

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: March 7, 2022
Item No.: 10.c

Department Approval

Janice Gundlach

City Manager Approval

Sam Trueman

Item Description: Adopt Ordinances approving Subdivision Code text amendments clarifying park dedication requirements, the renaming of the LDR-1 zone to LDR, and allowing for a summary publication

BACKGROUND

On June 21, 2021 the City Council adopted Ordinance No. 1601, which changed the types of subdivisions that would require park dedication. Ordinance No. 1601 included text amendments to Section 1103.06 of the Subdivision Code, but did not otherwise amend other sections of the Subdivision Ordinance that make reference to park dedication requirements.

Following the recent amendments to the Subdivision Ordinance regarding Park Dedication, Planning Division staff discovered the need to make some additional changes to clear up a grey area that resulted from the prior amendments. The changes are minor and are needed in Chapter 1102 – the procedures section of the Subdivision Ordinance. Essentially, the park dedication qualification under Minor (lines 78-79) and Major (lines 112-113) plats needs to be removed since park dedication could apply to everything. Since that qualification is being deleted, staff has added general park dedication language under the Requirements section (see lines 29-30).

Since staff has undertaken the amendment process to Chapter 1102, we opted to make one additional change in line 182, changing the reference to the LDR-1 district to LDR, since the names of the LDR-1 and LDR-2 districts were changed as part of the recently adopted phase one Zoning Code amendments (Ordinance No. 1606).

These amendments have been communicated to both the City Attorney and Parks staff, who have provided input on the proposed amendments.

POLICY OBJECTIVE

To ensure all subdivisions of land lying within the incorporated limits of the City shall in all respects fully comply with the regulations set forth in the Subdivision Code.

BUDGET IMPLICATIONS

None

STAFF RECOMMENDATION

Action on two ordinances is necessary:

- 29 1) Adopt the Ordinance provided as Attachment A, approving Subdivision Code text amendments
30 clarifying park dedication requirements and the renaming of the LDR-1 zone to LDR, and
31 2) Adopt the Ordinance provided as Attachment B, allowing for a summary publication.

32 **REQUESTED COUNCIL ACTION**

33 Adopt Ordinances approving Subdivision Code text amendments clarifying park dedication
34 requirements, the renaming of the LDR-1 zone to LDR, and allowing for a summary publication.

Prepared by: Janice Gundlach, Community Development Director, 651-792-7071

Attachments: A: Proposed Ordinance: Subdivision Code text amendments
B: Ordinance summary

- 38 b. Recombination: This type of platting alternative transfers a parcel of land from one
39 lot of record to an abutting lot. This type of platting alternative creates no new lots or
40 streets. The proposed recombination shall not cause any portion of the existing lots,
41 parcels, or improvements thereon, to be in violation of this Title or Title 10 (Zoning)
42 of this Code.
- 43 c. Corrections: This type of platting alternative is intended to correct a survey or legal
44 description of a parcel or lot that has been found to be inadequate to describe the
45 actual boundaries. This type of platting alternative creates no new lots or streets. The
46 proposed correction shall not cause any portion of the existing lots, parcels, or
47 improvements thereon, to be in violation of this Title or Title 10 (Zoning) of this
48 Code.
- 49 2. Applications: The owner of property on which a platting alternative is proposed shall file an
50 application for approval of the platting alternative by paying the fee set forth in Chapter 314
51 of this Code and submitting a completed application form and supporting documents as set
52 forth on the application form. Complete applications shall be reviewed and acted upon by
53 the Development Review Committee, as established in Section 1002.06 of this Code.
- 54 3. Validation and Expiration: A platting alternative approval shall be validated by the applicant
55 through the filing of the approved platting alternative at the office of the Ramsey County
56 recorder or Registrar of Titles, as may be appropriate, within one year of the date of the
57 approval. Notwithstanding this time limitation, extensions of the time allowed for validation
58 of the approval may be granted; extension requests shall be submitted in writing to the
59 Community Development Department and shall identify the reason(s) why the extension is
60 necessary along with an anticipated timeline for validation of the approval. A platting
61 alternative approval shall automatically expire if the approval is not validated as described
62 herein.

63 C. Minor Plat

- 64 1. Purpose: The Minor Plat process may be used when all of the following criteria are present.
65 All other subdivision proposals that do not fall within the regulations listed herein shall be
66 submitted for the review by the Planning Commission and the approval of the City Council
67 in accordance with the Major Plat process established in this Chapter.
- 68 a. The proposal subdivides or consolidates existing lots of record resulting in three or
69 fewer lots.
- 70 b. The subject property is adequately served by public utilities and right-of-way, and no
71 further utility or right-of-way is necessary.
- 72 c. The anticipated development on the lot or lots resulting from the proposed subdivision
73 or consolidation is supported by the Comprehensive Plan land use designation
74 applicable to the subject property.
- 75 d. The existing or anticipated development on the lot or lots resulting from the proposed
76 subdivision or consolidation conforms, or is made to conform, to the zoning regulations
77 applicable to the subject property.
- 78 ~~e. The proposed subdivision does not qualify for park dedication under the requirements~~
79 ~~established in Section 1103.06 of this Title.~~

(Inserted language shown in underline, deleted language shown in ~~striketrough~~)

- 80 2. Applications: The owner of property on which a Minor Plat is proposed shall file an
 81 application for approval of the plat by paying the fee set forth in Chapter 314 of this Code
 82 and submitting a completed application form and supporting documents as set forth on the
 83 application form. Required supporting documentation may include, but is not limited to, a
 84 boundary survey, topographic survey, grading plan, storm water management plan, and tree
 85 preservation plan. Complete applications shall be reviewed in a public hearing before, and
 86 acted upon by, the City Council according to the process set forth in Chapter 108 of this
 87 Code. Notwithstanding other restrictions, an application for Minor Plat approval shall not
 88 be accepted if it represents the further subdivision or consolidation of a lot which, itself, is
 89 the result of any subdivision or consolidation approved within five years preceding said
 90 application.
- 91 3. Validation and Expiration: Adhering to Ramsey County's Manual of Guidelines for
 92 Subdivision Plats, a Minor Plat approval shall be validated by the owner through the filing
 93 of the approved plat at the office of the Ramsey County Recorder within one year of the
 94 date of the approval. Notwithstanding this time limitation, the City Council may approve
 95 extensions of the time allowed for validation of the Minor Plat approval if requested in
 96 writing; extension requests shall be submitted to the Community Development Department
 97 and shall identify the reason(s) why the extension is necessary along with an anticipated
 98 timeline for validation of the Minor Plat approval. A Minor Plat approval shall
 99 automatically expire if the approval is not validated as described herein.

100 D. Major Plat

- 101 1. Purpose: The Major Plat process shall apply when any of the following criteria are present:
- 102 a. The proposal subdivides or consolidates existing lots of record resulting in four or
 103 more lots.
- 104 b. The subject property is not adequately served by public utilities or right-of-way, and
 105 further utility or street right-of-way is necessary.
- 106 c. The anticipated development on the lot or lots resulting from the proposed subdivision
 107 or consolidation would require an amendment to the Comprehensive Plan land use
 108 designation applicable to the subject property.
- 109 d. The existing or anticipated development on the lot or lots resulting from the proposed
 110 subdivision or consolidation would require an amendment to the zoning designation
 111 applicable to the subject property.
- 112 ~~e. The proposed subdivision qualifies for park dedication under the requirements~~
 113 ~~established in Section 1103.06 of this Title.~~
- 114 2. Developer Open House Meeting
- 115 a. Purpose: Prior to submitting an application for a preliminary plat of 4 or more
 116 lots/parcels, an applicant/owner shall hold an open house meeting with property
 117 owners and renters in the vicinity of the potential development location in order to
 118 provide a convenient forum for engaging community members in the development
 119 process, to describe the proposal in detail, and to answer questions and solicit
 120 feedback.

(Inserted language shown in underline, deleted language shown in ~~striketrough~~)

- 121 b. Applicant/Owner Responsibility: The owner shall be responsible for the following
 122 items:
- 123 i. Completed Open House Form (application)
 - 124 ii. Payment of application fee and escrow deposit set forth in Chapter 314 of this
 125 Code
 - 126 iii. Provision of applicable information regarding the project/request
 - 127 iv. Determined the open house location, date, and time
 - 128 v. Required submittal of open house summary upon conclusion of meeting
- 129 c. General: Applicant/Owner shall refer to the Open House Meeting Policy that is a
 130 component of the Open House Form (application) or contact the Community
 131 Development Department for additional information regarding the process.
- 132 3. Applications for Preliminary Approval: The owner of property on which a Major Plat is
 133 proposed shall file an application for preliminary approval of the plat by paying the fee set
 134 forth in Chapter 314 of this Code and submitting a completed application form and
 135 supporting documents as set forth on the application form. Required supporting
 136 documentation may include, but is not limited to, a boundary survey, topographic survey,
 137 grading plan, storm water management plan, and tree preservation plan. Complete
 138 applications shall be reviewed in a public hearing before the Planning Commission and
 139 acted upon by the City Council according to the process set forth in Chapter 108 of this
 140 Code, except that City Council action shall occur within 120 days of the submission of a
 141 completed application.
- 142 4. Validation and Expiration of Preliminary Approval: Preliminary approval of a Major Plat
 143 shall be validated by the owner through application for final approval of the plat of the
 144 proposed subdivision within six months of the date of said preliminary approval.
 145 Notwithstanding this time limitation, the City Council may approve extensions of the time
 146 allowed for validation of the preliminary approval if requested in writing; extension requests
 147 shall be submitted to the Community Development Department and shall identify the
 148 reason(s) why the extension is necessary along with an anticipated timeline for validation of
 149 the preliminary approval. Preliminary approval of a Major Plat shall automatically expire if
 150 the approval is not validated as described herein.
- 151 5. Application for Final Approval
- 152 a. Applications: The owner of property on which final approval of a Major Plat is
 153 requested shall file an application by paying the fee set forth in Chapter 314 of this
 154 Code and submitting a completed application form and supporting documents as set
 155 forth on the application form. Required supporting documentation may include, but is
 156 not limited to, a Development Agreement as described in Section 1102.05 of this
 157 Chapter. The City Council shall act upon an application for final approval of a Major
 158 Plat within 60 days of the submission of a completed application.
 - 159 b. Required Changes Incorporated: The final plat shall have incorporated all changes or
 160 modifications required by the City Council in the preliminary approval of the Major
 161 Plat and shall otherwise be substantially the same as said plat.

(Inserted language shown in underline, deleted language shown in ~~strike through~~)

162 6. Validation and Expiration of Final Approval: Adhering to Ramsey County’s Manual of
163 Guidelines for Subdivision Plats, final approval of a Major Plat shall be validated by the
164 owner through the filing of the approved plat at the office of the Ramsey County Recorder
165 within one year of the date of said final approval. Notwithstanding this time limitation, the
166 City Council may approve extensions of the time allowed for validation of the final approval
167 if requested in writing; extension requests shall be submitted to the Community Development
168 Department and shall identify the reason(s) why the extension is necessary along with an
169 anticipated timeline for validation of the final approval. Final approval of a Major Plat shall
170 automatically expire if the approval is not validated as described herein.

171 E. Refusal to Approve

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

176

177 **Section 2.** City Code, Title 11, Chapter 1102, Section 1102.04.D.6, Required Improvements, is
178 hereby amended as follows:

179 1. Roadways Near Existing Parcels: Where the periphery boundary of a proposed plat
180 abuts rear lot lines, or side lot lines, or both, of existing single-family lots, any new
181 street within the plat shall be located a distance from said rear or side lot lines not less
182 than the minimum depth required for a conforming lot in an ~~LDR-1~~LDR district. (Ord.
183 1591, 10-12-2020)

184

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

187

188 Passed this 7th day of March 2022.

