

**TITLE 11  
SUBDIVISIONS**



## **CHAPTER 1101 GENERAL PROVISIONS**

### **SECTION:**

1101.01: Purpose and Jurisdiction

1101.02: Definitions

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

- A. Purpose: Each new subdivision accepted by the City becomes a permanent unit in the basic physical structure of the community and is one component of the City as a whole, as guided by the Comprehensive Plan. 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: Roseville has the authority to make certain regulations and requirements for the subdivision of land within the City pursuant to the enabling legislation contained in Minnesota Statutes chapters 412, 429, 462, 471, 505, and 508, which the City Council deems necessary for the health, safety, general welfare, convenience, and good order of this community.

### **1101.02: DEFINITIONS:**

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

**Boulevard:** The property between the back of a curb (or the edge of the street, if there is no curb) and the adjacent right-of-way line.

**Consolidation:** The platting or replatting of two or more lots resulting in fewer lots of record, for the transfer of ownership or building development. Where it is appropriate to the context, the term relates either to the process of consolidating or to the land consolidated.

**Easement:** The grant of one or more of the property rights by the owner to, or for the use by, the public, public utility, corporation, or another person or entity.

**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.

**Lot:** A tract of land of record, designated by metes and bounds, land survey, minor land division, or plat, which is on file at the office of Ramsey County Recorder or Registrar of Titles.

**Median:** The property between the backs of curbs of separated travel lanes.

**Owner:** A person, partnership, association, public or quasi-public corporation, private corporation, other lawful business entity, or a combination of any of the same, whether plural or singular.

**Parcel:** All or part of a lot or multiple lots.

**Pathway:** A public or private trail, footpath, pedestrian path, bike lane, or similar facility,

across a block or providing access within a block to be used by pedestrians, or cyclists, or both.

**Plat:** A drawing or map of a subdivision prepared for filing of record pursuant to Minnesota Statutes Chapter 505 and containing all elements and requirements set forth in this Title.

**Right-Of-Way (R.O.W.):** Land dedicated to the public or preserved for public use as roadways, sewers, electric, gas, and water facilities, storm water drainage and holding areas or ponds, and similar utilities and improvements.

**Roadway:** A paved public or private street, avenue, highway, road, boulevard, lane, or similar facility, which affords primary access to abutting properties.

**Street:** See “Roadway”.

**Subdivision:** A described tract of land which is to be or has been divided into two or more lots, any of which resultant lots is less than five acres in area, for the 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.

## **CHAPTER 1102 PROCEDURES**

### **SECTION:**

1102.01: Plats

1102.02: Variances

1102.03: Acceptance of Roadways

1102.04: Required Improvements

1102.05: Arrangements for Improvements

### **1102.01: PLATS:**

Any subdivision or consolidation of land shall adhere to the platting procedures established herein.

#### **A. Requirements Governing Approval of a Subdivision or Consolidation**

1. Due regard shall be shown for all natural features such as tree growth, water courses, historic locations, or similar conditions.
2. Conditions of Approval: The City may require such changes or revisions to any proposal as deemed necessary for the health, safety, general welfare, and convenience of the City. For Major Plats, the Planning Commission may also recommend to the City Council such changes or revisions.
3. Flooding: No application will be approved for a site that is subject to periodic flooding, or which contains inadequate drainage facilities, unless the owner agrees to make improvements which meet the City's storm water and drainage requirements.
4. Building Permit: No building permit shall be issued for the construction of any building, structure, or improvement to the land or any lot within an approved subdivision or consolidation until all requirements of this Title have been complied with fully.
5. Occupancy Permit: No occupancy permit shall be granted for the use of any structure within an approved subdivision or consolidation 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.

#### **B. Platting Alternatives**

1. The following processes are alternatives to the plat procedures established in this Chapter.
  - a. Common Wall Duplex Subdivision: This type of platting alternative shall be limited to a common wall duplex minor subdivision of a parcel in any zoning district which allows duplexes, along a common wall of the structure and common lot line of the principle structure where the structure meets all required

setbacks except the common wall property line.

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

#### C. Minor Plat

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

application for approval of the plat by paying the fee set forth in Chapter 314 of this Code and submitting a completed application form and supporting documents as set forth on the application form. Required supporting documentation may include, but is not limited to, a boundary survey, topographic survey, grading plan, storm water management plan, and tree preservation plan. Complete applications shall be reviewed in a public hearing before, and acted upon by, the City Council according to the process set forth in Chapter 108 of this Code. Notwithstanding other restrictions, an application for Minor Plat approval shall not be accepted if it represents the further subdivision or consolidation of a lot which, itself, is the result of any subdivision or consolidation approved within five years preceding said application.

3. Validation and Expiration: Adhering to Ramsey County's Manual of Guidelines for Subdivision Plats, a Minor Plat approval shall be validated by the owner through the filing of the approved plat at the office of the Ramsey County Recorder within one year of the date of the approval. Notwithstanding this time limitation, the City Council may approve extensions of the time allowed for validation of the Minor Plat approval if requested in writing; extension requests shall be submitted to the Community Development Department and shall identify the reason(s) why the extension is necessary along with an anticipated timeline for validation of the Minor Plat approval. A Minor Plat approval shall automatically expire if the approval is not validated as described herein.

#### D. Major Plat

1. Purpose: The Major Plat process shall apply when any of the following criteria are present:
  - a. The proposal subdivides or consolidates existing lots of record resulting in four or more lots.
  - b. The subject property is not adequately served by public utilities or right-of-way, and further utility or street right-of-way is necessary.
  - c. The anticipated development on the lot or lots resulting from the proposed subdivision or consolidation would require an amendment to the Comprehensive Plan land use designation applicable to the subject property.
  - d. The existing or anticipated development on the lot or lots resulting from the proposed subdivision or consolidation would require an amendment to the zoning designation applicable to the subject property.
  - e. The proposed subdivision qualifies for park dedication under the requirements established in Section 1103.06 of this Title.
2. Developer Open House Meeting
  - a. Purpose: Prior to submitting an application for a preliminary plat of 4 or more lots/parcels, an applicant/owner shall hold an open house meeting with property owners and renters in the vicinity of the potential development location in order to provide a convenient forum for engaging community members in the development process, to describe the proposal in detail, and to answer questions and solicit feedback.
  - b. Applicant/Owner Responsibility: The owner shall be responsible for the following items:
    - i. Completed Open House Form (application)
    - ii. Payment of application fee and escrow deposit set forth in Chapter 314 of

this Code

- iii. Provision of applicable information regarding the project/request
    - iv. Determined the open house location, date, and time
    - v. Required submittal of open house summary upon conclusion of meeting
  - c. General: Applicant/Owner shall refer to the Open House Meeting Policy that is a component of the Open House Form (application) or contact the Community Development Department for additional information regarding the process.
3. Applications for Preliminary Approval: The owner of property on which a Major Plat is proposed shall file an application for preliminary approval of the plat by paying the fee set forth in Chapter 314 of this Code and submitting a completed application form and supporting documents as set forth on the application form. Required supporting documentation may include, but is not limited to, a boundary survey, topographic survey, grading plan, storm water management plan, and tree preservation plan. Complete applications shall be reviewed in a public hearing before the Planning Commission and acted upon by the City Council according to the process set forth in Chapter 108 of this Code, except that City Council action shall occur within 120 days of the submission of a completed application.
4. Validation and Expiration of Preliminary Approval: Preliminary approval of a Major Plat shall be validated by the owner through application for final approval of the plat of the proposed subdivision within six months of the date of said preliminary approval. Notwithstanding this time limitation, the City Council may approve extensions of the time allowed for validation of the preliminary approval if requested in writing; extension requests shall be submitted to the Community Development Department and shall identify the reason(s) why the extension is necessary along with an anticipated timeline for validation of the preliminary approval. Preliminary approval of a Major Plat shall automatically expire if the approval is not validated as described herein.
5. Application for Final Approval
  - a. Applications: The owner of property on which final approval of a Major Plat is requested shall file an application by paying the fee set forth in Chapter 314 of this Code and submitting a completed application form and supporting documents as set forth on the application form. Required supporting documentation may include, but is not limited to, a Development Agreement as described in Section 1102.05 of this Chapter. The City Council shall act upon an application for final approval of a Major Plat within 60 days of the submission of a completed application.
  - b. Required Changes Incorporated: The final plat shall have incorporated all changes or modifications required by the City Council in the preliminary approval of the Major Plat and shall otherwise be substantially the same as said plat.
6. Validation and Expiration of Final Approval: Adhering to Ramsey County's Manual of Guidelines for Subdivision Plats, final approval of a Major Plat shall be validated by the owner through the filing of the approved plat at the office of the Ramsey County Recorder within one year of the date of said final approval. Notwithstanding this time limitation, the City Council may approve extensions of the time allowed for validation of the final approval if requested in writing; extension requests shall be submitted to the Community Development Department and shall identify the reason(s) why the extension is necessary along with an anticipated timeline for validation of the final

approval. Final approval of a Major Plat shall automatically expire if the approval is not validated as described herein.

E. Refusal to Approve

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

## **1102.02: VARIANCES**

- A. Purpose: Regulations pertaining to the process of subdividing or consolidating land and to the characteristics of the resulting lots are established in Title 11 (Subdivisions) and Title 10 (Zoning) of this Code. There are occasions, however, where it may be appropriate to vary the regulations as they apply to specific properties where an unusual hardship on the land exists, pursuant to Minnesota Statute 462.358 Subd. 6.
- B. Applications: The owner of property on which a variance is proposed shall file an application for approval of the variance by paying the fee set forth in Chapter 314 of this Code and submitting a completed application form and supporting documents as set forth on the application form. Complete applications shall be reviewed in a public hearing according to the process set forth in Chapter 108 of this Code. If a proposed variance is denied, an application for substantially the same variance on the same property shall not be accepted within one year of the date of the denial.
- C. Approval: The City may impose conditions in the granting of variances. A condition must be directly related to, and must bear a rough proportionality to, the impact created by the variance. In order to approve a requested variance, the Planning Commission may recommend, and the City Council shall adopt, findings pertaining to the following specific grounds:
  - 1. The proposal is consistent with the Comprehensive Plan.
  - 2. The proposal is in harmony with the purposes and intent of the zoning and subdivision ordinances.
  - 3. An unusual hardship on the land exists.
  - 4. The variance, if granted, will not alter the essential character of the locality.

## **1102.03: ACCEPTANCE OF ROADWAYS**

- A. Approval of Plat or Annexation into City Not Considered Acceptance: If any plat or subdivision contains public roadways which are dedicated as such, whether located within the corporate limits of the City or outside the corporate limits or contains existing roadways 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 roadways, 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 roadways or improvements.
- B. Acceptance by Resolution of City Council: The acceptance of such roadways 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 roadways 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 roadway within a reasonable foreseeable time, the City Council, upon the recommendation of the Public Works Director may, by resolution, temporarily accept such roadway for maintenance by the City, and defer the completion of the roadway by the owner until such local improvement has been constructed.

#### **1102.04: REQUIRED IMPROVEMENTS**

No final approval of a plat shall be granted by the City Council without first receiving a report signed by the Public Works Director certifying that the following improvements described in the owner's preliminary plans and specifications meet the minimum requirements of all ordinances in the City, and that they comply with the requirements of the Public Works Design Standards manual;

##### **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, the soil therein shall be stabilized in accordance with applicable standards.
3. **Development Area Grading and Drainage Plan:** The developer shall submit a grading and drainage plan for the entire area of anticipated development within the plat, indicating the elevation of proposed houses, surrounding ground, and the direction of flow. The developer shall not deviate from this plan without first obtaining written acceptance from the Public Works Director of such changes.

**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.

**C. Right-of-Way Grading:** The full width of the right-of-way shall be graded, including the subgrade of the areas to be paved.

**D. Roadway Improvements:** The following standards shall apply to all City and private roadways, when newly constructed or reconstructed, as a result of plat approval. All local residential roadways shall be constructed in conformance with the Public Works Design Standards manual.

1. All roadways shall be paved, with curb and gutter, in conformance with standards for the applicable functional classification.
2. Pathways shall be constructed in accordance with the Pathways Master Plan and the applicable standards of the Public Works Department along the width of a development site abutting any roadway of functional classification Collector or greater.
3. Storm water inlets and necessary culverts shall be provided within the roadway improvement at points specified by the Public Works Department.

4. All unpaved portions of boulevards and medians within the dedicated right-of-way area shall be graded and the soil therein stabilized in accordance with applicable standards.

5. Roadway Width

- a. To ensure adequate access for emergency vehicles, no roadway shall be constructed to a width less than 24 feet.
- b. Parking Restrictions: For roadways with functional classification of Collector or greater, on-street parking shall be reviewed by the Public Works Department. For Local and Marginal Access roadways, "No Parking" signs shall be installed in accordance to the following:

≥ 24 feet and < 26 feet      No parking on both sides of the street (signs on both sides).

≥ 26 feet and < 32 feet      No parking on one side of the street (signs on one side).

≥ 32 feet      Parking permitted on both sides of the street (no signs needed).

In cases where the specified width is impractical, however, the City Council may reduce this dimension, as outlined in the City street width policy.

F. 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. The placement of transformer boxes and other above ground facilities shall be reviewed and approved by the City Engineer.
  
- 2. The City Council may waive the requirements of underground services as set forth in subsection 1 above if, after study and recommendation by the Planning Commission, the City Council establishes that such underground utilities would not be compatible with the planned development, or unusual topography, soil, or other physical conditions make underground installation unreasonable or impractical.

**1102.05: ARRANGEMENTS FOR IMPROVEMENT**

- A. Development Agreement: Prior to the acceptance of the final plat, the owner shall enter into a development agreement with the City.
  - 1. In conjunction with this contract, the owner 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. 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.

2. Where park dedication is required pursuant to Section 1103.06 of this Title, the development agreement will identify the amount of land, or cash contribution, or combination of land and cash contribution determined necessary to satisfy the park dedication requirement. The development agreement will also specify the time and manner such required dedication is to be made.
- B. **Improvements:** All such improvements shall be made in accordance with the plans and specifications prepared by a Minnesota licensed engineer and approved by the Public Works Director, and in accordance with applicable City standards and requirements.
  - C. **Bond:** The owner 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 1102.04. In the event of a cash deposit, any balance remaining shall be refunded to the owner or applicant after payment of all costs and expenses to the City have been paid.
  - D. **Roadway Access to Improved Lots Required:** It is not the intent of this Section to require the owner to develop the entire plat, and to make all the required improvements, at the same time. However, building permits will not be granted for development of lots without access to roadways on which the required improvements have been made or arranged for by cash deposit or bond as herein provided.

## **CHAPTER 1103 DESIGN STANDARDS**

### SECTION:

1103.01: Transportation Plan

1103.02: Rights-of-Way

1103.03: Easements

1103.04: Block Standards

1103.05: Lot Standards

1103.06: Park Dedication

### **1103.01: TRANSPORTION PLAN**

New roadways and related pathways shall comply to a master street plan that is based on the City's Comprehensive Plan and Pathways Master Plan to promote a safe, efficient, sustainable, and connected network for all users and modes.

### **1103.02: RIGHTS OF WAY**

- A. Width: All rights-of-way shall conform to the following minimum dimensions corresponding to the functional classifications of the roadways therein.

Principal Arterial: as determined by the applicable jurisdiction governing the roadway

Minor Arterial: as determined by the applicable jurisdiction governing the roadway

Collector: 66 feet

Local: 60 feet

Marginal Access: 50 feet

- B. Horizontal Lines: Where horizontal right-of-way lines within a block deflect from each other at any one point more than 10° there shall be a connecting curve. Center line horizontal curvatures shall conform to the following minimum radii corresponding to the functional classifications of the roadways therein.

Principal Arterial: as determined by the applicable jurisdiction governing the roadway

Minor Arterial: as determined by the applicable jurisdiction governing the roadway

Collector: 300 feet

Local: 150 feet

Marginal Access: 150 feet

- C. Tangents: Tangents at least 50 feet long shall be introduced between reverse curves on Collector rights-of-way.

- D. Center Line Gradients: All center line gradients shall be at least 0.5% and shall not exceed the following gradients corresponding to the functional classifications of the roadways therein.
  - Principal Arterial: as determined by the applicable jurisdiction governing the roadway
  - Minor Arterial: as determined by the applicable jurisdiction governing the roadway
  - Collector: 4%
  - Local: 6%
  - Marginal Access: 6%
- E. Jogs: Right-of-way jogs with center line offsets of less than 125 feet shall be prohibited.
- F. Cul-De-Sacs: If there is not a looped road system provided and a proposed right-of-way 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. Standard Design: The standard cul-de-sac shall have a terminus of nearly circular shape with a standard diameter of 120 feet.

### **1103.03: EASEMENTS**

- A. Easements at least a total of 10 feet wide, centered on interior lot lines, and abutting rights-of-way or roadway easements, shall be provided for drainage and utilities, where the City Engineer determines they are necessary.
- B. Where a subdivision is traversed by a water course, drainage way, channel, or stream, drainage and utility easements shall be provided that conform 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.
- C. All drainage easements shall be so identified on the plat and soils therein shall be graded and stabilized in accordance with applicable standards.
- D. Pathways: Pathway easements shall be at least 20 feet wide

### **1103.04: BLOCK STANDARDS**

- A. Blocks over 900 feet long shall require pathway easements at their approximate centers. The use of additional pathway easements connecting 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, the neighborhood, and the City, and must consider 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 plat 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 abuts a railroad or limited access highway right-of-way, a Marginal Access right-of-way may be required to provide access to abutting properties and to allow for appropriate screening of the highway or railway.

## 1103.05: LOT STANDARDS

- A. The minimum lot dimensions in all subdivisions shall be those of the applicable zoning standards as established in Title 10 of this Code, or of the intended zoning district if the subdivision is in conjunction with a zoning change, in addition to any requirements herein defined.
- B. Additional Standards for Lots for Single-Family Detached Residences: The shapes of new lots shall be appropriate for their location and suitable for residential development. Lots with simple, regular shapes are considered most appropriate and suitable for residential development.
  1. Lots which are appropriate for their location and suitable for residential development often have:
    - a. Side lot lines that are approximately perpendicular or radial to the front lot line(s) of the parcel(s) being subdivided, or
    - b. Side lot lines that are approximately parallel to the side lot line(s) of the parcel(s) being subdivided, or
    - c. Side lot lines that are both approximately perpendicular or radial to the front lot lines(s) and approximately parallel to the side lot line(s) of the parcel(s) being subdivided.
  2. It is acknowledged; however, that property boundaries represent the limits of property ownership, and existing boundaries that have complex or unusual alignments are not easily changed. Subdivisions of such irregularly shaped parcels may be considered, but the shapes of proposed new lots might be found to be too irregular, and consequently, applications can be denied for failing to conform adequately to the purposes for which simple, regular parcel shapes are considered most appropriate and suitable for residential development.
  3. Flag lots are not permitted. A flag lot is a lot with two distinct parts:
    - a. The “flag pole” is the part of a flag lot that abuts a street with a relatively narrow strip of land, which fails to conform to the minimum required lot width, as defined in Section 1001.10 of this Code, and which passes beside a neighboring parcel.
    - b. The “flag” is the buildable part of a flag lot, which is connected to the street by the flag pole, and which is located behind the neighboring parcel.
  4. Through Lots: Where lots abut rights-of-way at the front and back, vehicular and pedestrian access to the lots shall be gained from the roadway of lower functional classification.
  5. Where new principal structures are constructed on lots contiguous to roadways with functional classification of Minor Arterial or greater, driveways servicing such lots shall be designed and constructed to provide a vehicle turnaround facility within the lot.
  6. 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.

## **1103.06: PARK DEDICATION**

- A. Authority: Minnesota Statutes 462.358, subdivisions 2b and 2c permits the City to require dedication of park land, or cash in lieu of land, as part of the subdivision process in order to fulfill its plans for recreational facilities and open spaces. The City Council, at its discretion, will determine whether park dedication is required in the form of land, cash contribution, or a combination of cash and land. To properly use this authority, the City will base its determination on existing development, the need created by the proposed development, and the plans and policies of the City embodied by the Parks and Recreation System Master Plan, Pathways Master Plan, and Comprehensive Plan.
- B. Condition to Approval: Park dedication will be required as a condition to the approval of any subdivision of land involving one acre or more and resulting in a net increase of development sites. The Parks and Recreation Commission shall recommend, in accordance with Statute and after consulting the approved plans and policies noted herein, either a portion of land to be dedicated to the public, or in lieu thereof, a cash deposit given to the City to be used for park purposes, or a combination of land and cash deposit.
- C. Park Dedication Amount: The portion of land to be dedicated in all residentially zoned areas shall be 10% and 5% in all other areas. Park dedication fees shall be reviewed and determined annually by City Council resolution and established in the fee schedule in Chapter 314 of this Code, and the fee shall be paid as part of the Development Agreement required in Section 1102.05 of this Title.
- D. Utility Dedications Not Qualified: Land dedicated for required street right-of-way or utilities, including drainage, does not qualify as park dedication.(Ord. 1530, 7/10/2017)