

## **204 Subdivision Standards**

### **204.010 Platting Procedures.**

- (A) Overview. Except as hereinafter provided, all divisions of property shall be by means of an approved plat.
- (B) Pre-application Conference/Sketch Plan Review. The developer shall present a sketch of the proposed plat to the City Manager and/or his/her designee who shall review the sketch and the City's development regulations with the developer at a pre-application conference. Subsequent to the pre-application conference, the City Manager and/or his/her designee, in his discretion, shall forward the sketch plan to the Planning Commission for review and comment or shall approve the sketch plan and require the developer to submit a development application on forms provided by the City.
- (C) Preliminary Plat.
- (1) Application. The property owner, individual or other entity that has legal interest in the property may submit an application for a preliminary plat on forms provided by the City Manager and/or his/her designee and shall be submitted with the required information.
  - (2) Review Process. After receipt of a complete application that contains all the required information, the application shall be reviewed through the public hearing review process in accordance with Section 203.020(A).
  - (3) Decision. The approval of a preliminary plat by the City Council shall only constitute acceptance of the design as a basis for the preparation of the final plat by the owners or subdividers. Subsequent approval by appropriate officials having jurisdiction will be required of the proposals pertaining to water supplies, storm drainage, sewage disposal, sidewalks, grading, gradients and roadway widths and the surfacing of streets, prior to the approval of the final plat. The subdivider shall also present evidence that the plat has been reviewed by and meets the requirements of those responsible for the provision of gas, electric and telephone service.

(D) Final Plat.

(1) Ramsey County Standards. A final plat shall be prepared as in compliance with the Ramsey County Plat Manual dated April 1981 as adopted by the Ramsey County Board of Commissioners on April 13, 1981, Resolution Number 81-288 and any amendments thereto.

(2) Application. An application for final plat shall be made on forms provided by the City Manager and/or his/her designee and shall be submitted with the required information.

(3) Review Process. Within 60 days of the developer's request for final plat review, the City Council shall either approve or disapprove the final plat if the applicant has complied with all conditions and requirements upon which the preliminary plat was expressly conditioned.

(4) Recording. Upon City Council approval and City signatures on the final plat, the applicant shall record the final plat with the County Register of Deeds, as provided for by that office.

(5) Effect of Subdivision Approval. For one year following preliminary plat approval and for two years following final approval, unless the City and the developer agree otherwise, no amendment to the Comprehensive Plan or Development Ordinance shall apply to or affect the use, development density, lot size, lot layout, or dedication required or permitted by the approved preliminary or final plat.

(E) Plats Not Allowed. No plan will be approved for a subdivision which includes any area subject to periodic flooding or which contains extremely poor drainage capabilities which would make adequate drainage of the streets and lots impossible, unless the subdivider agrees to make improvements which will, in the opinion of the City Manager and/or his/her designee, make the area completely safe for occupancy and provide adequate street and lot drainage.

(F) Exceptions to Platting. The City Council may exempt the applicant of a minor subdivision resulting in three or fewer

parcels, in an area where conditions are well defined, from complying with all or some of the provisions of the platting regulations. Minor subdivisions of commercial or industrial properties must be platted. Minor subdivisions of residential properties shall be reviewed by the Planning Commission and approved by City Council with submission of a Certificate of Survey including metes and bounds legal descriptions. Registered properties may be required by Ramsey County to submit a Registered Land Survey.

(1) Minor Subdivisions.

(a) Application. The property owner, individual or other entity that has legal interest in the property may submit an application for a preliminary plat on forms provided by the City Manager and/or his/her designee and shall be submitted with the required information.

(b) Review Process. After receipt of a complete application that contains all the required information, the application shall be reviewed through the Planning Commission/City Council review process in accordance with Section 203.020(B).

(c) Recording. Upon City Council approval and City signatures on the revised deed, the applicant shall record the deed with the County Register of Deeds, as provided for by that office within one year of approval.

(G) Miscellaneous.

(1) Conveyance Restrictions. No conveyance of land in which the land conveyed is described by metes and bounds shall be made or recorded without City approval unless such parcel is a separate parcel of record at the time of the effective date of this ordinance.

(2) Unsuitable Land. No land shall be subdivided which is held unsuitable by the City of Shoreview for the reason of flooding, inadequate drainage, water supply or sewage treatment facilities. All lots within the flood plain districts shall be subdivided and contain a building site outside of the Floodway Districts (FW, FF, GF) at or above the regulatory flood protection elevation in accordance with

Section 205.091(E), Floodplain Management Ordinance. For property that is not subject to the provisions of Section 205.091, all lots shall contain a building site that complies with the City's adopted Surface Water Management Plan and the requirements of Section 209.065.

- (3) Energy Bonuses. A density bonus of up to 5 percent may be given to developments using passive solar energy systems on at least 80 percent of the dwellings. A density bonus of up to 10 percent may be given to developments using active solar energy systems for space heating, air conditioning, and/or domestic hot water heating on at least 30 percent of the dwellings. Density bonuses shall be calculated based upon the densities shown on the Comprehensive Land Use Plan Map.
- (4) Large Lot Subdivision. Where parcels of land are subdivided into residential lots greater than 24,000 square feet or 150 feet in width at the front setback line, the plat shall be designed and shall show (in dashed lines) how lots can be re-subdivided at some later date.
- (5) Building Permits. No building permit shall be issued for any lot, which has not been subdivided in accordance with this chapter, predecessors to this chapter, and other regulations applicable to the subdivision of land.

**204.020 Public Recreational Use Dedication.** If the City Council reasonably determines that a proposed development or subdivision will increase the demand for public recreational uses, such as parks, playgrounds, trails and open space, the City Council, as part of any subdivision or development, may require the developer to dedicate, reserve, or otherwise convey to the City a reasonable portion of the total area of the proposed development or subdivision for public use as parks, playgrounds, trails or open space; or, in lieu thereof, the City Council, at its option and in order to facilitate city-wide planning for public recreational uses, may require the developer to contribute to the City the cash equivalency of such public recreational use dedication based upon the fair market value of the land at the time of final plat, PUD final plan or other subdivision approval. The term "land" includes land, which has utilities or improvements available to it or located on it.

(A) Land Dedication. Land dedication for public recreational use shall not exceed 10 percent of the total area proposed for development or subdivision. In determining the amount of acreage to be dedicated for public recreational use, the City Council may consider the amount of open space, park, recreational, or common areas and facilities which the developer will reserve for use by occupants of the proposed development or subdivision. No area may be dedicated for public recreational use unless the City Council determines that the land is suitable for such purpose.

(B) Cash Equivalent Payment. Where a cash payment is required in lieu of a land dedication, the City Manager and/or his/her designee shall determine the fair market value of the land by reference to current market data, if available, or by obtaining an appraisal of the land from a licensed real estate appraiser. The developer shall pay the cost of such appraisal before final plat, PUD final plan, or other subdivision approval. The fair market value conclusions of the appraiser shall be conclusive. Except as hereinafter provided, the cash equivalency payment shall be due and payable on or before the execution of a development agreement or release of the final plat by the City.

(1) Maximum Cash Equivalency Payment. The maximum cash equivalency payment required on commercial, industrial, office or a mixture of such uses shall be an amount determined by the City Council and shall not exceed 10 percent of the fair market value of the land proposed for development or subdivision. The maximum cash equivalency payment required on a residential use shall depend upon the density of dwelling units per acre on the proposed development or subdivision, and shall be determined by reference to the following table:

<u>Proposed Dwelling Units Per Acre</u>	<u>Maximum Percentage of Fair Market Value</u>
0 - 2	4%
2.1 - 3	5%
3.1 - 4	6%
4.1 - 5	7%
5.1 +	10%

(2) Re-subdivision. In the event of a re-subdivision of land on which a previous cash equivalency payment has been

made, the developer shall receive credit for the amount of previous payment, which was applicable to the area being re-subdivided.

- (3) Installment Payments. The City Council, at its option, may permit the developer to submit the cash equivalency payment over a period of time pursuant to an installment payment agreement approved by the City's Attorney. The agreement shall require the payment of interest on the unpaid principal and shall require final payment within eighteen months. The City may withhold development or building permits if the developer does not comply with the terms of the installment agreement.
- (4) Public Recreational Use Fund. Cash payments received in lieu of land dedications shall be placed in a special fund and used only for the acquisition or development of land for parks, playgrounds, trails or open space, or for retirement of debt incurred for such purposes.

#### **204.030 Subdivision Standards.**

##### (A) Block Layout.

- (1) Arrangement. A block shall be so designed as to provide two tiers of lots except where lots back onto a major street, natural feature, railroad or subdivision boundary, in which case, it may have a single tier of lots.
- (2) Length. The maximum length of blocks shall be 1,800 feet and the minimum length, 500 feet. Blocks over 900 feet long may require pedestrian ways at least ten feet wide at their approximate center.

##### (B) Easements.

- (1) Utility. Easements at least 10 feet wide centered on the rear and side lot lines shall be provided for utilities where necessary. They shall have continuity of alignment from lot to lot and block to block.
- (2) Drainage. Drainage easements shall be provided along each side of any watercourse to establish a storm sewer, drainage or floodway right-of-way. Its boundaries shall

conform substantially with the centerline alignment of such watercourse.

(C) Lot Requirements. The following lot standards are intended to create development patterns that enhance adjacent existing development patterns, by insuring adequate light, air, and safety.

- (1) Substandard Lots of Record. Refer to the requirements set forth in 207.050(C).
- (2) Frontage. All lots shall front on a publicly dedicated right-of-way.
- (3) Butt Lots. Butt lots shall be discouraged. Where such lots must be used to fit a particular subdivision plan, such lots shall be at least 15 feet wider than the average required minimum lot width of the district in which it is located.
- (4) Side Lot Lines. Side lines of lots shall be substantially at right angles to straight street lines, or radial to curved street lines.
- (5) Minimum Lot Lines. No lot shall have a front or rear lot line of less than 30 feet in length.
- (6) Double Frontage Lots. Double frontage lots (lots with frontage on two parallel streets) shall not be permitted except where lots back to a major thoroughfare. Such lots shall have an additional depth of at least 15 feet in order to allow for screen planting and berming along the back lot line.
- (7) Corner Lots. Corner lots shall be platted at least 15 feet wider than the minimum width requirements.
- (8) Rear Lot Lines. Rear lot lines shall generally abut the rear lot lines of adjacent developed property, except for lots proposed at the end of a cul-de-sac. If this is not possible, the unique characteristics of the parcel proposed for subdivision must be evident.
- (9) Key Lots. Key lots shall be discouraged. Where such lots must be used to fit a subdivision plan, such lots shall

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include at least 15 feet more depth or width than the required minimum lot depth or width of the district in which it is located.

- (10) In the event that proposed parcel results in any adjacent development parcel meeting the definition of a Key or Butt Lot, the City reserves the right to require greater lot width or depth for the newly created parcel, and to increase the structure setback for the proposed subdivision.

(D) Streets.

- (1) Street Layout and Dedication. The arrangement, functional classification, character, extent, width, grade, and location of all streets shall conform to the Comprehensive Plan and the approved Municipal State Aid Street System.
- (2) Half Streets. Half streets shall be prohibited except where it will be practical to require the dedication of the other half when the adjoining property is subdivided.
- (3) Private Streets. Private streets may be permitted by the procedures for a Planned Unit Development.
- (4) Street Continuation and Extension. The arrangement of streets shall provide for the continuation of existing streets from adjoining areas into new subdivisions.
- (5) Cul-de-sacs. The maximum permitted cul-de-sac length is 500 feet. Where certain topographic features or other unusual circumstances dictate, special consideration may be given to accepting longer cul-de-sacs.
- (6) Future Projection of Streets. Where adjoining lands are not subdivided, streets in the new subdivision shall be required to extend to the boundary line of the tract to make provision for future access into adjacent areas. Temporary turnarounds shall be provided on these streets as approved by the City Manager and/or his/her designee.
- (7) No Dead Ends. In the development of subdivision or a plat, the street construction may be undertaken in parts or sections of the plat, providing that the petitioner includes in each separate undertaking streets which will make a

complete circuit so that there will be no dead ends when construction of a particular section has been completed, except as allowed per Section 204.030(D)(5).

(8) Design Criteria. See Section 402, Streets.

(E) Utilities.

(1) Undergrounding Required. Except as hereinafter provided, all public or private utility distribution lines, including cable television distribution lines, shall be buried underground.

(a) Facilities appurtenant to underground utility distribution lines including lift stations, hydrants, meters, transformers, pedestals, and other appurtenances approved by the City Manager and/or his/her designee do not have to be constructed underground.

(b) Cable television distribution lines shall be constructed in accordance with the Cable Franchise Agreement, Ordinance 690.

(c) Temporary aboveground installation of utility distribution lines shall be permitted when necessitated by emergency repairs to existing underground utility distribution lines. Temporary aboveground utility distribution lines shall be permitted to serve a construction project or a customer where grade cannot be established within a reasonable time or frozen ground conditions prevent economical placement of underground utility distribution lines. Temporary aboveground utility distribution lines shall be replaced by permanent underground utility distribution lines within one full construction season following the temporary placement or such later date as may be approved by the City Manager and/or his/her designee.

(d) The City Council may waive the requirement that utility distribution lines be constructed underground upon a finding that placement of utility distribution lines underground would not be compatible with the proposed development plan; or upon a finding that unusual topography, soil, or other physical conditions

make the installation of underground utility distribution lines unfeasible.

- (2) Utility Company Approval. The developer and/or property owner shall file a written statement with the City Manager and/or his/her designee from the appropriate utility company indicating that the developer and/or property owner has made the necessary arrangements with the utility company for the construction of underground utility distribution lines. The statement of utility company authorization shall be filed with the City Manager and/or his/her designee prior to construction of the underground utility distribution lines at the time of filing of site plans or prior to final plat approval, whichever event occurs first.
- (3) Dedication or Conveyance of Utility Easements. The developer and/or property owner shall indicate the location of proposed utility easements on site plans submitted to the City Manager and/or his/her designee. The necessary utility easements shall be shown as dedications on the final plat, or, where formal platting is not required, shall be conveyed to the City before issuance of building permits.
- (4) Maintenance of Utility Easement During Construction. The developer and/or property owner shall be responsible for establishing and maintaining a utility easement preliminary grade to within 6 inches of the final grade. Utility easement areas shall be kept free and clear of all structures, plantings or obstructions, except fences constructed in accordance with the Shoreview City Code, so that utility companies may install and maintain underground distribution lines.
- (5) Excavation Near Existing Underground Distribution Lines. In the interest of public safety and to avoid possible damage to underground utility distribution lines, no person shall excavate in any easement containing underground utilities without first notifying the utility company whose lines occupy the easement; provided, however, such excavation shall not be considered in violation of this provision unless the excavator has actual notice of the existence of the underground utility or unless the easement has been recorded with the Ramsey County Recorder.

(6) Utilities Located in Floodplain. All public utilities and facilities such as gas, electrical, sewer and water supply systems to be located in the floodplain shall be flood proofed in accordance with State Building Codes or elevated to above the Regulatory Flood Protection Elevation.

(F) Water Facilities.

- (1) Water supply lines shall be extended and service connections shall be stubbed into the property line of each lot.
- (2) All new structures requiring water facilities shall connect to the municipal water system if available.
- (3) All new plats shall be required to be served with municipal water.

(G) Sewage Treatment.

- (1) Sanitary sewer mains and service connections shall be installed to service all lots and shall be connected to the public system.
- (2) All new structures requiring sewage treatment facilities must connect to the public sanitary sewer facilities. Building permits shall not be issued for new structures requiring sewage treatment unless public sanitary sewer is available except as allowed under Section 209.090(D).

(H) Storm Sewer.

- (1) All development must provide storm sewer facilities to adequately manage surface waters.
- (2) All systems must be approved by the City Manager and/or his/her designee.
- (3) All systems must be designed to insure that the storm water runoff from a developed site will leave at no greater rate or significantly lesser quality than the storm water runoff from the site in an undeveloped condition.

- (4) All storm sewer systems with ponds must be designed to handle the one hundred year storm event. All storm sewer pipes must be designed at a minimum to handle the five-year storm event.
- (5) No land shall be developed and no use shall be permitted that results in water run off, causing flooding, erosion or deposit of minerals on adjacent properties. Such run off shall be properly channeled into a storm drain, watercourse, ponding area or other public facilities.
- (I) Monuments. Monuments of a permanent character as required by Section 505.02, M.S.A., shall be placed at each corner or angle on the outside boundary of the subdivision. Pipes or steels rods shall be placed at each corner of each lot and at each intersection of street centerlines.
- (J) Construction Plans.
- (1) Engineer Drafting. Construction plans for the required improvements conforming in all respects to the standards of the City and the applicable ordinances, shall be prepared at the subdivider's expense by a registered professional engineer and said plans shall contain his seal. Such plans together with the quantity of construction items shall be submitted to the City Manager and/or his/her designee for approval.
- (2) As-Builts. Upon the City Manager and/or his/her designee's certificate of compliance, the subdivider shall furnish the City with as-built drawings prepared by a registered professional engineer showing the improvements as built or in place.
- (K) Public Utility and Improvement Dedication. As part of any subdivision or development within the City, the City Council may require the developer to dedicate, reserve, or otherwise convey to the City a reasonable portion of the total area of the proposed development for use as streets, alleys, roads, sanitary sewer, water mains and appurtenances, storm sewer, storm water drainage areas or holding ponds, electric, gas, cable television and telephone transmission lines, and similar public improvements and utilities.