. Minimum length, in feet, of these curves, shall be 15 times the algebraic difference in the percent of grade of the two adjacent slopes. For minor streets, the minimum length shall be 7 ½ times the algebraic	E- Connecting Street Gradients: Different connecting street gradients shall be connected with vertical parabolic curves. Minimum length, in feet, of these curves, shall be 15 times the algebraic difference in the percent of grade of the two adjacent slopes. For minor streets, the minimum length shall be 7 ½ times

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	difference in the percent of grade of the two adjacent slopes.	the algebraic difference in the percent of grade of the two adjacent slopes.
197.	F. Minor Streets: Minor streets shall be so aligned that their use by through traffic will be discouraged.	F. Minor Streets: Minor streets shall be so aligned that their use by through traffic will be discouraged.
198.	G. Street Jogs: Street jogs with center line offsets of less than 125 feet shall be prohibited.	G.E. Street Jogs: <u>Street Right-of-way</u> jogs with center line offsets of less than 125 feet shall be prohibited.
199.	H. Intersections: It must be evidenced that all street intersections and confluences encourage safe and efficient traffic flow.	H. Intersections: It must be evidenced that all street intersections and confluences encourage safe and efficient traffic flow.
200.	I. Alleys: Alleys are not permitted in residential areas unless deemed necessary by the City Council.	<u>REMOVED</u>
201.	J. Half Streets: Half streets shall be prohibited. Wherever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract. In cases where the entire right of way has been dedicated to the public but the property of the owner and <u>applicantowner</u> is located on one side of such street, the owner and <u>applicantowner</u> shall be required to grade the entire street in accordance with the plans to be approved by the Public Works Director under the provisions of Section 1102.07, but the owner and <u>applicantowner</u> shall only be required to deposit payment for one-half of the Public Works Director's estimated costs of the improvements required under this Title. Building permits shall be denied for lots on the side of the street where the property is owned by persons who have not entered into an agreement with the City for the installation of the improvements required under this Chapter.	I. Half Streets: Half streets shall be prohibited. Wherever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract. In cases where the entire right of way has been dedicated to the public but the property of the owner and <u>applicantowner</u> is located on one side of such street, the owner and <u>applicantowner</u> shall be required to grade the entire street in accordance with the plans to be approved by the Public Works Department, but the owner and <u>applicantowner</u> shall only be required to deposit payment for one-half of the Public Works Director's <u>Department's estimated costs of the improvements required under this Title</u>. Building permits shall be denied for lots on the side of the street where the property is owned by persons who have not entered into an agreement with the City for the installation of the improvements required under this Chapter.

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202.	K. Reserved Strips: Reserved strips controlling access to streets are prohibited. (Ord. 216, 7-5-1956; amd. 1995 Code) (Ord. 1358, 1-28-2008)	<u>REMOVED</u>
203.	1103.021: MINIMUM ROADWAY STANDARDS:	1103.021: MINIMUM ROADWAY STANDARDS: <u>PW Dept to review this section to see if it should be moved to the PW Design Standards manual.</u>
204.	The following minimum dimensional standards shall apply to all existing City and private roadways when newly constructed or reconstructed. All local residential streets must be constructed to a width of 32 feet from the face of curb to face of curb. In cases where this width is impractical, the City Council may reduce this dimension, as outlined in the City street width policy. However, for purposes of emergency vehicle access, no street shall be constructed to a width less than 24 feet. In order to preserve the minimum clear width, parking must be restricted according to subsection A of this Section.	The following minimum dimensional standards shall apply to all existing City and private roadways when newly constructed or reconstructed. All local residential streets must <u>roadways shall</u> be constructed per the requirements of the Public Works Department <u>Design Standards Manual</u> . In cases where this width is impractical, the City Council may reduce this dimension, as outlined in the City street <u>roadway</u> width policy. However, for purposes of emergency vehicle access, no street <u>roadway</u> shall be constructed to a width less than 24 feet. <u>PC recommended including bike lane widths and width for 3 lane roads.</u>
205.	A. Signage Requirements: "No parking" signs shall be installed in accordance to the following:	A. <u>Signage Requirements</u> <u>Parking Prohibition by Roadway Width</u> : "No parking" signs shall be installed in accordance to the following:
206.	32 feet Parking permitted on both sides of the street (no signs needed).	32 feet Parking permitted on both sides of the <u>street roadway</u> (no signs needed).
207.	26-32 feet No parking on one side of the street (signs on one side).	26-32 feet No parking on one side of the street <u>roadway</u> (signs on one side).
208.	24-26 feet No parking on both sides of the street (signs on both sides).	24-26 feet No parking on both sides of the street (signs on both sides).
209.	B. Right-Of-Way Width: For City streets, the right of way shall be in accordance with Section 1103.02 of this Chapter. County Roads must comply with the Ramsey County right-of-way plan. State highways must comply with the Minnesota State Highway Department right-of- way plans.	B. Right-Of-Way Width: For City streets, the right-of-way shall be in accordance with Section 1103.02 of this Chapter. County Roads must comply with the Ramsey County right-of-way standards. State highways must comply with the Minnesota State Highway Department right-of- way standards.
210.	C.B. Cul-De-Sacs: If there is not a looped road system provided and the street is greater than 200 feet	C. Cul-De-Sacs: If there is not a looped road system provided and the street <u>a proposed right-of-way</u>

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	in length, an approved turnaround shall be constructed.	is greater than 200 feet in length, an approved turnaround shall be constructed.
211.	1. Length: Cul-de-sacs shall be a maximum length of 500 feet, measured along the center line from the intersection of origin to the end of right-of-way.	1. Length: Cul-de-sacs shall be a maximum length of 500 feet, measured along the center line from the intersection of origin to the end of right-of-way.
212.	2. Right-Of-Way: Cul-de-sac right-of-way shall extend at least 10 feet outside of the proposed back of curb.	2. Right-Of-Way: Cul-de-sac right-of-way shall extend at least 10 feet outside of the proposed back of curb.
213.	3. Standard Design: The standard cul-de-sac shall have a terminus of nearly circular shape with a standard diameter of 100 feet.	3.2. Standard Design: The standard cul-de-sac shall have a terminus of nearly circular shape with a standard diameter of 100 <u>120</u> feet.
214.	4. Alternatives to the Standard Design: An alternative to the standard design, to accommodate unusual conditions, may be considered by the Public Works Director and shall be brought to the City Council for approval based on the Public Works Director's recommendation.	4. Alternatives to the Standard Design: An alternative to the standard design, to accommodate unusual conditions, may be considered by the Public Works Director Department and shall be brought to the City Council for approval based on the Public Works Director's Department's recommendation.
215.	5. Islands: As an option, a landscaped island may be constructed in a cul-de-sac terminus. A minimum clear distance of 24 feet shall be required between the island and the outer curb. No physical barriers which would impede the movement of emergency vehicles shall be allowed within the island. No parking shall be allowed in a cul-de-sac terminus with a landscaped island unless reviewed and recommended for approval by the Fire Marshal. (Ord. 1358, 1-28-2008)	5. Islands: As an option, a landscaped island may be constructed in a cul-de-sac terminus. A minimum clear distance of 24 feet shall be required between the island and the outer curb. No physical barriers which would impede the movement of emergency vehicles shall be allowed within the island. No parking shall be allowed in a cul-de-sac terminus with a landscaped island unless reviewed and recommended for approval by the Fire Marshal. (Ord. 1358, 1-28-2008)

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216.	1103.03: ALLEYS AND PEDESTRIANWAYS:	1103.03: PATHWAYS:
217.	A. Alleys: Where permitted by the City Council, alley rights of way shall be at least twenty (20) feet wide in residential areas and at least twenty-four (24) feet wide in commercial areas. The City Council may require alleys in commercial areas where adequate off- street loading space is not available.	<u>REMOVED</u>
218.	B. Pedestrianways: Pedestrian rights of way shall be at least twenty (20) feet wide. (Ord. 216, 7-5-1956; amd. 1995 Code)	A. Pathways: Pathway rights of way easements shall be at least twenty (20) feet wide. (Ord. 216, 7-5-1956; amd. 1995 Code)
219.	1103.04: EASEMENTS:	1103.04: EASEMENTS:
220.	A. Easements at least a total of twelve (12) feet wide, centered on rear and side yard lot lines, shall be provided for drainage and utilities where necessary. They shall have continuity of alignment from block to block, and at deflection points easements for pole line anchors shall be provided.	A. Easements at least a total of (twelve 10) <u>10</u> feet wide, centered on rear interior lot lines, and front, and side yard lot lines <u>abutting rights-of-way or roadway easements</u> , shall be provided for drainage and utilities where necessary. They shall have continuity of alignment from block to block, and <u>shall be provided</u> at deflection points easements for pole line anchors. shall be provided.
221.	B. Where a subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided a storm water easement or drainage right of way conforming substantially with the lines of such water courses, together with such further width or construction or both as will be adequate for the storm water drainage of the area. (Ord. 216, 7-5-1956)	B. Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage <u>and utility right of way easements shall be provided that conform</u> conforming <u>substantially</u> with the lines of such water courses, together with such further width or construction or both as will be to provide <u>adequate for the</u> storm water drainage of for the area. (Ord. 216, 7-5-1956)
222.	C. All drainage easements shall be so identified on the plat and shall be graded and sodded in accordance with Section 1102.06. (1990 Code)	C. All drainage easements shall be so identified on the plat and shall be graded and sodded in accordance with the Public Works Department.

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223.	1103.05: BLOCK STANDARDS:	1103.05: BLOCK STANDARDS:
224.	A. The maximum length of blocks shall be one thousand eight hundred (1,800) feet. Blocks over nine hundred (900) feet long may require pedestrianways at their approximate centers. The use of additional access ways to schools, parks or other destinations may be required by the City Council.	A. Blocks over nine hundred (900) feet long shall require pathway <u>easements</u> at their approximate centers. The use of additional pathway <u>easements connecting</u> to schools, parks, or other destinations may be required by the City Council.
225.	B. Blocks shall be shaped so that all blocks fit readily into the overall plan of the subdivision and their design must evidence consideration of lot planning, traffic flow and public open space areas.	B. Blocks shall be shaped so that all blocks fit readily into the overall plan of the subdivision, the neighborhood, and City, and must consider lot planning, traffic flow, and public open space areas.
226.	C. Blocks intended for commercial, institutional and industrial use must be designated as such and the plan must show adequate off-street areas to provide for parking, loading docks and such other facilities that may be required to accommodate motor vehicles.	C. Blocks intended for commercial, institutional, and industrial use must be designated as such and the <u>plan plat</u> must show adequate off-street areas to provide for parking, loading docks, and such other facilities that may be required to accommodate motor vehicles.
227.	D. Where a subdivision borders upon a railroad or limited access highway right of way, a street may be required approximately parallel to, and at a distance suitable for, the appropriate use of the intervening land as for park purposes in residential districts or for parking, commercial or industrial purposes in appropriate districts. Such distances shall be determined with due regard for the requirements of approach grades and possible features grade separations. (Ord. 216, 7-5-1956)	D. Where a subdivision borders <u>upon</u> a railroad or limited access highway right-of-way, a <u>street</u> <u>Marginal Access right-of-way</u> may be required <u>approximately parallel to, and at a distance suitable for, the appropriate landscape treatment/open space in residential districts or for parking, commercial or industrial purposes in appropriate districts to provide access to abutting properties and appropriate screening of the highway.</u>
228.	1103.06: LOT STANDARDS:	1103.06: LOT STANDARDS:
229.	A. The minimum lot dimensions in subdivisions designed for single-family detached dwelling developments shall be those of the underlying	A. The minimum lot dimensions in <u>all</u> subdivisions <u>designed for single-family detached dwelling developments</u> shall be those of <u>established in</u> the

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	zoning district as defined in Title 10 of this Code, or of the intended zoning district if the subdivision is in conjunction with a zoning change, in addition to any requirements herein defined.	underlying zoning district as defined in Title 10 of this Code, or of the intended zoning district if the subdivision is in conjunction with a zoning change, in addition to any requirements herein defined.
230.	B. The minimum dimensions at the rear lot line of any lot shall be thirty (30) feet.	<u>REMOVED</u>
231.	C. Butt lots shall be platted at least five (5) feet wider than the average interior lots in the block.	<u>REMOVED</u>
232.	D. Streets.	<u>REMOVED – to be covered in PW Design Standards Manual</u> Streets-
233.	1. Public Streets: See Section 1103.021.	All streets shall conform to the requirements and standards of the Public Works Department.
234.	2. Private Streets: Private streets may be allowed by the Council in its discretion provided they meet the following conditions:	
235.	3. Are not gated or otherwise restrict the flow of traffic;	
236.	4. Demonstrate a legal mechanism will be in place to fund seasonal and ongoing maintenance; and	
237.	5. Meet the minimum design standards for private roadways as set forward in Section 1103.021. (Ord. 1359, 1-282-2008)	
238.	E. The shapes of new lots shall be appropriate for their location and suitable for residential development. Lots with simple, regular shapes are considered most appropriate and suitable for residential development because the locations of the boundaries of such lots are easier to understand than the boundaries of lots with complex, irregular shapes, and because they ensure greater flexibility in situating and designing homes for the new lots.	<u>B.A.Lots For Single-Family Detached Residences:</u> The shapes of new lots shall be appropriate for their location and suitable for residential development. Lots with simple, regular shapes are considered most appropriate and suitable for residential development.

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239.	1. Lots which are appropriate for their location and suitable for residential development often have:	1. Lots which are appropriate for their location and suitable for residential development often have:
240.	i. Side lot lines that are approximately perpendicular or radial to front the lot line(s) of the parcel(s) being subdivided, or	i. Side lot lines that are approximately perpendicular or radial to <u>the</u> front the lot line(s) of the parcel(s) being subdivided, or
241.	ii. Side lot lines that are approximately parallel to the side lot line(s) of the parcel(s) being subdivided, or	ii. Side lot lines that are approximately parallel to the side lot line(s) of the parcel(s) being subdivided, or
242.	iii. Side lot lines that are both approximately perpendicular or radial to the front lot lines(s) and approximately parallel to the side lot line(s) of the parcel(s) being subdivided.	iii. Side lot lines that are both approximately perpendicular or radial to the front lot lines(s) and approximately parallel to the side lot line(s) of the parcel(s) being subdivided.
243.	2. It is acknowledged, however, that property boundaries represent the limits of property ownership, and subdivision applicant <u>owners</u> often cannot change those boundaries to make them more regular if the boundaries have complex or unusual alignments. Subdivisions of such irregularly-shaped parcels may be considered, but the shapes of proposed new lots might be found to be too irregular, and consequently, applications can be denied for failing to conform adequately to the purposes for which simple, regular parcel shapes are considered most appropriate and suitable for residential development.	2. It is acknowledged; however, that property boundaries represent the limits of property ownership, and subdivision applicants often cannot change those boundaries to make them more regular if the boundaries <u>are not easily changed</u> . Subdivisions of such irregularly-shaped parcels may be considered, but the shapes of proposed new lots might be found to be too irregular, and consequently, applications can be denied for failing to conform adequately to the purposes for which simple, regular parcel shapes are considered most appropriate and suitable for residential development.
244.	3. Flag lots, which abut a street with a relatively narrow strip of land (i.e., the	3. Flag lots, which abut a street with a relatively narrow strip of land (i.e., the “flag

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	“flag pole”) that passes beside a neighboring parcel and have the bulk of land area (i.e., the “flag”) located behind that neighboring parcel, are not permitted, because the flag pole does not meet the required minimum lot width according to the standard measurement procedure.	pole”) that passes beside a neighboring parcel and have the bulk of land area (i.e., the “flag”) located behind that neighboring parcel, are not permitted.
245.	F. Double frontage lots shall not be permitted, except:	C-B. Double frontage lots shall not be permitted, except Through Lots:
246.	1. Where lots back upon a thoroughfare, in which case vehicular and pedestrian access between the lots and the thoroughfare shall be prohibited, and (Ord. 216, 7-5-1956)	1. Where lots back upon a thoroughfare, in which case vehicular and pedestrian access between the lots and the thoroughfare shall be prohibited, and (Ord. 216, 7-5-1956) ummm....
247.	2. Where topographic or other conditions render subdividing otherwise unreasonable. Such double frontage lots shall have an additional depth of at least twenty (20) feet greater than the minimum in order to allow space for a protective screen planting along the back lot line and also in such instances vehicular and pedestrian access between lots and the thoroughfare shall be prohibited. (Ord. 245, 5-10-1958)	2. Where topographic or other conditions render subdividing otherwise unreasonable. Such double frontage lots shall have an additional depth of at least twenty (20) feet greater than the minimum in order to allow space for a protective screen planting along the back lot line and also in such instances vehicular and pedestrian access between lots and the thoroughfare shall be prohibited. (Ord. 245, 5-10-1958)
248.	G. Lots abutting upon a water course, drainage way, channel or stream shall have an additional depth or width as required to assure house sites that meet shoreland ordinance requirements and that are not subject to flooding.	D-C. Lots abutting upon a water course, drainage way, channel or stream shall have an additional depth or width as required to assure house sites that meet shoreland ordinance requirements and that are not subject to flooding and must conform to the requirements outlined in Chapter 1017 of this Code.
249.	H. In the subdividing of any land, due regard shall be shown for all natural features such as tree growth, water courses, historic spots or similar	E-D. In the subdividing of any land, due regard shall be shown for all natural features such as tree growth, water courses, historic locations or

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	conditions which, if preserved, will add attractiveness and value to the proposed development. (Ord. 216, 7-5-1956; amd. 1995 Code)	similar conditions and conform to Title 10 of this Code.
250.	I. Where new principal structures are constructed on lots contiguous to roadways designed as major thoroughfares in the City's Comprehensive Plan, driveways servicing such lots shall be designed and constructed so as to provide a vehicle turnaround facility within the lot. (Ord. 993, 2-10-1986)	F.E. Where new principal structures are constructed on lots contiguous to roadways designed as major thoroughfares <u>assigned functional classifications of Minor Arterial or higher</u> in the City's Comprehensive Plan, driveways servicing such lots shall be designed and constructed to provide a vehicle turnaround facility within the lot. (Ord. 993, 2-10-1986)
251.	J. Where new single-family residential lots are created on a new street, the driveway cut for the new lot must be placed within the new street. (Ord. 1359, 1-28-2008)	G.F. Where <u>a new single-family residential lots for single-family detached residential development- are created on a new street is platted adjacent to a new right-of-way</u> , the driveway cut for the new lot must be placed within the new street shall <u>access the new right-of-way</u> . (Ord. 1359, 1-28-2008)
252.	1103.07: PARK DEDICATION:	1103.07: PARK DEDICATION:
253.	Condition to Approval: As a condition to the approval of any subdivision of land in any zone, including the granting of a variance pursuant to Section 1104.04 of this Title, when a new building site is created in excess of one acre, by either platting or minor subdivision, and including redevelopment and approval of planned unit developments, the subdivision shall be reviewed by the Park and Recreation Commission. The commission shall recommend either a portion of land to be dedicated to the public for use as a park as provided by Minnesota Statutes 462.358, subdivision (2)(b), or in lieu thereof, a cash deposit given to the City to be	Purpose: Minnesota Statutes 462.358, subdivisions 2b and 2c regarding park dedication offers the opportunity to improve and create connections to a system of open spaces, parks, and pathways as part of the subdivision process. The City, at its discretion, will determine whether park dedication is required in the form of land, cash contribution, or a combination of cash and land. This decision will be based on existing and proposed development and on the goals, plans, and policies of the City including, but not limited to, those embodied by the Parks and Recreation System Master Plan, Pathways Master Plan, and Comprehensive Plan.

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	used for park purposes; or a combination of land and cash deposit, all as hereafter set forth.	
254.	Condition to Approval: As a condition to the approval of any subdivision of land in any zone, including the granting of a variance pursuant to Section 1104.04 of this Title, when a new building site is created in excess of one acre, by either platting or minor subdivision, and including redevelopment and approval of planned unit developments, the subdivision shall be reviewed by the Park and Recreation Commission. The commission shall recommend either a portion of land to be dedicated to the public for use as a park as provided by Minnesota Statutes 462.358, subdivision (2)(b), or in lieu thereof, a cash deposit given to the City to be used for park purposes; or a combination of land and cash deposit, all as hereafter set forth.	Condition to Approval: Park dedication will be required as a condition to the approval of any subdivision of land resulting in a net increase of development sites comprising more than one acre of land. The Parks and Recreation Commission shall recommend, in accordance with Statute and after consulting the approved plans and policies noted herein, either a portion of land to be dedicated to the public, or in lieu thereof, a cash deposit given to the City to be used for park purposes, or a combination of land and cash deposit. If a tract of land to be divided encompasses all or part of a site designated as a planned park, recreational facility, playground, trail, wetland, or open space dedicated for public use in the Comprehensive Plan, Pathways Master Plan, Parks and Recreation System Master Plan, or other relevant City plan, the commission may recommend to the City Council that the applicantowner to dedicate land in the locations and dimensions indicated on said plan or map to fulfil all or part of the park dedication requirement.
255.	A. Amount to be Dedicated: The portion to be dedicated in all residentially zoned areas shall be 10% and 5% in all other areas.	A. Amount to be Dedicated: The portion of land to be dedicated in all residentially zoned areas shall be 10% of the area of the subject parcel and 5% in all other areas.Park dedication fees shall be reviewed and determined annually by City Council resolution and established in the fee schedule in Chapter 314 of this Code.
256.	B. Utility Dedications Not Qualified: Land dedicated for required street right of way or utilities, including drainage, does not qualify as park dedication.	B. Utility Dedications Not Qualified: Land dedicated for required street right-of-way or utilities, including drainage, does not qualify as park dedication.

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257.	C. Payment in lieu of dedication in all zones in the city where park dedication is deemed inappropriate by the City, the owner and the City shall agree to have the owner deposit a sum of money in lieu of a dedication. The sum shall be reviewed and determined annually by the City Council by resolution. (Ord. 1061, 6-26-1989)	C. Payment in lieu of dedication: In all zones in the city where park dedication of land is deemed inappropriate by the City, the owner and the City shall agree to have the owner deposit a sum of money in lieu of a dedication of land as part of the Development Agreement required in Section 1102.057 of this Title. <u>Park dedication fees shall be reviewed and determined annually by City Council resolution and established in the fee schedule in Chapter 314 of this Code.</u>
258.	D. Park Dedication Fees may, in the City Council's sole discretion, be reduced for affordable housing units as recommended by the Housing and Redevelopment Authority for the City of Roseville.	<u>REMOVED</u>
259.	(Ord. 1278, 02/24/03)	(Ord. 1278, 02/24/03)

Title 11 - Subdivisions

260.	<u>CHAPTER 1104: ADMINISTRATION AND ENFORCEMENT</u>	<u>CHAPTER 1104: ADMINISTRATION AND ENFORCEMENT</u>
261.	1104.01: Inspection at Applicant's Expense	1104.01: Inspection at Applicant's Expense
262.	1104.02: Building Permit	1104.02: Building Permit
263.	1104.03: Occupancy Permit	1104.03: Occupancy Permit
264.	1104.04: Platting Alternatives (Ord. 1395, 9-13-2010)	1104.04: Platting Alternatives (Ord. 1395, 9-13-2010)
265.	1104.05: Variances	1104.05: Variances
266.	1104.06: Record of Plats	1104.06: Record of Plats
267.	1104.01: INSPECTION AT APPLICANT'S EXPENSE:	
268.	All required land improvements to be installed under the provisions of this Title shall be inspected during the course of construction by the Public Works Director. Salaries and all costs pursuant to such inspection shall be paid by the owner or applicant in the manner provided in Section 1102.07 of this Title. (Ord. 216, 7-5-1956; 1990 Code)	REMOVED
269.	1104.02: BUILDING PERMIT:	1104.02: BUILDING PERMIT:
270.	No building permit shall be issued for the construction of any building, structure or improvement to the land or any lot within a subdivision as defined herein which has been approved for platting until all requirements of this Title have been complied with fully. (Ord. 216, 7-5-1956; 1990 Code)	MOVED TO 1102 – AS PART OF THE DEVELOPER AGREEMENT
271.	1104.03: OCCUPANCY PERMIT:	1104.03: OCCUPANCY PERMIT:
272.	No occupancy permit shall be granted for the use of any structure within a subdivision approved for platting or replatting until required utility facilities have been installed and made ready to service the property and roadways providing access to the subject lot or lots have been constructed or are in the course	MOVED TO 1102 – AS PART OF THE DEVELOPER AGREEMENT

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	of construction and are suitable for car traffic. (Ord. 216, 7-5-1956; 1990 Code)	
273.	1104.04: PLATTING ALTERNATIVES:	1104.04: PLATTING ALTERNATIVES:
274.	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):	MOVED TO 1102.01: PROCEDURE
275.	A. Common Wall Duplex Subdivision: A common wall duplex minor subdivision may be approved by the City Manager upon recommendation of the Community Development Director. The owner shall file with the Community Development Director three copies of a certificate of survey prepared by a registered land surveyor showing the parcel or lot, the proposed division, all building and other structures or pavement locations and a statement that each unit of the duplex has separate utility connections. This type of minor subdivision shall be limited to a common wall duplex minor subdivision of a parcel in an R-2 District or other zoning district which allows duplexes, along a common wall of the structure and common lot line of the principle structure where the structure meets all required setbacks except the common wall property line. Within 60 days after approval by the City Manager, the applicant for the common wall duplex minor subdivision shall record the subdivision and the certificate of survey with the Ramsey County Recorder. Failure to record the subdivision within 60 days shall nullify the approval of the subdivision.	MOVED TO 1102.01: PROCEDURE

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276.	B. Recombination: to divide one recorded lot or parcel in order to permit the adding of a parcel of land to an abutting lot and create two buildable parcels, the proposed subdivision, in sketch plan form, shall be submitted to the City Council for approval. No hearing or Planning Commission review is necessary unless the proposal is referred to the commission by the Community Development Director for clarification. The proposed recombination shall not cause any portion of the existing lots or parcels to be in violation of this regulation or the zoning code. Within 30 days after approval by the City Council, the applicant shall supply a certificate of survey to the Community Development Director and City Manager for review and approval. After completion of the review and approval by the Community Development Director and City Manager, the survey shall be recorded by the applicant with the Ramsey County Recorder within 60 days after approval by the City Manager.	MOVED TO 1102.01: PROCEDURE
277.	C. Consolidations: The owner of two or more contiguous parcels or lots of record may, subject to Community Development Director and City Manager approval, consolidate said parcels or lots into one parcel of record by recording the consolidation with Ramsey County Recorder as a certificate of survey showing same, within 60 days of approval. No hearing is necessary unless the proposal is appealed by the applicant to the City Council. The proposed parcels shall not cause any	MOVED TO 1102.01: PROCEDURE

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	portion of the existing lots, parcels, or existing buildings to be in violation of this regulation or the zoning code.	
278.	D. Corrections: When a survey or description of a parcel or lot has been found to be inadequate to describe the actual boundaries, approval of a corrective subdivision may be requested. This type of subdivision creates no new lots or streets. The proposed corrective subdivision, in sketch plan form, along with a letter signed by all affected owners agreeing to the new subdivision, shall be submitted to the City Council for approval. No hearing or Planning Commission review is necessary unless the proposal is referred to the Commission by the Community Development Director for clarification. The proposed parcels shall not cause any portion of the existing lots, parcels, or existing buildings to be in violation of this regulation or the zoning code. A certificate of survey illustrating the corrected boundaries shall be required on all parcels. Within 30 days after approval by the City Council, the applicant shall supply the final survey to the Community Development Director and City Manager for review and approval. After completion of the review and approval by the Community Development Director and City Manager, the survey shall be recorded by the applicant with the Ramsey County Recorder within 60 days. Failure to record the subdivision within 60 days shall nullify the approval of the subdivision.	MOVED TO 1102.01: PROCEDURE
279.	E. Three Parcel Minor Subdivision: When a subdivision creates a total of three or fewer	MOVED TO 1102.01: PROCEDURE

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	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)	
280.	1104.05: VARIANCES:	1104.05: VARIANCES:
281.	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	MOVED TO 1102 – AFTER PROCEDURE

RCA Exhibit C

	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.	
282.	B. 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 procedure as set forth in chapter 108 of this code. (Ord. 1359, 1-28-2008)	MOVED TO 1102 – AFTER PROCEDURE
283.	1104.06: RECORD OF PLATS:	1104.06: RECORD OF PLATS:
284.	All such plats of subdivisions after the same have been submitted and approved as provided in this Title shall be filed and kept by the City Manager among the records of the City. (Ord. 216, 7-5-1956)	REMOVED



TO: Bryan Lloyd, Senior Planner
Kari Collins, Community Development Director
Pat Trudgeon, City Manager
Roseville City Council
FROM: Lonnie Brokke, Director of Parks and Recreation
SUBJECT: Park Dedication Ordinance 1103.07
DATE: May 9, 2017
CC: Parks and Recreation Commission Recommendations

The Parks and Recreation Commission met one time to review and discuss a consultant proposal for revisions to the Subdivision Code 1103.07 - Park Dedication.

The following is a summary of recommendations from their May 2, 2017 Parks and Recreation Commission meeting:

- Keep the Park Dedication Ordinance simple, clear and concise
- Do not use language that creates potential for negotiation
- Limit the opportunity for potential conflicts and competition for funds (funds are limited and unpredictable)
- Limit Park Dedication to land for parkland purposes only, cash or combination (not to expand to trails, pathways,) for use within park boundaries only
- Add back the Land Dedication amount of 5% and 10% (this should be very specific)
- Important that all Park Dedication issues are referred to the Parks and Recreation Commission

Below is a red lined version of their suggestions:

Purpose: Minnesota Statutes 462.358, subdivisions 2b and 2c regarding park dedication offers the opportunity to improve and create ~~connections to a system of~~ open spaces and parks, ~~and pathways~~ as part of the subdivision process. The City, at its discretion, will determine whether park dedication is required in the form of land, cash contribution, or a combination of cash and land. This decision will be based on ~~existing and proposed development and on~~ the goals, plans, and policies of the City including, ~~but not limited to,~~ those embodied by the Parks and Recreation System Master Plan ~~Pathways Master Plan,~~ and ~~the~~ Comprehensive Plan.

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Condition to Approval: Park dedication will be required as a condition to the approval of any subdivision of land resulting in a net increase of development sites comprising more than one acre of land. The Parks and Recreation Commission shall recommend, in accordance with Statute and after consulting the approved plans and policies noted herein, either a portion of land to be dedicated to the public for park purposes, or in lieu thereof, a cash deposit given to the City to be used for park purposes, or a combination of land and cash deposit. ~~If a tract of land to be divided encompasses all or part of a site designated as a planned park, recreational facility, playground, trail, wetland, or open space dedicated for public use in the Comprehensive Plan, Pathways Master Plan, Parks and Recreation System Master Plan, or other relevant City plan, the commission may recommend the applicant to dedicate land in the locations and dimensions indicated on said plan or map to fulfil all or part of the park dedication requirement.~~

Park Dedication Fees: The land portion to be dedicated in all residentially zoned areas shall be 10% and 5% in all other areas. Park dedication fees shall be reviewed and determined annually by City Council resolution and established in the fee schedule in Chapter 314 of this Code.

Utility Dedications Not Qualified: Land dedicated for required street right-of-way or utilities, including drainage, does not qualify as park dedication.

Payment in lieu of dedication: In all zones in the city where park dedication of land is deemed inappropriate by the City, the owner and the City shall agree to have the owner deposit ~~a~~ the required sum of money at the time of the subdivision to satisfy the Park Dedication requirement in lieu of a dedication of land as part of the Development Agreement required in Section 1102.07 of this Title.

Overall, the Parks and Recreation Commission supports trail and pathway development and maintenance as a separate and distinct area.

The Parks and Recreation Commission definitely wants to be further involved in and make recommendations to any further renditions.

Subd. 2b.Dedication.

(a) The regulations may require that a reasonable portion of the buildable land, as defined by municipal ordinance, of any proposed subdivision be dedicated to the public or preserved for public use as streets, roads, sewers, electric, gas, and water facilities, storm water drainage and holding areas or ponds and similar utilities and improvements, parks, recreational facilities as defined in section 471.191, playgrounds, trails, wetlands, or open space. The requirement must be imposed by ordinance or under the procedures established in section 462.353, subdivision 4a.

(b) If a municipality adopts the ordinance or proceeds under section 462.353, subdivision 4a, as required by paragraph (a), the municipality must adopt a capital improvement budget and have a parks and open space plan or have a parks, trails, and open space component in its comprehensive plan subject to the terms and conditions in this paragraph and paragraphs (c) to (i).

(c) The municipality may choose to accept a cash fee as set by ordinance from the applicant for some or all of the new lots created in the subdivision, based on the average fair market value of the unplatted land for which park fees have not already been paid that is, no later than at the time of final approval or under the city's adopted comprehensive plan, to be served by municipal sanitary sewer and water service or community septic and private well as authorized by state law. For purposes of redevelopment on developed land, the municipality may choose to accept a cash fee based on fair market value of the land no later than the time of final approval. "Fair market value" means the value of the land as determined by the municipality annually based on tax valuation or other relevant data. If the municipality's calculation of valuation is objected to by the applicant, then the value shall be as negotiated between the municipality and the applicant, or based on the market value as determined by the municipality based on an independent appraisal of land in a same or similar land use category.

(d) In establishing the portion to be dedicated or preserved or the cash fee, the regulations shall give due consideration to the open space, recreational, or common areas and facilities open to the public that the applicant proposes to reserve for the subdivision.

(e) The municipality must reasonably determine that it will need to acquire that portion of land for the purposes stated in this subdivision as a result of approval of the subdivision.

(f) Cash payments received must be placed by the municipality in a special fund to be used only for the purposes for which the money was obtained.

(g) Cash payments received must be used only for the acquisition and development or improvement of parks, recreational facilities, playgrounds, trails, wetlands, or open space based on the approved park systems plan. Cash payments must not be used for ongoing operation or maintenance of parks, recreational facilities, playgrounds, trails, wetlands, or open space.

(h) The municipality must not deny the approval of a subdivision based solely on an inadequate supply of parks, open spaces, trails, or recreational facilities within the municipality.

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(i) Previously subdivided property from which a park dedication has been received, being resubdivided with the same number of lots, is exempt from park dedication requirements. If, as a result of resubdividing the property, the number of lots is increased, then the park dedication or per-lot cash fee must apply only to the net increase of lots.

Subd. 2c.Nexus.

(a) There must be an essential nexus between the fees or dedication imposed under subdivision 2b and the municipal purpose sought to be achieved by the fee or dedication. The fee or dedication must bear a rough proportionality to the need created by the proposed subdivision or development.

(b) If a municipality is given written notice of a dispute over a proposed fee in lieu of dedication before the municipality's final decision on an application, a municipality must not condition the approval of any proposed subdivision or development on an agreement to waive the right to challenge the validity of a fee in lieu of dedication.

(c) An application may proceed as if the fee had been paid, pending a decision on the appeal of a dispute over a proposed fee in lieu of dedication, if (1) the person aggrieved by the fee puts the municipality on written notice of a dispute over a proposed fee in lieu of dedication, (2) prior to the municipality's final decision on the application, the fee in lieu of dedication is deposited in escrow, and (3) the person aggrieved by the fee appeals under section 462.361, within 60 days of the approval of the application. If such an appeal is not filed by the deadline, or if the person aggrieved by the fee does not prevail on the appeal, then the funds paid into escrow must be transferred to the municipality.