

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 07/26/2010
Item No.: 13.a

Department Approval



City Manager Approval



Item Description: Land Use Designation and Lot Size Discussion (Councilmember Ihlan)

1 **BACKGROUND**

2 At the July 12, 2010 City Council meeting, Councilmember Ihlan requested that two items
3 related to the zoning map and zoning code be discussed by the City Council.

4 The first item is in regard to possibly changing the future land use guidance and subsequent
5 zoning for property that is currently guided and zoned for industrial uses. The area discussed is
6 along the western border of Roseville, adjacent to the Francis Gross golf course in St. Anthony
7 and bounded by Terminal Road and Walnut Street. Staff has included a map of this area.
8 (Attachment A).

9 The second item is in regards to the discussion of alternatives to lot sizes other than what is
10 currently being proposed in the current draft residential zoning codes (lot size minimum being
11 lowered to 9,500 sq. ft.). Staff has included the lot split study (minus the appendices) completed
12 in 2007 for reference purposes. (Attachment B).

13 **POLICY OBJECTIVE**

14 The Zoning Code and Zoning Map need to be consistent with the Comprehensive Plan.
15 Therefore, changes to the zoning code and map will need to be reviewed to make sure that they
16 are consistent with the Comprehensive Plan. If they are not consistent, a Comprehensive Plan
17 Amendment must be processed and approved.

18 **BUDGET IMPLICATIONS**

19 Not applicable

20 **STAFF RECOMMENDATION**

21 Staff has no recommendation on these items at this time.

22 **REQUESTED COUNCIL ACTION**

23 The City Council should discuss the matters brought up by Councilmember Ihlan and direct staff
24 as needed.




Prepared by: Patrick Trudgeon, Community Development Director

Attachments: A: Map showing industrial areas in southwest Roseville
B: Lot Split Study Executive Summary


Attachment A

Comprehensive Plan




Residential

-  LR - Low Density Residential
-  MR - Medium Density Residential
-  HR - High Density Residential




Mixed Use

-  CMU - Community Mixed Use







Commercial

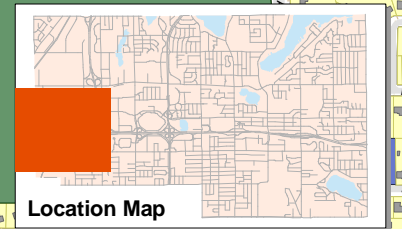
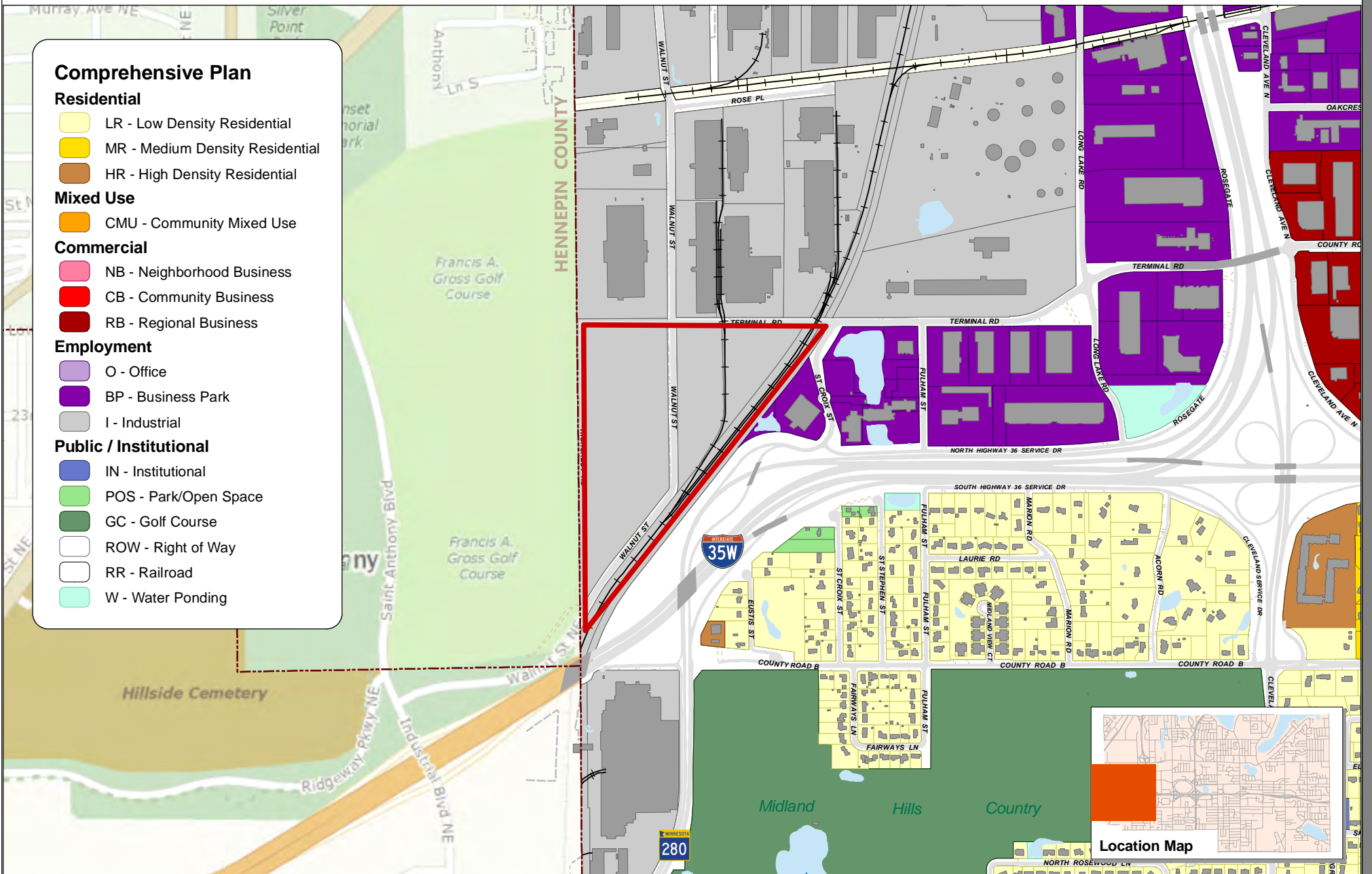
-  NB - Neighborhood Business
-  CB - Community Business
-  RB - Regional Business

Employment

-  O - Office
-  BP - Business Park
-  I - Industrial

Public / Institutional

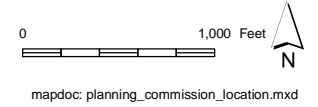
-  IN - Institutional
-  POS - Park/Open Space
-  GC - Golf Course
-  ROW - Right of Way
-  RR - Railroad
-  W - Water Ponding



Prepared by:
Community Development Department
Printed: July 21, 2010

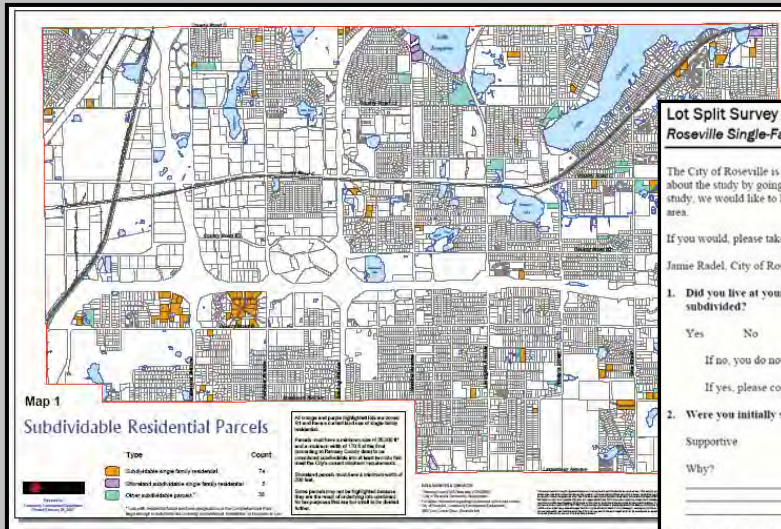
Data Sources
* Ramsey County GIS Base Map (7/1/2010)
For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

Disclaimer
This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.



Single-Family Residential Lot Split Study

Final Report



Lot Split Survey

Roseville Single-Family Residential Lot Split Study

The City of Roseville is studying the effect of single-family residential lot splits on the community. You can learn more about the study by going to www.ci.roseville.mn.us/development or by contacting Jamie Radel at 792-7072. As part of the study, we would like to hear from those residents who may have experienced a single-family residential lot split in their area.

If you would, please take a few minutes to fill out the following survey by **March 13**, and return it to:
Jamie Radel, City of Roseville, 2660 Civic Center Dr., Roseville, MN 55113.

1. Did you live at your existing home when the single-family residential lot(s) at Property was (were) subdivided?

Yes No

If no, you do not need to complete the rest of the survey, but please return it to the city.

If yes, please complete the following questions.

2. Were you initially supportive, in opposition to, or indifferent to the subdivision of this lot?

Supportive Opposed Indifferent

Why?

3. Have you noticed any positive neighborhood impacts since the subdivision of this lot?

Yes No

Burke Avenue Case Study



Project Summary

Original Address: 331 Burke Avenue

Original Number Single-Family Lots: 1

Original Lot Size: 1.15 acres

Number of Lots Created: 2

New Lot Size: 0.65 and 0.50 acres

Approvals: Variance January 27, 2003

Minor Subdivision January 27, 2003

Current Status:

A new home was constructed on the new lot in 2003.

Single Family Property Value Growth 2002 - 2007*

Year	Ave. Community Property Value	Annual Growth	Ave. Nearby Property Value**	Annual Growth
2002	\$176,840		\$152,590	
2003	\$193,356	10.0%	\$164,598	7.9%
2004	\$210,041	8.6%	\$184,924	12.3%
2005	\$230,206	12.0%	\$205,653	11.2%
2006	\$254,755	8.9%	\$222,339	8.1%
2007	\$273,582	7.4%	\$235,414	5.9%

*Ramsey County Records

**Nearby = within 350' buffer of project.

Prepared by: The Single-Family Residential Lot Split Advisory Group

May 14, 2007

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Roseville City Council

Craig Klausing, Mayor
Amy Ihlan, Councilperson
Tom Kough, Councilperson
Tammy Pust, Councilperson
Dan Roe, Councilperson

Citizens Advisory Group

Mary Bakeman, Planning Commissioner
Dan Boerigter, Planning Commissioner
Jim Doherty, Planning Commissioner
Gary Grefenberg, Citizen-at-Large
Jeanne Kelsey, Citizen-at-Large
Darrel LeBarron, Citizen-at-Large
Barbara Martinson, Planning Commissioner
Vivian Ramalingam, Citizen-at-Large
Joe Wozniak, Planning Commissioner

Consultant Staff

Aimee Gourlay, Meeting Facilitator, Hamline
University's Meditation Center for Dispute Resolution

City Staff

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INTRODUCTION

In 2006, the City of Roseville was asked to consider several minor subdivision applications, including those for the Foreman, Stafne, and Mueller properties, to split existing single-family residential parcels into two or more buildable lots. These proposals generated concern from neighboring property owners as well as Planning Commission and City Council members. Due to this concern, the City Council enacted an interim ordinance prohibiting the subdivision or replatting of single-family residential lots in early January 2007, which became effective on January 30, 2007. This short-term, 90-day moratorium on single-family lot subdivisions was put into place to provide the City Council time to conduct a study on the impact of these activities on the community and to develop an appropriate course of action. The City Council convened the Single-Family Residential Lot Split Advisory Group to develop and lead a study of single-family lot split issues. The following report details the study scope, process and timeline, analytical framework, analysis and findings, and recommendations made by this group.

STUDY SCOPE

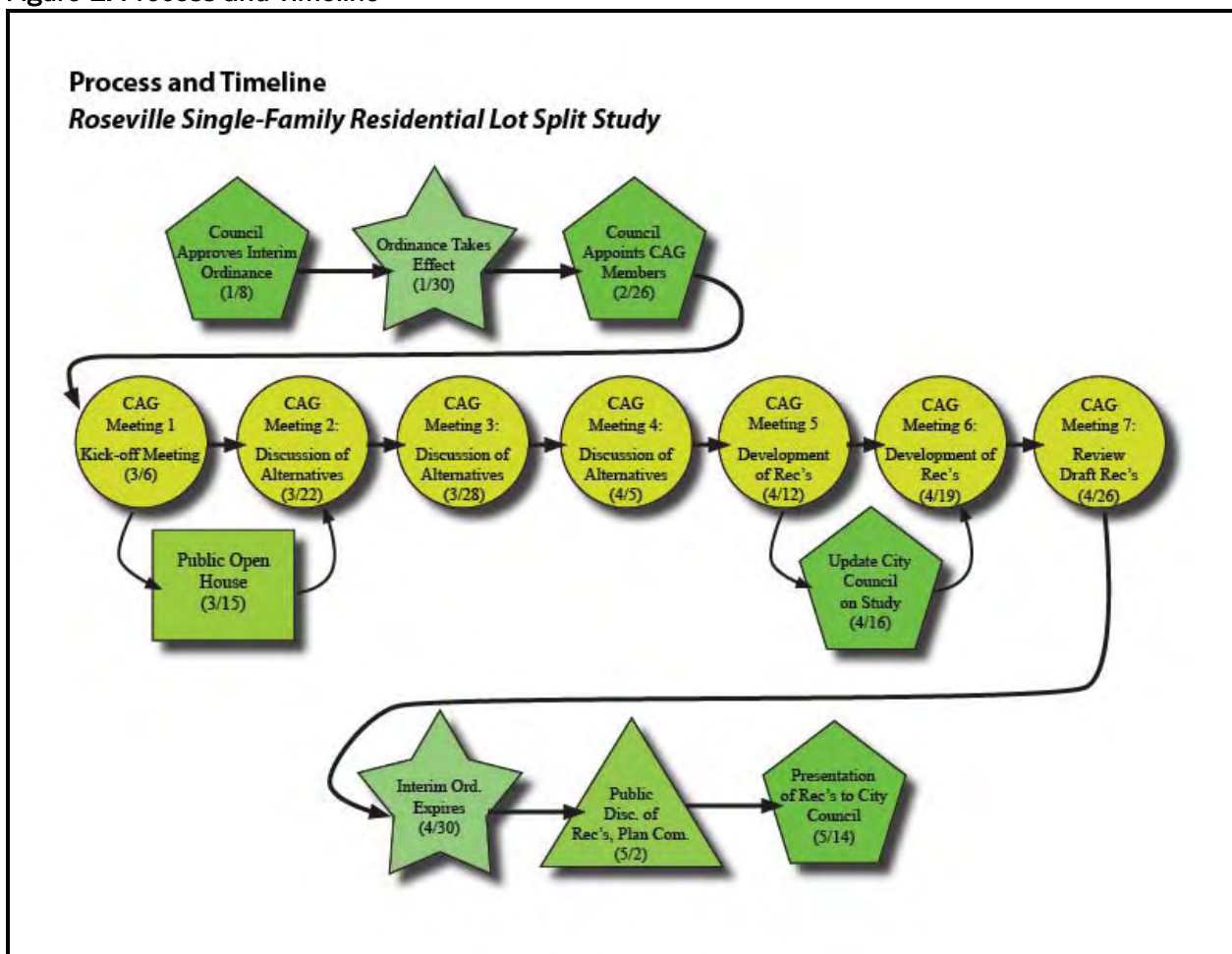
The scope of study the Citizens Advisory Group (CAG) developed included eight general areas of interest:

- The appropriate dimensions (width, depth and area) of a single-family lot;
- Whether the appropriate dimensions of a single-family lot should be a uniform standard throughout the community or should vary to reflect other single-family lots in its proximity – and any equity issues that would result from varying lot standards;
- The appropriate shape of single-family lots (particularly the characteristics of front yard lot lines);
- Whether to revise or create other single-family lot standards (including, but not limited to tree preservation and replacement, open space preservation, designating steep slopes as unbuildable, etc.);
- Whether each single-family lot created through a public action should be served by a public street or whether a private street would suffice;
- Whether any actions resulting in an increased lot size (and decreased housing density) in some instances or areas should be balanced by subsequent actions resulting in decreased lot size (and increased housing densities) in other areas;
- The impacts, if any, on the affordability of housing and the diversity of housing stock relative to required lot standards; and
- How any changes to the standards or dimensions of single-family lots may relate to the Metropolitan Council's System Statement for the City of Roseville or the Roseville Imagine 2025 vision document.

PROCESS AND TIMELINE

The adoption and enactment of a 90-day moratorium on the splitting of single-family lots by the City Council set the basic timeline for the study. With the moratorium becoming effective on January 30 and set to expire on April 30, the CAG attempted to develop a process that allowed for public participation in the process while still meeting the timeline set forward by the City Council. The process of the Single-Family Lot Split Study was divided into two general categories: the Citizens Advisory Group and Public Input. This division is somewhat artificial in that the public was invited and welcomed to attend and participate in all of the CAG meetings, and the results of the public input was designed to feed back into the CAG Process. The following discussion will describe the activities undertaken by the CAG and provide a summary of the public involvement and participation activities organized by the group.

Figure 1: Process and Timeline



Citizens Advisory Group

To undertake the Single-Family Residential Lot Split Study, the City Council formed the CAG to be composed of the City's Planning Commission members and four additional community members. During the month of February, the Council solicited applications from community members wishing to serve as part of the CAG, and on February 26, the Council named the four at-large

community members, including Gary Grefenberg, Jeanne Kelsey, Darrel LeBarron, and Vivian Ramalingam.

The composition of the CAG resulted in lively, candid discussions, from both specific neighborhood and broad City-wide perspectives. Unanimity was not apparent at the early meetings of the group, but what had been seemingly divisive issues became clarified as data were analyzed. It is important to note that the CAG achieved consensus on all recommendations with one exception.

Over the course of eight weeks, the group met seven times to discuss issues associated with single-family residential lot splits. (See Appendix 2—Advisory Group Meeting Summaries for more detailed information on each meeting.) The CAG undertook the following:

- Developed the study process;
- Discussed and debated issues related to the City’s Subdivision and Zoning Codes;
- Reviewed city data and maps related to existing subdivision standards;
- Implemented a neighborhood survey in four areas affected by lot splits;
- Hosted a Community Open House to garner community input on lot split issues; and
- Formulated recommendations for the City Council.

Throughout the study, the CAG continued to request specific data as a result of the public input to help focus and inform its recommendations. Staff prepared summaries, maps, and charts, providing information on single-family zoning ordinances from other first-ring suburbs, statistics on current Roseville single-family lots, review of the Subdivision and Zoning Codes, and DNR and Watershed District requirements. These data are discussed in more detail in the Findings and Analysis section of the report.

Public Input to the Single-Family Residential Lot Split Study

To gain a better understanding of community sentiment, the CAG felt that community participation and involvement was a critical element of the study process. To encourage community input, the CAG implemented a project web page, sent a survey to residents neighboring recent lot split projects, held a Community Open House, and received public comment on the draft recommendations.

1. Lot Split Web Page

The CAG asked staff to post a web page pertaining to the study on the City’s website. The web page displayed the scope of the study, its process and timeline, and announced upcoming meeting dates. In addition, an email address was established for the study, which directed email regarding the project to staff, who then forwarded all messages received to the CAG.

2. Neighborhood Survey

A survey was sent to neighbors within 350 feet of four recent lot split projects, including those that took place at 331 and 333 Burke Avenue; County Road B and Fulham Street; 952, 960, and 978 Parker Avenue (now Chatsworth Court); Hamline Avenue and Oakcrest Avenue. Questions included whether the survey recipient was supportive of the plan before the lot split, whether positive or negative impacts were observed, whether the resident would purchase a home in the area

again, and solicited specific comments. One-hundred ninety-seven surveys were sent and 64 were returned, for a response rate of 32 percent.

Recurrent themes in the survey results included the following:

- Concern over open space, trees, and wildlife;
- Ability to bring new families to Roseville;
- Favoring new single-family homes over new multifamily homes; and
- Property values.

(The cumulative and individual survey results are included in Appendix 3—Neighborhood Survey Results.)

3. Community Open House

On March 15, the CAG hosted a Community Open House at City Hall. The group publicized the event by placing an advertisement in the *Roseville Review*, placing posters in community public spaces and businesses, posting an announcement on the City’s webpage and community access television station, and hand delivering flyers to some residents. Approximately 35 people attended the event over the course of the evening. Information presented at the Open House included the history of residential development in Roseville, current code standards for single-family residential development, four lot split case studies (those projects that were subjects of the survey described above), and physical impacts of development. The event offered a number of methods for participants to provide their input—interactive questions, a lot design activity, and a comment sheet as well as conversing with CAG members as well as Community Development and Public Works staff. (Materials from the Open House are included in Appendix 4.)

Outcomes of the questions that were asked indicated that stormwater management and decreased open space were the physical impacts that attendees were most concerned with as a result of lot splits; there was a preference for the community to continue creating both new multi-family and single-family housing; and that new public streets should only be built when serving a large number (11-15) of new homes.

Information gleaned from the design activity included the following:

- Context is important;
- Density should not be assumed to be bad;
- Private roads can be acceptable; and
- Current grid zoning does not address the preferences indicated in the exercise.

4. Public Presentation and Discussion of Recommendations

The CAG made a public presentation of its draft recommendations on May 2. Approximately twenty people attended the presentation and four people provided input into the recommendations. Of those who made comments, one resident commented on being disappointed that the CAG did not make a recommendation to “protect” existing large residential lots; one resident voiced a position against lot splits generally; one resident spoke generally on lot recombination and subsequent re-divisions; and one resident brought forward the inevitability of neighborhood change.

CONTEXT OF THE SINGLE-FAMILY LOT SPLIT STUDY

As part of the Single-Family Lot Split Study, the CAG dedicated considerable time to discussing several contextual issues that are fundamental to the lot split issue. These broader issues, including property-owner rights versus neighborhood expectations, neighborhood character, and the nature of change, are pervasive throughout community discussion generally, but particularly relevant to the lot split issue.

Property-owner Rights versus Neighborhood Expectations

The desire of an owner to control his/her property and the neighborhood expectation to enjoy that neighbor's property in perpetuity can become a divisive issue within a neighborhood. Neighbors can perceive a loss of open space with the construction of a new house or the installation of a fence, even if all work is done according to code and a lot split is not involved. The taking of development rights from property owners can prove to be expensive. Balancing these two sets of rights is a significant challenge faced by policymakers when dealing with the single-family lot split issue.

Neighborhood Character

The definition of neighborhood character is a complex issue, and one that transcends lot splits. A sense of character is a site-specific interaction of the natural environment, the designed environment, and the social environment. Beyond the size and shape of a lot, many other factors, such as topography, natural features, house age, architectural style, density, and setbacks, and also the current residents contribute to the character of a neighborhood. Without specific, objective and measurable standards that can be applied equally across the entire city, the potential exists for subjective or arbitrary decisions.

The Challenge of Change

Roseville is fortunate to have a diversity of housing types and styles as well as a strong tax base due to the care and planning done by elected officials over its half century of history. The process of change is hard, but a reality. Even city water, sewer, pathway construction and other projects that contribute to the livability of our city have had their proponents for preserving the status quo. Societal trends, such as the desire for multi-car garages and growing appreciation for protection of the environment, require change. Long-held Council policies to preserve existing residential neighborhoods, deny spot-zoning, and to encourage re-investment in our current housing stock have provided a flexible framework for accommodating change and lend support to the expectation that the City will remain attractive and vital for its residents in the future, while supporting the tax base.

ANALYSIS AND FINDINGS

The following section will provide an overview of the analytical framework developed by the CAG and then move into analysis and finding of specific issues associated with the Subdivision and Zoning Codes as well as other items related to the lot split issue.

Analytical Framework

The CAG developed a list of desired outcomes of any new single-family lot split regulations. Overall, members gave high ranks to criteria involving quantitative and measurable standards and

processes, which included a “fair” application process, ease of understanding, standards by which the City Council can make decisions, and unambiguous outcomes, and conversely they gave criteria with qualitative standards low marks, including criteria regarding a non-mechanical application process and Council flexibility.

Figure 2: CAG Ranking of Desired Outcomes

Desired Outcome	Mean	Median
Council has standards to apply	4.2	4.0
Minimize environmental impacts	4.1	5.0
Character of Neighborhood	3.7	4.0
"Fair" application	3.7	4.0
Allow for diverse lot sizes	3.6	4.0
Ease of understanding	3.5	4.0
"Burden" shared in the community	3.4	3.5
Property tax impact	3.4	3.0
Outcome be unambiguous	3.3	4.0
Density transition not jarring	3.2	3.0
Consider expectations of all homeowners	3.2	3.0
Cover city costs	3.0	3.0
Affordable housing	2.9	3.0
Political feasibility (neighborhood reaction)	2.5	2.0
Not mechanical application	2.1	2.0
Council has flexibility	1.9	2.0
Traffic	1.8	2.0

General Subdivision Policy

The initial point of agreement for the CAG was general subdivision policy. The group reached consensus that the City Council should continue to allow single-family residential lots to be subdivided or split if they meet the standards set forward by the Subdivision and Zoning Codes.

Subdivision and Zoning Code Issues

The subdivision and creation of single-family residential lots is generally governed by two separate set of ordinances within the City Code—the Subdivision Code (Title 11) and the Zoning Code (Title 10). Each of these sets of ordinances deal with a specific set of regulations; the Subdivision Code determines the lot’s “envelope”—its size, shape, and relationship to city infrastructure—while the Zoning Code sets a series of requirements as to what can takes place within the “envelope,” such as the type of permitted uses, amount of buildable area, and location and height of the building(s). Therefore to discuss subdivision policy, it becomes necessary to not only understand and analyze the Subdivision Code but Zoning Code as well.

When the City adopted its Zoning Code on May 21, 1959, it created one R-1 Single-Family Residential Zoning District, which sets a series of standards for uses and buildings for all new lots created after that date. The City of Roseville Subdivision Code allows the creation of single-family residential lots as long as the newly created lots meet the following requirements (standard lot/corner lot):

- A minimum of an 85-foot front yard width/100-foot front yard width
- A minimum of 110 feet in depth/100 feet in depth

- 11,000 square feet in area/12,500 square feet in area
- Served by a public street
- Side property lot lines must be “substantially perpendicular”

The City’s basic zoning framework has not substantively changed since its initial adoption in 1959. Yet today, the City actually uses three sets of zoning standards—those prescribed for the R-1 district, a regulatory exception made for lots platted prior to the inception of the May 21, 1959 Zoning Ordinance, and those regulated under the City’s Shoreland Ordinance. In 1962, the City Council adopted an additional ordinance into the Zoning Code regarding substandard lots platted or recorded prior to May 21, 1959. The ordinance allows for those parcels that are within 70 percent of the requirements set forward by the Zoning Code to be “utilized for single-family detached dwelling purposes” (1012.01(B)). Without this ordinance, home buyers/owners would not be able to obtain mortgages or insurance for their properties. Within the Shoreland, Wetland, and Storm Water Management Code, development standards are set for lots within the Shoreland Overlay District, which include those lots within the 300-foot “shoreland areas” as designated in the Code. These requirements increase the minimum lot area and front yard width to 15,000 square feet and 100 feet respectively (1016.14(B)1).

Figure 3: Existing and De Facto Single-Family Residential Zoning Districts

District	Name	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Front Yard Setback (ft.)	Back Yard Setback (ft.)	Side Yard Setback (ft.)	Other
R-1	Single-Family Residence	11,000	85	110	30	30	10	
not specified (overlay)	Single-Family Residence Corner Lot	12,500	100	100	30	30	30 (streetside) 10 (interior)	
not specified (overlay)	Single-Family Residence Shoreland Overlay	15,000	100	not specified	not specified	not specified	not specified	Add'l 75 ft. setback from water body
not specified (overlay)	Single-Family Residence Platted/Subdivided prior to 1959	7,700	59.5	77	21	21	5	
Note: Additional "overlay" zones exist for lots on, or adjacent to, wetlands and storm ponds; these only alter building placement and not lot dimensions								

Based on current Subdivision and Zoning Code requirements, approximately seventy-four single-family residential lots within the City meet the lot area, width, and depth minimums that would allow for the subdivision of the lot into two or more single-family residential parcels. In addition, ten lakefront properties, which are further guided by the Shoreland Ordinance, meet the minimum area and width requirements to allow for lot division. These subdividable parcels are scattered throughout the City; however, a greater concentration of large lots occur within four general areas of the community: Acorn Road, Gluek Lane, Lake Josephine, and Lake Owasso. The number of subdividable lots range from three in the Lake Josephine area to sixteen in the Gluek Lane area. (See Appendix 5, Map 1.)

Today, fewer than half of the standard (i.e., non-shoreland) single-family residential lots meet the minimum standards set forward in the Subdivision Code. Based on an analysis of city geographic data, only 45 percent (3,595 of 7,950 lots) conform to both the minimum front yard width and area requirements. Of those that do not conform to the current code (4,396 lots), 50 percent of lots do not meet minimum width and area requirements, 40 percent do not meet the area requirement, and 10 percent do not conform to width requirement. (See Appendix 5, Map 3) Additionally, over 70 percent of the single-family residential lots that fall within the shoreland overlay district do not conform to the minimum standards set forward by this code. However, this is not unexpected as the ordinances regulating these standards were not put into place until the mid-1990s. (See Appendix 5, Map 4)

In addition to examining the current single-family residential standards in Roseville, lot standards for Minneapolis and St. Paul as well as thirteen inner-ring suburbs were tabulated and compared to those of Roseville. Of the fifteen communities researched, Roseville has the largest minimum standards with the exception of Mendota Heights. Only six of these communities have one or more zoning districts that exceed Roseville's minimum requirements, including St. Paul, Hopkins, Richfield, West St. Paul, Maplewood, and Mendota Heights. Fewer than one-third of the communities have a "large-lot" district—a district requiring 20,000 square feet or more minimum area. (The following table summarizes the data.)

Figure 4: Central Cities and First-Ring Suburbs: Lot Size Requirements for Single-Family Residential Zoning Districts

Greatest Density <-----> Least Density															
City	Dist.	Lot Area (SF)	Width (ft.)	Dist.	Lot Area (SF)	Width (ft.)	Dist.	Lot Area (SF)	Width (ft.)	Dist.	Lot Area (SF)	Width (ft.)	Dist.	Lot Area (SF)	Width (ft.)
St. Paul	R-4	5,000	40	R-3	6,000	50	R-2	7,200	60	R-1	9,600	80	RL	21,780	80
Lauderdale	R-2	5,000	40	R-1	7,500	60									
Minneapolis	R-1A	5,000	40	R-1	6,000	50									
Hopkins	R-1-A	6,000	50	R-1-B	8,000	60	R-1-C	12,000	80	R-1-D	20,000	100	R-1-E	40,000	100
Richfield	R	6,700	50	R-1	15,000	75									
West St. Paul	R-1A	7,000	50	R-1B	10,000	75	R-1C	15,000	100						
St. Louis Park	R-2	7,200	60	R-1	9,000	75									
Maplewood	R-1S	7,500	60	R-1	10,000	75	R-E	20K-40K	100-140						
South St. Paul	R-1	9,000	75												
Edina*	R-1	9,000	75												
St. Anthony	R-1	9,000	75												
Newport	R-1	9,100	70	R-1A	15,000	100	RE	435,600	200						
Falcon Heights	R-1	10,000	75												
Golden Valley	R-1	10,000	80												
Roseville	R-1	11,000	85												
Mendota Heights	R-1	15,000	100	R-1C	20,000	100	R-1B	30,000	125	R-1A	40,000	150			

*Edina utilizes a neighborhood-context type subdivision ordinance that determines minimum standards for each lot based on the median area, width, and depth of lots within 500 feet of a subject parcel.

Community-Wide Code Uniformity and Lot Dimensions, Size, and Shape

One key issue that the CAG grappled with in its analysis was that of lot standard uniformity versus neighborhood context and relational lot standards. The CAG examined two primary methods for regulating minimum lot standards within single-family residential zoning districts—1) neighborhood context or the “sliding-scale” regulation and 2) “prescriptive” subdivision and zoning regulation. In addition, they discussed creating a new “hybrid” regulation that combined elements of both methods.

Neighborhood Context or “Sliding-Scale” Regulation: Both the Cities of Edina and Bloomington have implemented a neighborhood-context type of subdivision ordinance, and the interim ordinance specifically requested that the CAG investigate this type of regulation for Roseville. The basic premise of this type of ordinance is that the size and shape of a new lot is determined by the area and width of the lots within a specified “neighborhood” area. In Edina, for example, the size of a new lot is determined by the median area, median lot frontage, and median depth of the single-family residential lots within 500 feet of the boundary of the subject property.

The CAG spent significant time discussing the neighborhood context or “sliding scale” approach to single-family residential subdivisions. Members requested that staff apply the regulations set forward in the Edina-style ordinance to Roseville. In a preliminary analysis, staff determined the mean and median lot size, front width, and depth of properties within 500 feet of the subject properties, which included 2201 Acorn Road as well as the four subdivisions that were examined as case studies. Considering the area of the original parcel(s), all of these properties could be subdivided under this type of regulation. Using 2201 Acorn Road and the median neighboring property sizes as an example, the minimum lot sizes for newly created lots on this property would need to have an area of 34,533 square feet, a width of 126 feet, and a depth of 281 feet.

Figure 5: Application of Neighborhood-Context Regulation in Roseville

Site	Pre-Split Size (sq. ft.)	Mean Lot Size (sq ft)	Median Lot Size (sq ft)	Mean Lot Width	Median Lot Width	Mean Lot Depth	Median Lot Depth
2201 Acorn Rd	82,7649	41,219	34,533	163.0	126.0	271.0	281.0
County Rd. B/Fulham St	37,462	17,667	17,325	107.5	99.0	171.3	138.0
Burke Ave	50,094	15,374	11,713	89.4	85.0	161.2	129.0
Hamline & Oakcrest	62,726	14,503	12,665	86.5	75.0	160.4	150.0
Chatsworth Ct	162.043	25,330	19,960	97.0	87.0	255.0	228.0

After much debate on the merits of the neighborhood-context subdivision methodology, the CAG achieved a unanimous agreement that this was not the preferred regulatory tool from which to base future lot split decisions. While CAG members appreciated the neighborhood contextuality afforded through this type of regulation, general sentiment within the group was that the benefits created through this type of ordinance was outweighed by some of its negative attributes, which included decreased understandability for residents, which would result in the need for technical expertise to determine if a lot could be divided, and difficult administration. Some CAG members also felt the application sliding scale, such as Edina's, would result in unrealistically large minimum lot sizes in some neighborhoods. Another concern around this practice arose around the concept of an ever-

changing set of minimum lot standards this method creates depending on the order of subdivisions within any one general area.

Single-Family Residential Zoning Districts: The CAG generally supported maintaining one zoning district or creating two or more districts. They felt that this type of regulation was easier to understand for the public, and therefore preferable. Some group members felt that while continuing with one zoning district is very understandable and relatively easily administered, it is ultimately too inflexible and not reflective of the actual development patterns in Roseville. Two or more zoning districts could promote greater housing choice/diversity, but also could strain the community's social structures by creating areas of "haves" and "have nots."

Upon deciding that standard subdivision and zoning regulations were preferable, the CAG commenced discussion of zoning districts. The group spent considerable time investigating the historical development patterns of the community, analyzing existing conditions within Roseville, and reviewing lot standards for other inner-ring suburbs. The general conclusion made by the CAG in regards to zoning districts was that the Zoning Code should reflect the existing development patterns of the community. As a majority of lots in Roseville do not meet the standards set forward by the R-1 zoning district, a zoning district should be created that reflects this reality. Therefore, the CAG recommends that the City Council should designate a new small-lot zoning district that has requirements less than those for the standard R-1 Zoning District.

Generally, this new zoning district would apply to areas that historically developed with lots smaller than existing standards (e.g. those platted prior to May 21, 1959); however some homes that were platted after 1959 and meet current standards could fall into the small-lot zoning district if they are located within an area that is dominated by smaller parcels. It was noted that 95 percent of the existing parcels in the City exceed 9,285 square feet in area. (See Appendix 5, Map 5.)

Time did not permit the exploration of specific standards to apply to this new zoning district. As such, the CAG recommends that when the small-lot zoning district is created, the City Council should review the standards in the Zoning Code for the district to ensure appropriate building height and setback requirements.

Subsequently, the CAG recommends that the City Council should not create a large-lot zoning district. Today, fewer than 100 of the approximately 8,500 single-family lots in Roseville are subdividable based on current minimum lot area and width requirements, and 95% of the existing parcels in the City are .7 acres (30,492 square feet) or less in area. (See Appendix 5, Map 5.) These lots are dispersed throughout the community, but are primarily concentrated north of County Road B in the Acorn Road and Gluek Lane areas. Due to the scattered pattern of many of the larger lots in the community, several group members expressed concern over potential "spot zoning," which could be considered arbitrary and capricious regulation. One member suggested that those areas could create homeowners associations to initiate private regulation at a higher standard than set forward by the R-1 Zoning District. Another option, if desired, is to establish a private land reserve by purchasing development rights from land owners.

In addition to recommendations regarding zoning districts, the CAG discussed clarifying two other issues embedded within the Zoning Ordinance—the Shoreland Overlay District and the pre-May 21, 1959 "de facto" overlay district. A Shoreland Overlay District is designated with Chapter 1016 of the Zoning Code, which creates a set of lot standards for those lots that meet the conditions set forward

in the code (300 feet from water bodies designated in the code). The CAG recommended that this become a zoning district and properties that are within the prescribed area would be, therefore, shown on the City's Zoning Map, and the lot standards would mirror those currently assigned to the overlay district.

The pre-May 21, 1959 "de facto" overlay district is not specifically called out as a zoning overlay district within the City Code, but is buried within the General Requirements Chapter of the Zoning Code. These regulations provide a separate set of regulations for substandard parcels created prior to the enactment of the code. To elucidate the requirements for these pre-1959 lots, the CAG recommends that the City Council should designate an overlay zoning district for single-family lots platted prior to May 21, 1959 to ensure that they remain legally nonconforming lots.

The CAG discussed a variety of other issues associated with zoning district regulation. These topics included establishing lot size maximums as a method to prevent "McMansions;" amending the lot standards for the existing R-1 Single-Family Residential District, and single-family residential design standards. However, time was not available to fully discuss these issues.

Hybrid Regulation: In addition to examining the neighborhood-context and the standard zoning methods, the CAG also considered a regulatory scheme that would combine both systems into one hybrid regulation. This would include designating new zoning districts within the community and then applying the neighborhood-context methodology to determine minimum lot regulations. This concept did receive some initial support from CAG members, but ultimately consensus developed around designating several zoning district without the addition of the neighborhood-context system of regulation.

Lot Shape

The CAG identified three key lot shape issues—gerrymandered lot lines, flag lots, and design flexibility—and discussed them as they related to the Subdivision Ordinance. Existing code speaks to lot shape through three specific requirements: 1) Side lot lines must be "substantially at right angles" or perpendicular to the front lot line or radial in the case of a cul-de-sac; 2) the front yard must be 85 feet wide; and 3) the rear lot must be a minimum of 30 feet wide.

Gerrymandered Lot Lines: The City Council specifically requested this issue be studied in the interim ordinance creating the moratorium. As described above, the Subdivision Code requires that a side lot line be "substantially at right angles," but the word substantially is not defined within the ordinance, which leaves lot shape open to interpretation. The CAG discussed this issue, and instituting a more definitive standard was the consensus. Group members wanted to avoid property owners "zigzagging" lot lines and declaring that they were substantially perpendicular in order to meet minimum lot area and dimension standards. The CAG recommends that the City Council should amend the lot line requirement within the Subdivision Ordinance to require that lot lines are perpendicular to the front property line unless a variance is granted.

Flag Lots: The only recommendation upon which the CAG could not reach consensus was that of flag lots. A flag lot is one in which two residential lots are created end to end versus side by side. Two group members wanted the City Council to expressly prohibit flag lots by ordinance, as they promote haphazard infill development. The majority of the group felt that requirements within the Subdivision and Zoning Codes were sufficient, and if a property owner wanted to create a flag lot,

they would need to seek it through the variance process, which requires a demonstration of hardship. The recommendation section of this document reflects both the majority and minority recommendations.

Design Flexibility: A point of discussion resulted from the site design exercise at the Community Open House was that of nontraditional housing developments, such as cluster housing. Those who attended the event responded very positively to the conceptual lot design for cluster housing. The CAG discussed methods by which the non-traditional housing development could be developed within Roseville. Two regulatory tools used within the City provide the flexibility required for a more nontraditional development. They are a subdivision variance process and the planned unit development process.

Typically, standard zoning does not allow for the creation of nontraditional housing developments without seeking a variance. To obtain a variance the applicant needs to demonstrate “practical difficulties or undue hardships” (1013.02(A)). For example, one possible “hardship” could be a wetland or steep slopes. Clustering the new homes on slightly smaller lots could help convert the physical hardship into neighborhood open space. The current Subdivision Code does not speak to a variance process; however, city staff has applied the variance language that is found within the Zoning Code to the Subdivision Code. In order to clarify the Subdivision Code for those who might meet the hardship test for creating new developments, the CAG recommends that the variance language found in the Zoning Code should be added to the Subdivision Code.

In addition to granting a subdivision variance under conditions of hardship, the City also has a Planned Unit Development (PUD) regulation within the Zoning Code. In its definition within the code, a PUD is described as “...intended to create a more flexible, creative and efficient approach to the use of land...” (1008.01). During its discussion of the PUD process for single-family residential development, the city staff described the fee structure associated with PUDs generally. Today an applicant seeking a PUD for a small project or a large project pays the same application fee for the project. The CAG felt that fees collected as part of the PUD application process should accurately reflect the amount of staff time it takes to administer these requests. Ultimately, the group recommends that the City Council should evaluate the fees associated with the existing planned unit development process.

Lot Recombination and Re-subdivision

The recombination and re-subdivision of single-family residential lots can be a contentious issue within neighborhoods. Several members of the CAG raised this issue as it pertains to “McMansions” and neighborhood character. (The City’s current standards for lot coverage, building setbacks and height restrictions effectively limit the potential for McMansions.) The CAG recommends that the City Council should consider the recombination and re-subdivision of single-family lots no differently than other subdivision requests.

Zoning Ordinance Purpose Statement

Throughout the process of the Single-Family Lot Split Study, the issue of neighborhood character was the most discussed issue by CAG members. As the project concluded, the CAG recognized neighborhood character as an important component of the community’s fabric; however the group did not believe it was appropriate to include neighborhood character as an official City criterion for evaluating specific development proposals as the term is highly subjective and difficult to quantify. The group agreed that objective standards are advantageous as they are easier for City Staff and

residents to understand and apply. Two members suggested that the Council consider the issue of neighborhood character in the broader context of the Zoning Ordinances when the Council next undertakes a review.

Members acknowledged the importance of the neighborhood context issue and supported revising the preamble or purpose statement of the Zoning Code to include language related to neighborhood character. Currently, Section 1001.01 of the Zoning Code identifies the purpose of this code. Subparagraph B states: "Said restrictions and regulations are for the purpose of protecting the character and stability of the residential, business and manufacturing areas and to promote the orderly development of such areas." The CAG recommends the following amendment to the preamble: "Said restrictions and regulations are for the purpose of protecting and enhancing the character, stability, and vitality of residential neighborhoods as well as commercial areas."

Public Streets

As part of the interim ordinance, the City Council stipulated that the Single-Family Residential Lot Split Study should investigate the public street requirement within Subdivision Code. The existing Subdivision Code requires that single-family residential lots must be served by a publicly dedicated street (1103.06(E)). If a developer would like to create a private street, they must go through a variance or planned-unit development process. Those Roseville residents that participated in the lot design activity at the Open House did not indicate a preference for public streets. In fact, when asked the question as to how many houses a new public street should serve the majority of respondents selected eleven to fifteen houses, which was the greatest number of houses offered an answer to the question. Using this information as a basis of discussion, the CAG members agreed that private streets could be acceptable if their approval was conditioned on a requirement that the streets being built to city standards, a funding mechanism being in place to pay for maintenance, and the streets can not have gates or impede the flow of traffic. The CAG recommends that the City Council should amend the Subdivision Ordinance to allow single-family lots to be served by private streets if approval of the private street is conditioned on a legal mechanism (e.g. neighborhood associations) being in place to fund seasonal and ongoing maintenance and that the streets cannot be gated or restrict traffic.

In addition to the public versus private street issue, the CAG also discussed how new houses in new subdivisions that include new streets access the public road network. The CAG recommends that the City Council should amend the Subdivision Code to require that new houses being placed on new streets within a new subdivision should access the new street in that subdivision.

Decreasing Density/Increasing Density

The CAG decided that this was an issue for which time was not available; the CAG, therefore, did not make any recommendations to the City Council.

Housing Affordability and Housing Stock

The CAG did discuss the impact of subdivision regulation on housing affordability as well as housing stock diversity throughout the course of the study. The CAG did not make any specific recommendations to the City Council on this issue, though the creation of the new small-lot zoning district would support the goal of increasing affordable housing within the City.

Other Standards and Ordinances

The CAG discussed a number of other standards and ordinances as they pertain to lot subdivision regulation. Throughout the study, negative environmental externalities associated with single-family residential subdivisions were a concern for CAG members as well as those who participated in the neighborhood survey and Community Open House. Stormwater management and tree removal were recurrent themes. Although these topics were outside the general parameters of the study due to time constraints, the CAG felt that they were significant issues and warranted further study. Generally, the group discussed how the City could minimize environmental impacts created through not only single-family development but all development, and ultimately recommends that the City Council should consider creating incentives for environmentally friendly development practices. A more specific discussion focused on tree preservation and replacement regulation. Currently, neither the Subdivision Code nor Zoning Code has specific language requiring tree inventories or studies. As such, the CAG recommends that the City Council should consider a tree preservation and replacement ordinance.

SUMMARY OF RECOMMENDATIONS

The following provides a list of the Single-Family Residential Lot Split Study CAG's recommendations to the City Council and are organized by the code in which they seek to change or amend. After significant discussion, all but one of these recommendations are consensus-based recommendations.

A. General Single-Family Residential Subdivision Policy

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

B. Subdivision Code

1. The City Council should not determine lot size using a formula ("sliding scale") based on the relative sizes of surrounding residential lots. (Consensus Recommendation)
2. The City Council should amend the Subdivision Ordinance to include variance language not currently found in this code by reiterating the variance language found in the Zoning Code. (Consensus Recommendation)
3. The City Council should amend the lot line requirement within the Subdivision Ordinance to require that lot lines are perpendicular to the front property line unless a variance is obtained. (Consensus Recommendation)
4. The City Council should amend the Subdivision Ordinance to allow single-family lots to be served by private streets if approval of the private street is conditioned on a legal mechanism (e.g. neighborhood associations) being in place to fund seasonal and ongoing maintenance and that the street cannot be gated or restrict traffic. (Consensus Recommendations)
5. The City Council should amend the Subdivision Code to require that new houses being placed on new streets within a new development access the new street in that subdivision. (Consensus Recommendation)

6. The City Council should consider recombination and subsequent re-subdivision of single-family residential lots no differently than other subdivision requests. (Consensus Recommendation)
- 7.a. The City Council should allow the creation of flag lots and continue to hear them through the variance process. (Majority Recommendation—6 votes)
- 7.b. The City Council should prohibit the creation of flag lots within the City. (Minority Recommendation—2 votes)

C. Zoning Code

1. The City Council should designate three levels of single-family residential zoning districts, which include the following districts: (Consensus Recommendation)
 - Small lot single-family residential, which would have standards less than the current standards;
 - Standard single-family residential, which would have the same standards as the current R1 district; and
 - Lakeshore single-family residential, which would have standards equal to that set forward in the City's Shoreland Zoning Ordinance.
2. The City Council should not create a large lot zoning district. (Consensus Recommendation)
3. When a small lot single-family residential zoning district is designated, the City Council should review the standards in the Zoning Code for this district to ensure appropriate building height and setbacks requirements. (Consensus Recommendation)
4. In addition to the new zoning districts, the City Council should designate an overlay zoning district for single-family lots platted prior to May 21, 1959 to ensure that they remain legally nonconforming lots. (Consensus Recommendation)
5. The City Council should evaluate the fees associated with the existing planned unit development process. (Consensus Recommendation)
6. The City Council should amend the preamble of the Zoning Code with the following language: "...for the purpose of protecting and enhancing the character, stability, and vitality of residential neighborhoods as well as commercial areas." (Consensus Recommendation)

D. Other City Standards and Ordinances

1. The City Council should consider creating incentives for environmentally friendly development practices. (Consensus Recommendation)
2. The City Council should consider a tree preservation and replacement ordinance. (Consensus Recommendation)