

**TITLE 11  
SUBDIVISIONS**



## **CHAPTER 1101**

### **GENERAL PROVISIONS**

#### **SECTION:**

1101.01: Purpose and Jurisdiction

1101.02: Definitions

#### **1101.01: PURPOSE AND JURISDICTION:**

- A. Purpose: Because each new subdivision accepted by the City becomes a permanent unit in the basic physical structure of the future community and to which the future community will of necessity be forced to adhere, and further because piecemeal planning of subdivisions will bring a disastrous, disconnected patchwork of pattern and poor circulation of traffic unless its design and arrangement is correlated to a proposed master plan study aiming at a unified scheme of community interests; all subdivisions of land lying within the incorporated limits of the City shall in all respects fully comply with the regulations set forth in this Title.
- B. Jurisdiction: It is the purpose of this Title to make certain regulations and requirements for the platting of land within the City pursuant to the authority contained in Minnesota Statutes chapters 412, 429, 471, 505 and 508, which regulations the City Council deems necessary for the health, safety, general welfare, convenience and good order of this community. (Ord. 358, 2-5-1962)

#### **1101.02: DEFINITIONS:**

For the purpose of this Title, certain words and terms are defined as follows:

**ALLEY:** A public right of way which affords a secondary means of access to abutting property. (Ord. 215, 7-5-1956)

**BOULEVARD:** The portion of the street right of way between the curb line and the property line. (1990 Code)

**BUILDING SETBACK LINE:** A line within a lot or other parcel of land so designated on the plat of the proposed subdivision between which and the adjacent boundary of the street upon which the lot abuts the erection of an enclosed structure or fence or portion thereof is prohibited.

**COLLECTOR STREET:** A street which carries traffic from minor streets of residence development and the principal circulating streets within such a development.

**COMPREHENSIVE PLAN:** The composite of the functional and geographic elements of the Comprehensive Plan, or any segment thereof, in the form of plans, maps, charts and textual material as adopted by the City.

**CUL-DE-SAC:** A short minor street having one open end and being permanently terminated at the other by a vehicular turnaround.

**DESIGN STANDARDS:** The specifications to landowners or subdividers for the preparation of preliminary plans indicating, among other things, the optimum, minimum or maximum dimensions of such features as right of way and blocks as set forth in Chapter 1103.

**EASEMENT:** A grant by a property owner for the use of a strip of land by the public or any person for a specific purpose or purposes. (Ord. 216, 7-5-1956; amd. 1995 Code)

**EMERGENCY VEHICLE:** Any vehicle that is used for the preservation of the health, safety, and welfare of the residents, property owners, visitors, workers, and property of Roseville. (Ord. 1167, 7-8-1996)

**FINAL PLAT:** A map or plan of a subdivision and any accompanying material as described in Section 1102.04.

**LOT:** A portion of a subdivision or other parcel of land intended for building development or for transfer of ownership.

**MARGINAL ACCESS STREET:** A minor street which is parallel to and contiguous with a thoroughfare and which provides access to abutting properties and protection to local traffic from fast, through-moving traffic on the adjoining thoroughfare.

**MINOR STREET:** A street other than a thoroughfare or collector street which affords local access to abutting properties.

**OWNER:** Includes the plural as well as the singular, and includes any person.

**PEDESTRIANWAY:** A public or private right of way across a block or providing access within a block to be used by pedestrians and for the installment of utility lines.

**PLANNING COMMISSION:** The Planning Commission of the City.

**PRELIMINARY PLAT:** A tentative map or plan of a proposed subdivision as described in Section 1102.02.

**PROTECTIVE COVENANTS:** Contracts made between private parties and constituting an agreement between these parties as to the manner in which land may be used with the view to protecting and preserving the physical, social and economic integrity of any given area. (Ord. 216, 7-5-1956; amd. 1995 Code)

**ROADWAY:** A driving surface made for vehicular traffic, including public and private roads and drive aisles. (Ord. 1167, 7-8-1996)

**STREET:** A public or private right of way which affords primary access by pedestrians and vehicles to abutting properties whether designated as a street, avenue, highway, road, boulevard, lane or however otherwise designated. (Ord. 216, 7-5-1956; amd. 1995 Code)

**STREET R.O.W.:** The property dedicated for the construction of the street, sidewalks, and utilities. Property located between property lines of a platted public street. (Ord. 1167, 7-8-1996)

**STREET WIDTH:** The shortest distance between curb lines or edge of pavement.

**SUBDIVISION:** A described tract of land which is to be or has been divided into two (2) or more lots or parcels, any of which resultant parcels is less than five (5) acres in area, for the purpose of transfer of ownership or building development or, if a new street is involved, any division of a parcel of land. The term includes resubdivision and where it is appropriate to the context, relates either to the process of subdividing or to the land subdivided.

**THOROUGHFARE:** A public right of way with a high degree of traffic continuity and serving as an arterial traffic way between the various districts of the Roseville area, as shown in the Comprehensive Plan. (Ord. 216, 7-5-1956; amd. 1995 Code)

## CHAPTER 1102 PLAT PROCEDURES

### SECTION:

- 1102.01: Procedure
- 1102.02: Necessary Data for Preliminary Plat
- 1102.03: Requirements Governing Approval of Preliminary Plat
- 1102.04: Necessary Data for Final Plat
- 1102.05: Acceptance of Streets
- 1102.06: Required Land Improvements
- 1102.07: Arrangements for Improvements

### **1102.01: PROCEDURE:**

Except as provided in Section 1104.04 of this Title, before dividing any tract of land into two or more lots or parcels, the owner or subdivider shall submit a preliminary plat of the subdivision for the approval of the Planning Commission and the Council in the following manner:

#### A. Sketch Plan:

1. Contents of Plans: Subdividers shall prepare, for review with the Planning Commission staff, subdivision sketch plans which shall contain the following information: tract boundaries, north point, streets on and adjacent to the tract, significant topographical and physical features, proposed general street layout and proposed general lot layout.
2. Informal Consideration: Such sketch plans will be considered as submitted for informal and confidential discussion between the subdivider and the Community Development staff. Submission of a subdivision sketch plan shall not constitute formal filing of a plat with the Commission.
3. Modifications: As far as may be practical on the basis of a sketch plan, the Community Development staff will informally advise the subdivider as promptly as possible of the extent to which the proposed subdivision conforms to the design standards of this Title and will discuss possible plan modifications necessary to secure conformance. (1990 Code; 1995 Code)

#### B. Developer Open House Meeting

1. Purpose: Prior to submitting an application for a Preliminary Plat of 4 or more lots/parcels, an applicant shall hold an open house meeting with property owners in the vicinity of the potential development location in order to provide a convenient forum for engaging community members in the development process, to describe the proposal in detail, and to answer questions and solicit feedback.
2. Timing: The open house shall be held not less than 15 days and not more than 45 days prior to the submission of an application for approval of a preliminary plat and shall be held on a weekday evening beginning between 6:00 p.m. and 7:00 p.m. and ending by 10:00 p.m.
3. Location: The open house shall be held at a public location (not a private residence) in or near the neighborhood affected by the proposal, and (in the case of a parcel situated near Roseville's boundaries) preferably in Roseville. In the event that such a

meeting space is not available the applicant shall arrange for the meeting to be held at the City Hall Campus.

4. Invitations: The applicant shall prepare a printed invitation identifying the date, time, place, and purpose of the open house and shall mail the invitation to the recipients in a list prepared and provided in electronic format by Community Development Department staff. The recipients will include property owners within the public hearing notification area established in Chapter 108 of the City Code, members of the Planning Commission and City Council, and other community members who have registered to receive the invitations. The invitation shall clearly identify the name, phone number, and email address of the host of the open house to be contacted by invitees who have questions but are unable to attend the open house. The invitations shall also include a sentence that is substantially the same as the following:

This open house meeting is an important source of feedback from nearby property owners and is a required step in the process of seeking City approval for the proposed preliminary plat. A summary of the comments and questions raised at the open house meeting will be submitted to the City as part of the formal application.

5. Summary: A written summary of the open house shall be submitted as a necessary component of a preliminary plat. The summary shall include a list of potential issues/concerns and any possible mitigations or resolutions for resolving the issue(s) and/or concern(s). Citizens are also encouraged to submit their own summary of the meeting highlighting concerns/issues and any mitigations and resolutions. It is encouraged that a list (name and address) of attendees be kept and submitted with open house summary.
- C. Submission; Filing: Four copies of the preliminary plat shall be filed with the Community Development Director prior to the regular Planning Commission meeting at which the plat is to be considered, together with the filing fee and an abstractor's certified property certificate showing the property owners within 500 feet of the outer boundary of proposed subdivision. (Ord. 1357, 1-14-2008)
  - D. Action by Planning Staff: Prior to the meeting of the Planning Commission at which the preliminary plat is to be considered, the Community Development Director and Public Works Director shall examine the plat for compliance with this and other ordinances of the City, and submit a written report to the Commission. (1990 Code; 1995 Code)
  - E. Hearing by Planning Commission:
    1. Hearing on the Preliminary Plat: The Planning Commission shall hold a public hearing on the preliminary plat in accordance with the procedure set forth in Chapter 108 of this Code.
    2. Report of The Planning Commission: Within ten days after the completion of the hearing, the Planning Commission shall make a report concerning the preliminary plat unless the Planning Commission requests additional time as set forth in Chapter 108 of this Code.
  - F. Action By The City Council: (on preliminary plats)
    1. The recommendation of the Planning Commission on the preliminary plat shall be considered by the City Council, and the City Council shall approve or disapprove the plan within 120 days after the application was accepted as complete or such date as extended by the applicant or City Council. If the City Council shall disapprove said preliminary plat, the grounds for any such refusal shall be set forth in the proceedings of the City Council and reported to the person or persons applying for such approval. (Ord.

1176, 11-25-1996)

2. Approval of the preliminary plat shall not be construed to be approval of the final plat. (1990 Code; 1995 Code) (Ord. 1296, 10-20-2003)

G. Final Plat:

1. Final Plat Submission: The owner or subdivider shall submit the final plat of a proposed subdivision not later than six months after the date of approval of the preliminary plat; otherwise, the preliminary plat will be considered void unless an extension is requested in writing by the subdivider and granted by the City Council. The owner or subdivider shall also submit with the final plat an up to date certified abstract of title or registered property report and such other evidence as the City Attorney may require showing title or control in the applicant. (Ord. 1176, 11-25-1996) (Ord. 1296, 10-20-2003) (Ord. 1363, 3-24-2008)

2. Required Changes Incorporated: The final plat shall have incorporated all changes or modifications required by the City Council; in all other respects it shall conform to the preliminary plat. It may constitute only that portion of the approved preliminary plat which the subdivider proposes to record and develop at the time, provided that such portion conforms with all the requirements of this Title. (1990 Code; 1995 Code) (Ord. 1296, 10-20-2003)

H. Approval and Recording: The City Council shall act upon a final plat application within 60 days of the submission of a completed application. The refusal to approve the plat shall be set forth in the proceedings of the City Council and reported to the person or persons applying for such approval. If the final plat is approved, the subdivider shall record said plat with the County Recorder within one year after the date of approval and prior to the issuance of any building permit; otherwise, the approval of the final plat shall be considered void. (1990 Code; 1995 Code) (Ord. 1296, 10-20-, 2003) (Ord. 1363, 3-24-2008)

## **1102.02: NECESSARY DATA FOR PRELIMINARY PLAT:**

In addition to the data prescribed by the law of the State of Minnesota, the preliminary plan shall include the following data:

A. Identification and Description:

1. Proposed name of subdivision, which name shall not duplicate the name of any plat previously recorded in the County.
2. Location by township, section, town or range or by other legal description.
3. Names and addresses of the owner or subdivider having control of the lands included in said plan, the designer of the plan and the surveyor.
4. Graphic (engineering) scale not less than one (1) inch to one hundred (100) feet.
5. North point (designated as true north).
6. Date of preparation.

B. Existing Conditions:

1. Boundary line of proposed subdivision clearly indicated.
2. Existing zoning classification.
3. Total approximate acreage in said plan.
4. Location, widths and names of all existing or previously platted streets or other public ways showing type of improvement, if any, railroad and utility rights of way, parks and other public open spaces, permanent buildings and structures, easements and section and corporate lines within the tract and to a distance of one hundred (100) feet beyond the tract.
5. Location and size of existing sewers, water mains, culverts or other underground facilities within the tract and to a distance of one hundred (100) feet beyond the tract. Such data as grades, invert elevations and location of catch basins, manholes and

hydrants shall also be shown.

6. Boundary lines of adjoining unsubdivided or subdivided land within one hundred (100) feet, identified by name and ownership. (Ord. 216, 7-5-1956)

7. Topographic data including contours at vertical intervals of not more than two (2) feet, except that contour lines shall be no more than one hundred (100) feet apart. Water courses, marshes, rock outcrops and other significant features also shall be shown. Topography maps shall be clearly indicated with dotted lines.

C. Subdivision Design Features:

1. Layout of streets showing right-of-way widths and names of streets. The name of any street previously used in the City or its environs shall not be used, unless the proposed street is an extension of an already named street in which event the name shall be used.

2. Location and widths of alleys, pedestrian ways and utility easements.

3. Typical cross-sections of streets and alleys, together with an indication of the proposed storm water runoff.

4. Approximate center line gradients of streets and alleys, if any.

5. Location, size and approximate gradient of sewer lines.

6. Layout, numbers and typical dimensions of lots to the nearest foot.

7. Minimum front and side street building setback lines indicating dimensions of same.

8. Areas, other than streets, alleys, pedestrian ways and utility easements, intended to be dedicated or reserved for public use including the size of such area or areas in acres.

(Ord. 216, 7-5-1956)

### **1102.03: REQUIREMENTS GOVERNING APPROVAL OF PRELIMINARY PLAT:**

A. Recommendations by Planning Commission: The Planning Commission may recommend and the City Council may require such changes or revisions as the City Council deems necessary for the health, safety, general welfare and convenience of the City.

B. Tentative Approval: The approval of a preliminary plat by the Planning Commission and the City Council is tentative only involving merely the general acceptability of the layout as submitted.

C. Subsequent Approval: Subsequent approval will be required of the engineering proposals pertaining to water supply, storm drainage, sewerage and sewage disposal, gas and electric service, grading, gradients and roadway widths and the surfacing of streets by the Public Works Director and other public officials having jurisdiction prior to the approval of the final plat by the City.

D. Flooding; Poor Drainage: No plat will be approved for a subdivision which is subject to periodic flooding, or which contains poor drainage facilities and which would make adequate drainage of the streets and lots impossible. However, if the subdivider agrees to make improvements which will, in the opinion of the Public Works Director, make the area completely safe for residential occupancy and provide adequate street and lot drainage, the preliminary plat of the subdivision may be approved. (Ord. 216, 7-5-56)

### **1102.04: NECESSARY DATA FOR FINAL PLAT:**

A. General: All information, except topographic data and zoning classification required on the preliminary plat shall be accurately shown.

B. Additional Delineation:

1. Accurate angular and lineal dimensions for all lines, angles and curvatures used to describe boundaries, streets, alleys, easements, areas to be reserved for public use and other important features. Lot lines to show dimensions in feet and hundredths.

2. An identification system for all lots and blocks.
3. True angles and distances to the nearest established street lines or official monuments (not less than 3), which shall be accurately described in the plat.
4. Municipal, township, county or section lines accurately tied to the lines of the subdivision by distances and angles.
5. Radii, internal angles, points and curvatures, tangent bearings and lengths of all arcs.
6. Accurate location of all monuments, which shall be concrete six inches by six inches by thirty inches (6" x 6" x 30") with iron pipe cast in center. Permanent stone or concrete monuments shall be set at each corner or angle on the outside boundary. Pipes or steel rods shall be placed at the corners of each lot and at each intersection of street center lines. All U.S., State, County or other official benchmarks, monuments or triangulation stations in or adjacent to the property shall be preserved in precise position.
7. Accurate outlines, legal descriptions of any areas to be dedicated or reserved for public use or for the exclusive use of property owners within the subdivision with the purpose indicated therein.
8. Certification by a registered land surveyor to the effect that the plat represents a survey made by such surveyor and that monuments and markers shown thereon exist as located and that all dimensional and geodetic details are correct.
9. Notarized certification by owner and by any mortgage holder of record of the adoption of the plat and the dedication of streets and other public areas.
10. Certifications showing that all taxes and special assessments due on the property to be subdivided have been paid in full.
11. Approval by signature of City, County and State officials concerned with the specifications of utility installations. (Ord. 216, 7-5-56)
13. Form for approval by County authorities as required. (Ord. 245, 5-10-58)

### **1102.05: ACCEPTANCE OF STREETS:**

- A. Approval of Plat or Annexation into City not Considered Acceptance: If any plat or subdivision contains public streets or thoroughfares which are dedicated as such, whether located within the corporate limits of the City or outside the corporate limits or contains existing streets outside of said corporate limits, the approval of the plat by the City Council or the subsequent annexation of the property to the City shall not constitute an acceptance by the City of such streets or thoroughfares, nor the improvements constructed or installed in such subdivision, irrespective of any act or acts by an officer, agent or employee of the City with respect to such streets or improvements.
- B. Acceptance by Resolution of City Council: The acceptance of such streets or thoroughfares shall be made only by the approval of a resolution by the City Council after there has been filed, with the City Manager, a certificate by the Public Works Director. The certificate shall indicate that all improvements required to be constructed or installed in or upon such streets or thoroughfares in connection with the approval of the plat of subdivision by the City Council have been fully completed and approved by the Public Works Director, or a cash deposit or bond is on file to ensure the installation of such required improvements. However, if it appears to the City Council that a public local improvement will be constructed in any such street or thoroughfare within a reasonable foreseeable time, the City Council, upon the recommendation of the Public Works Director may, by resolution, temporarily accept such street or thoroughfare for the purpose of maintenance by the City, and defer the completion of the street or thoroughfare by the developer until such local improvement has been constructed. (Ord. 280, 8-4-59; amd. 1995 Code)

## **1102.06: REQUIRED LAND IMPROVEMENTS:**

No final plat shall be approved by the City Council without first receiving a report signed by the Public Works Director certifying that the improvements described in the subdivider's preliminary plans and specifications meet the minimum requirements of all ordinances in the City, and that they comply with the following: (Ord. 373, 5-28-62; amd. 1995 Code)

### **A. Sewers:**

1. Sanitary Sewers: Sanitary sewers shall be installed to serve all properties in the subdivision where a connection to the City sanitary sewer system is available or where detailed plans and specifications for sanitary sewers to serve the subdivision are available.
2. Storm Sewers: Storm sewers shall be constructed to serve all properties in the subdivision where a connection to the City storm sewer system is available or where detailed plans and specifications for storm sewers to serve the subdivision are available. Where drainage swales are necessary, they shall be sodded in accordance with subsection 1102.06E4.
3. Neighborhood Grading and Drainage Plan: The developer will submit a Neighborhood Grading and Drainage Plan (similar to plan submitted to F.H.A.) indicating the elevation of proposed houses, surrounding ground and the direction of flow. The developer will adhere to this plan, and the developer shall obtain prior written acceptance from the Public Works Director before any changes can be made.
4. City Participation in Cost: Where sewer mains are larger than required to serve the subdivision as delineated in the preliminary plan, the City may elect to participate in the cost of such sewer mains.

**B. Water Supply:** Where a connection to the City water system is presently available, water distribution facilities including pipe fittings, hydrants, valves, etc., shall be installed to serve all properties within the subdivision. Water mains shall be a minimum of six inches in diameter and where larger mains are required to serve future growth, the City may elect to participate in the cost of such water mains. Looping of all water mains shall be required and shall conform to the City Master Plan.

**C. Street Grading:** The full width of the right of way shall be graded, including the subgrade of the areas to be paved, in accordance with the plans approved by the Public Works Director and in accordance with the applicable requirements for street construction of the City. (Ord. 216, 7-5-56)

### **Street Improvements<sup>1</sup>:**

1. All streets shall be improved with pavements to an overall width in accordance with the projected 20 year traffic volumes and consistent with street width policy adopted by the City Council. (1995 Code)
2. All pavements shall be constructed in accordance with the provisions of applicable requirements of the City.
3. Concrete curbs and gutters on all streets within the subdivision shall be constructed in accordance with applicable requirements of the City.
4. In congested traffic areas or in areas where the City Council deems necessary for the health, safety and general welfare of this community, sidewalks, to a width of not less than five feet and constructed of Portland cement concrete, shall be required.
5. Storm water inlets and necessary culverts shall be provided within the roadway improvement at points specified by the Public Works Director.
6. All curb corners shall have a radii of not less than 15 feet, except at collector and

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<sup>1</sup> See also Chapters 703 and 704 of this Code.

marginal access streets where they shall be not less than 25 feet.

7. All parkways within the dedicated street area shall be graded and sodded in an approved manner. (Ord. 216, 7-5-56; amd. 1995 Code) (Ord.1358, 1-28-2008)

E. Off-Street Improvements:

1. One tree having a trunk diameter (measured 12 inches above ground) of not less than 2 ½ inches shall be planted in a naturalistic way in the front yard of each lot in the subdivision, except that corner lots shall have 2 trees. They shall be accepted by the City only after one growing season as a live and healthy plant. Trees shall not be allowed to be planted in the boulevard area.

2. Driveways must be constructed of pavement approved by the Public Works Director. Each driveway shall be graded within the dedicated area to fit the boulevard section, and shall be a minimum of 12 feet in width in the boulevard area (excluding radii). The construction shall conform to City requirements, and the grade of the driveway shall conform to the requirements of the State Building Code.

3. The entire boulevard area, except driveways, shall be sodded with a good quality weed free sod.

4. All drainage swales shall be graded and sodded with a good quality weed free sod. (1990 Code; amd. 1995 Code)

F. Pedestrianways<sup>1</sup>: Pedestrianways installed or required by the City Council, shall be constructed according to specifications approved by the Public Works Director. (1995 Code)

G. Public Utilities:

1. All new electric distribution lines (excluding main line feeders and high voltage transmission lines), telephone service lines and services constructed within the confines of and providing service to customers in a newly platted residential area shall be buried underground. Such lines, conduits or cables shall be placed within easements or dedicated public ways in a manner which will not conflict with other underground services. Transformer boxes shall be located so as not to be hazardous to the public.

2. The City Council may waive the requirements of underground services as set forth in subsections 1 and 2 above if, after study and recommendation by the Planning Commission, the City Council establishes that such underground utilities would not be compatible with the planned development or unusual topography, soil or other physical conditions make underground installation unreasonable or impractical. (Ord. 598, 5-26-69)

## **1102.07: ARRANGEMENTS FOR IMPROVEMENTS:**

A. Contract for Development: Prior to the acceptance of the final plat, the owner or subdivider shall enter into a contract for development of new subdivisions with the City. In conjunction with this contract, the owner or subdivider shall deposit with the Public Works Director either a cash deposit or a corporate surety performance bond, approved as to form by the City Attorney, in an amount equal to one and one-half (1 1/2) times the Public Works Director's estimated cost of said improvements or one and one-fourth (1 1/4) times the actual bid. This bond shall also have a clause which guarantees said improvements for a period of one year after acceptance by the City of said improvements. In lieu of this clause, a separate one year maintenance bond approved as to form by the City Attorney, shall be submitted to the Public Works Director upon acceptance of said improvements by the City Council. Upon receipt of this maintenance bond the performance bond may be released.

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<sup>1</sup> See also Chapter 704 of this Code.

- B. Improvements: All such improvements shall be made in accordance with the plans and specifications prepared by a registered professional engineer and approved by the Public Works Director and in accordance with applicable City standards and requirements.
- C. Bond: The owner or subdivider shall deposit with the Public Works Director cash or an approved indemnity bond to cover all expenses incurred by the City for engineering, legal fees and other incidental expenses in connection with the making of said improvements listed in Section 1102.06. In the event of a cash deposit, any balance remaining shall be refunded to the owner or subdivider after payment of all costs and expenses to the City have been paid.
- D. Street Access to Improved Lots Required: It is not the intent of this Section to require the owner or subdivider to develop the entire plat at the same time making all the required improvements, but building permits will not be granted except as to lots having access to streets on which the required improvements have been made or arranged for by cash deposit or bond as herein provided. (1990 Code)

## CHAPTER 1103 DESIGN STANDARDS

### SECTION:

- 1103.01: Street Plan
- 1103.02: Streets
- 1103.021: Minimum Roadway Standards
- 1103.03: Alleys and Pedestrianways
- 1103.04: Easements
- 1103.05: Block Standards
- 1103.06: Lot Standards
- 1103.07: Park Dedication

### **1103.01: STREET PLAN:**

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)

### **1103.02: STREETS:**

- A. Right of Way: All rights of way shall conform to the following minimum dimensions:

Collector streets	66 feet
Local streets	60 feet
Marginal access streets	50 feet

(1995 Code)
- 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:

Collector streets	300 feet
Minor streets	150 feet
- C. Tangents: Tangents at least 50 feet long shall be introduced between reverse curves on collector streets.
- D. Center Line Gradients: All center line gradients shall be at least 0.5% and shall not exceed on:

Collector streets	4 %
Minor streets	6 %
- 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 difference in the percent of grade of the two adjacent slopes.
- F. Minor Streets: Minor streets shall be so aligned that their use by through traffic will be discouraged.
- G. Street Jogs: Street jogs with center line offsets of less than 125 feet shall be prohibited.

- H. Intersections: It must be evidenced that all street intersections and confluences encourage safe and efficient traffic flow.
- I. Alleys: Alleys are not permitted in residential areas unless deemed necessary by the City Council.
- 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 subdivider is located on one side of such street, the owner and subdivider 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 subdivider 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.
- K. Reserved Strips: Reserved strips controlling access to streets are prohibited. (Ord. 216, 7-5-1956; amd. 1995 Code) (Ord. 1358, 1-28-2008)

### **1103.021: MINIMUM ROADWAY STANDARDS:**

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.

A. Signage Requirements: "No parking" signs shall be installed in accordance to the following:

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|------------|--|
| 32 feet    | Parking permitted on both sides of the street (no signs needed). |
| 26-32 feet | No parking on one side of the street (signs on one side).        |
| 24-26 feet | No parking on both sides of the street (signs on both sides).    |

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.

C. Cul-De-Sacs: If there is not a looped road system provided and the street is greater than 200 feet in length, an approved turnaround shall be constructed.

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.

2. Right-Of-Way: Cul-de-sac right-of-way shall extend at least 10 feet outside of the proposed back of curb.

3. Standard Design: The standard cul-de-sac shall have a terminus of nearly circular shape with a standard diameter of 100 feet.

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.

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)

### **1103.03: ALLEYS AND PEDESTRIANWAYS:**

- 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.
- B. Pedestrianways: Pedestrian rights of way shall be at least twenty (20) feet wide. (Ord. 216, 7-5-1956; amd. 1995 Code)

### **1103.04: EASEMENTS:**

- 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.
- 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)
- 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)

### **1103.05: BLOCK STANDARDS:**

- 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.
- 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.
- 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.
- 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)

### **1103.06: LOT STANDARDS:**

- A. The minimum lot dimensions in subdivisions designed for single-family detached dwelling developments shall be:
  - 1. Eighty five (85) feet wide at the established building setback line and on outside street curvatures.
  - 2. Not less than one hundred ten (110) feet in minimum depth.

3. Not less than eleven thousand (11,000) square feet in area.
- B. The minimum corner lot dimensions for single-family detached dwelling developments where permitted under the Zoning Code shall be:
  1. One hundred (100) feet wide at the established building setback line.
  2. Not less than one hundred (100) feet in depth.
  3. Not less than twelve thousand five hundred (12,500) square feet.
- C. The minimum dimensions at the rear lot line of any lot shall be thirty (30) feet.
- D. Butt lots shall be platted at least five (5) feet wider than the average interior lots in the block.
- E. Streets.
  1. Public Streets: See Section 1103.021.
  2. Private Streets: Private streets may be allowed by the Council in its discretion provided they meet the following conditions:
    - a. Are not gated or otherwise restrict the flow of traffic;
    - b. Demonstrate a legal mechanism will be in place to fund seasonal and ongoing maintenance; and
    - c. Meet the minimum design standards for private roadways as set forward in Section 1103.021.(Ord. 1359, 1-282-2008)
- F. Side lines of lots shall be at right angles or radial to the street line. (Ord. 1359, 1-28-2008)
- G. Double frontage lots shall not be permitted, except:
  1. Where lots back upon a thoroughfare, in which case vehicular and pedestrian access between the lots and the thoroughfare shall be prohibited, and (Ord. 216, 7-5-1956)
  2. Where topographic or other conditions render subdividing otherwise unreasonable. Such double frontage lots shall have an additional depth of at least twenty (20) feet greater than the minimum in order to allow space for a protective screen planting along the back lot line and also in such instances vehicular and pedestrian access between lots and the thoroughfare shall be prohibited. (Ord. 245, 5-10-1958)
- H. Lots abutting upon a water course, drainage way, channel or stream shall have an additional depth or width as required to assure house sites that meet shoreland ordinance requirements and that are not subject to flooding.
- I. In the subdividing of any land, due regard shall be shown for all natural features such as tree growth, water courses, historic spots or similar conditions which, if preserved, will add attractiveness and value to the proposed development. (Ord. 216, 7-5-1956; amd. 1995 Code)
- J. Where new principal structures are constructed on lots contiguous to roadways designed as major thoroughfares in the City's Comprehensive Plan, driveways servicing such lots shall be designed and constructed so as to provide a vehicle turnaround facility within the lot. (Ord. 993, 2-10-1986)
- K. 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)

### **1103.07: PARK DEDICATION:**

- A. 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.

- B. Amount to be Dedicated: The portion to be dedicated in all residentially zoned areas shall be 10% and 5% in all other areas.
- C. Utility Dedications Not Qualified: Land dedicated for required street right of way or utilities, including drainage, does not qualify as park dedication.
- D. 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)
- E. 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.  
(Ord. 1278, 02/24/03)

## **CHAPTER 1104**

### **ADMINISTRATION AND ENFORCEMENT**

#### **SECTION:**

- 1104.01: Inspection at Subdivider's Expense
- 1104.02: Building Permit
- 1104.03: Occupancy Permit
- 1104.04: Platting Alternatives (Ord. 1395, 9-13-2010)
- 1104.05: Variances
- 1104.06: Record of Plats

#### **1104.01: INSPECTION AT SUBDIVIDER'S EXPENSE:**

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 subdivider in the manner provided in Section 1102.07 of this Title. (Ord. 216, 7-5-1956; 1990 Code)

#### **1104.02: BUILDING PERMIT:**

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)

#### **1104.03: OCCUPANCY PERMIT:**

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 of construction and are suitable for car traffic. (Ord. 216, 7-5-1956; 1990 Code)

#### **1104.04: PLATTING ALTERNATIVES:**

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):

- 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.
- 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.
- 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 portion of the existing lots, parcels, or existing buildings to be in violation of this regulation or the zoning code.
- 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.
- E. Three Parcel Minor Subdivision: When a subdivision creates a total of three or fewer parcels, situated in an area where public utilities and street rights of way to serve the proposed parcels already exist in accordance with City codes, and no further utility or street extensions are necessary, and the new parcels meet or exceed the size requirements of the zoning code, the applicant may apply for a minor subdivision approval. The proposed subdivision, in sketch plan form, shall be submitted to the City Council at a public hearing with notice provided to all property owners within 500 feet. The proposed parcels shall not cause any portion of the existing lots, parcels, or existing buildings to be in violation of this regulation or the zoning code. Within 30 days after approval by the City Council, the applicant shall supply the final survey to the Community Development Director for review and approval. A certificate of survey shall be required on all proposed parcels. After completion of the review and approval by the City Manager, the survey shall be recorded by the applicant with the Ramsey County Recorder within 60 days. Failure to record the subdivision within 60 days shall nullify the approval of the subdivision. (Ord. 1171, 9-23-1996) (Ord. 1357, 1-14-2008)

(Ord. 1395, 9-13-2010)

**1104.05: VARIANCES:**

- A. Hardship: Where there is undue hardship in carrying out the strict letter of the provisions of this Code, the City Council shall have the power, in a specific case and after notice and public hearings, to vary any such provision in harmony with the general purpose and intent thereof and may impose such additional conditions as it considers necessary so that the public health, safety and general welfare may be secured and substantial justice done.
- 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)

**1104.06: RECORD OF PLATS:**

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)