

**City of Rochester**

**Zoning Ordinance**

**and**

**Land Development Manual**

**Informational Supplement**

Updated March 3, 2011

Copies of the Rochester Zoning Ordinance and Land Development Manual  
and the Informational Supplement  
may be obtained at the  
Rochester-Olmsted Planning Department  
2122 Campus Drive SE, Suite 100  
Rochester, MN 55904  
(507) 328-7100

**INFORMATIONAL SUPPLEMENT**  
**FOR THE**  
**CITY OF ROCHESTER**  
**ZONING ORDINANCE & LAND DEVELOPMENT MANUAL**

This document contains Appendix A through Appendix H of the City of Rochester Zoning Ordinance and Land Development Manual (Ordinance #2785). These appendices are designed to provide the user with information which will be helpful in completing an application, identifying ordinance provisions which may apply to a proposed development, and in choosing design features, such as landscaping, necessary to complete a development. The appendices contained in this document are as follows:

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**APPENDIX A  
SCHEDULE OF APPLICATION FEES**

See Ordinance 3924 and Section 60.175, which replaces Appendix A.

## APPENDIX B

This appendix contains listings on the types of information that is to be submitted along with an application for any of the permits or certificates required under the regulations of the Rochester Land Development Manual. Additional information may be requested when required to determine whether a proposed development complies with the Land Development Manual Regulations. This appendix is organized as follows:

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- A) GENERAL REQUIREMENTS:** All development applications shall provide the basic information required by Paragraph 60.504 of the Rochester Land Development Manual.
- B) ANNEXATIONS:** An application for annexation shall be accompanied by the following information:
- 1) A location map showing the boundaries of the property proposed for annexation along with all lands within at least one-quarter mile of the site.
  - 2) A summary in written or graphic form outlining the location and availability of municipal sewer and water service.
- C) SIGN PERMITS:** An application for a sign permit shall be accompanied by the following information:
- 1) A site plan showing the proposed location of the sign on the property and, for an advertising sign, conformance with the standards in Section 63.224 (5).
  - 2) A sketch of the sign, identifying the dimensions of the sign, its height, the size of the lettering and the content of the message on the sign.
  - 3) A statement as to the type of lighting which will be used to illuminate the sign.
  - 4) A statement regarding the type of material the sign will be constructed of.
  - 5) For advertising signs, the required sign credit, must be submitted.
  - 6) For portable signs, the dates the sign will be in place must be submitted.
  - 7) Information on all other signs on the property.
  - 8) For all signs other than wall signs, two (2) copies of a Certificate of Survey of the lot signed and dated by a licensed surveyor/engineer are required or the combination of the following;  
1) survey to stake property and sign location, 2) proof of Gopher One call (call number provided) 3) title search for identification of easements, 4) site drawing by the surveyor.
- D) HOUSING CERTIFICATE:** An application for a housing certificate shall be accompanied by the following information:
- 1) A summary of the number and type of dwelling units proposed for the structure, including the number of bedrooms in each dwelling or apartment unit.
  - 2) A parking plan containing the information required by Paragraph 63.400 of the Rochester Land Development Manual.
- E) GENERAL DEVELOPMENT PLANS:** An application for a general development plan shall be accompanied by the following information:
- 1) Ten (10) copies of a plan on black or blue line prints, drawn at a scale not greater than one inch equals 200 feet, containing the following information:

- a) Proposed street pattern and street classification for the area under consideration;
  - b) General pattern of land use proposed and a comparison to that shown on the Rochester Urban Service Area Land Use Plan;
  - c) Topography, with contour intervals of not more than 5 feet on land having slopes less than 15 percent, and 10 feet on lands with slopes greater than 15 percent;
  - d) Identification of floodplain lands, including 100 year flood elevations, if known;
  - e) Identification of soils with particular characteristics that could create difficulties for development; i.e., wet soils, highly erodible soils;
  - f) Identification of major drainage corridors on the property;
  - g) Preliminary identification of wetlands (distinguishing groundwater supported wetlands) and Edge Support Areas, based on the Wetland Conservation Act of 1991, (Minn. Laws 1991, (Minn. Laws 1991 chapter 354, as amended by Laws 1993, chapter 175, and as thereafter amended), and the accompanying rules of the Minnesota Board of Water and Soil Resources (Minn. Rules chapter 8420, as amended) and Chapter 59 of this Code;
- 2) A reduced copy of the plan at 8 1/2" x 11" or 8 1/2" x 14" in size.
- 3) Two copies of a written summary addressing the following materials:
- a) Topographic or soils conditions which, in the estimation of the applicant, may create potential problems in street, drainage, public utilities or building design and construction, and how these problems will be investigated further or engineered to overcome the limitations;
  - b) Storm drainage problems which, in the estimation of the applicant, may result in costs that will exceed normal storm drainage costs;
  - c) Identification of potential off-site drainage problems;
  - d) Availability of utilities to serve the area under consideration;
  - e) Identification of possible erosion problems which may arise in the estimation of the applicant;
  - f) A general statement as to the possible phasing of any development activity to occur on the property under the control of the applicant.

F) **VARIANCES:** An application for a variance shall be accompanied by the information required in Paragraph 60.504 of the Rochester Land Development Manual.

**G) LAND SUBDIVISION PERMITS:**

- 1) **An application for a Type I Land Subdivision Permit shall be accompanied by the following information:**

- a) Three (3) copies of a Certificate of Survey showing all of the proposed and existing lot lines, along with their dimensions;
  - b) A copy of any proposed private easements or specific utility easements proposed to be established as part of the land subdivision.
- 2) **An application for a Type II or III Land Subdivision Permit shall be accompanied by the following information:**
- a) Ten (10) copies of a preliminary plan on black or blue line prints at scale not less than 1" = 100' containing the following information:
    - (1) **Existing conditions to be shown include:**
      - (a) Identification of the owners and zoning classifications of the land to be subdivided and of all adjacent lands.
      - (b) Location, width, and purpose of all existing easements.
      - (c) Public and private streets on or adjacent to the property, including the name, right-of-way width and location, legally established centerline, sidewalks, curbs or gutters, and all culverts and catch basin locations.
      - (d) Ground elevations on the property and within 100 feet of the tract, with contour intervals of two feet and referenced to the United States Geological Survey datum.
      - (e) Utilities on or adjacent to the property, including size, location, grades, invert elevations, capacities and cross-sectional areas of sanitary and storm sewer lines, and water mains. The location of gas mains, fire hydrants, electrical and telephone distribution lines should be identified. Where sewer and water mains are not on or adjacent to the tract, indicate direction and distance to, and the size of, nearest mains, with the invert elevations of sewers.
      - (f) Approximate location of all permanent monuments and lot corners.
      - (g) The lengths and bearings of the exterior boundary of the land being subdivided.
      - (h) Other significant environmental conditions on the land or within 100 feet of the exterior boundaries, including water courses (identified by contour line representing the current shoreline, a water elevation, and date of survey), marshes, rock outcroppings, woodlands, drainageway, slopes over 15%, flood plain areas, wetlands, structures and buildings, cliffs, retaining walls, railroad rights-of-way, power line rights-of-way, towers, and other non-residential land uses.
      - (i) The highest known water elevation for all water courses shall be indicated by numerical figure, along with the source of this information. If the site includes flood plain areas, the 100 year flood plain elevation shall be indicated by a numerical figure, along with the source of this information.

- (j) Location of all wetlands on the site, based on the rules of the MN Wetland Conservation Act, as amended.

**(2) Proposed features to be shown include:**

- (a) Location of proposed streets, and identification of street names, right-of-way and roadway widths, approximate elevations, road grades and proposed classification of streets.
- (b) Locations of other right-of-ways and easements, with widths and purposes of each identified.
- (c) Lot layout, including all lot lines and their approximate dimensions, lot numbers, and block numbers.
- (d) Sites to be reserved or dedicated for parks, playgrounds, schools or other public uses.
- (e) The approximate radii of all curves and lengths of all tangents.
- (f) A suggested preliminary plan of sanitary and storm water sewer facilities, with grades, pipe sizes and cross-sectional areas indicated, and water main location and sizes (8 copies should be submitted).

**(3) Other data to be included:**

- (a) A vicinity map drawn at a small scale showing the location of the preliminary plat and other existing subdivisions, major streets and tracts of land within 400 feet of the proposed subdivision.
  - (b) Correct legal description of the land to be subdivided, the proposed name for the subdivision, and the names and addresses of the owners, surveyors and engineers preparing the plat, along with the surveyors' and engineers' certifications.
  - (c) A legend indicating the scale, north point, and date of the proposed plat preparation.
- b) A reduced copy of the preliminary plan at a size of 8 1/2" x 11" or 11" x 17" in size.
- c) **The following information is to be submitted along with the prints of the preliminary plan in the quantities specified.**
- (1) One (1) copy of any proposed covenants that are to be created to regulate land use within the subdivision.
  - (2) Four (4) copies of a Drainage Plan, unless a plan was previously prepared as a part of an approved general development plan, or unless the drainage plan is waived under the provisions of Paragraph 61.553.

- (3) For areas zoned residential, the applicant shall submit a written summation of how the spillover parking guidelines of the Rochester Zoning Ordinance and Land Development Manual will be met.
- (4) In situations where land uses in the proposed subdivision will be significantly different from adjacent uses, so as to require bufferyards, the applicant shall address how these will be provided.
- (5) Ten (10) copies of a site data summary, identifying the total acreage of the site, the number of lots by zoning district, and the area devoted to public uses.
- (6) Ten (10) copies of a street profile map on black or blue line prints, drawn to a horizontal scale of 1" equals 10' or less, showing the grades, utility grades, depth to rock and ground water along the streets, and typical street cross-sections.

H) **FINAL PLATS:** The information to be included on a final plat, as required by Paragraph 61.230 of the Rochester Zoning Ordinance and Land Development Manual, is listed below. All final plats shall also be prepared in accordance with the laws of the State of Minnesota, particularly Chapter 505.

1) **Identification Data**

- a) Legal description of all land to be subdivided.
- b) Proposed name of subdivision plat.
- c) Name of the registered land surveyor or firm preparing the plat.
- d) A legend which includes:
  - (1) North arrow
  - (2) Scale
  - (3) Indication of the manner in which existing and created monuments are identified, including their type and size.
  - (4) Bench mark
  - (5) Vicinity map
  - (6) Definition of utility easements or drainage easements.
  - (7) Definition of restricted access.
- e) All judicial landmarks called for in the description.
- f) All government corners, including not only those that are part of the plat but also those used to determine plat boundaries.
- g) Name and adjacent boundary lines of any adjoining platted lands.

- h) All underlying platted property, including blocks, lots, right-of-ways and easements.
- i) All sixteenth and government lot lines, and all quarter-quarter sections or government lots.
- j) Identification and location of municipal or township lines.

## 2) **Plat Graphics**

- a) Length and bearings of all lines of the plat. Bearings may be deleted where lines are interior lines and are clearly parallel with adjacent lines.
- b) Central angle radius and arc length for all curves, including curved lot lines, street centerlines, and right-of-way boundaries, if different from the centerline data.
- c) Chord direction and chord length for all non-tangential curves.
- d) Exact location of all existing and proposed lot corners and monuments.
- e) Layout, width and identification of existing and proposed public streets, easements, drainageways, parks and other public property within and adjacent to the proposed subdivision.
- f) Location, width and identification of railroad right-of-ways.
- g) Lot and block numbers, with lots and blocks numbered progressively throughout the plat.
- h) Identification and dimensions of any exceptions to the parcel being platted.
- i) Identification and location of any controlled access existing or being created along public or private street right-of-ways.
- j) Identification of a survey line where a river, stream, creek, lake or pond constitutes a boundary within the plat.
- k) Where lands abut a lake or stream, the plat shall show, for informational purposes, a line denoting the present shoreline, water elevation and date of survey. The highest known water elevation shall be indicated on the face of the plat by numerical figure, and shall include the source of the data. All elevations shall be referenced to a durable bench mark, with its location described and its elevation referenced to the United States Geological Survey Datum.
- l) If any land being subdivided is within a flood fringe or Floodway area, the plat shall show, for informational purposes, a line denoting the approximate boundary of the flood area, and the flood protection elevation shall be noted on the face of the plat.
- m) Ponds or wetlands shall be indicated on the plat by a survey line or dashed contour line, respectively, and labeled as such on the plat document. Ponds need not be recognized if they fall entirely within the boundaries of a single lot.

### 3) **Certificates and Statements**

- a) Owner's instrument of dedication, including the notification of interest, legal description, and acknowledgment, as required by law for recording conveyances.
  - b) Surveyor's certificate, acknowledging the plat was made in conformance with the Rochester Zoning Ordinance and Land Development Manual and the Laws of Minnesota, that the plat is a correct representation of the survey, that all distances are correctly shown, that all monuments have been correctly placed in the ground as shown, and that the outside boundary lines are correctly designated on the plat.
  - c) City Clerk's Certificate, acknowledging that the plat has been approved by the City Council.
  - d) County Surveyor's Certificate, acknowledging that the plat has been checked for surveying accuracy and compliance with the applicable state platting laws.
  - e) County Auditor's Statement, stating that there are no delinquent taxes on the property.
  - f) County Recorder's Statement, indicating where and when the plat is recorded, and where in the office of the recorder it is recorded.
- l) **CONDITIONAL USE PERMITS:** The following information shall be submitted along with any application for a conditional use permit. This information shall be contained on a site plan. Ten (10) copies of any drawings at a scale not less than 1" = 100' and one (1) reduced copy of any drawings, on a sheet 8 1/2" x 11" or 8 1/2" x 14" in size, shall be submitted along with two (2) copies of any written material.

A "II" following any listing herein indicates information that can be submitted as part of Phase II in any Type III Conditional Use application. The Zoning Administrator may waive any of the information requirements if, in his estimation, the information is not needed to make a decision on the application.

#### 1) **General Information:**

- a) Name of the project/development.
- b) Location of development by street address.
- c) Name and mailing address of Engineer/Architect/Professional Site Planner preparing the documents.
- d) Date of plan preparation.
- e) On any drawing, a north point indicator and the scale of the drawing.

#### 2) **Site Information:**

- a) Boundary lines of the property with dimensions.
- b) Adjacent streets with right-of-ways shown.

- c) On-site roadways, street right-of-ways, and proposed classification of streets, along with the location of any required fire lanes.
- d) Utility right-of-ways and easements for:
  - (1) Electric
  - (2) Natural Gas
  - (3) Telephone
  - (4) Water (domestic and fire)
  - (5) Sewer (sanitary and storm)
  - (6) Overland drainage
- e) General locations of all buildings and structures, with specific yards and setbacks noted in Phase II.
- f) Location of any critical environmental features, such as water bodies, wetlands, woodlands, drainageways, slopes over 15%, or flood plain areas.
- g) Location of parking and loading areas, and, as part of Phase II, a complete parking plan including the information required by Paragraph 63.400 of the Rochester Zoning Ordinance and Land Development Manual.
- h) Sidewalks, walkways, driveways and bikeways (II).
- i) Fences and retaining walls (II).
- j) Signs, including the information outlined in Section C of Appendix B (II).
- k) Exterior refuse collection areas (II).
- l) Exterior lighting, including details of features, orientations, and plans for directing the light (II).
- m) Traffic flow on-site.
- n) Transit facilities and movements (II).
- o) A planting plan, indicating the location of bufferyards, parking lot landscape, and general lot landscaping, as required by the Rochester Zoning Code, and including, as part of Phase II, the information listed in paragraph 63.150 of the Rochester Zoning Ordinance and Land Development Manual.
- p) Location of existing utilities on or adjacent to the site.
- q) Location of any speakers or other sound amplification devices.
- r) Identification of any floodplain areas on the site, with flood protection elevations and building elevations in such areas noted.
- s) Adjacent land uses and zoning classifications.

t) Recreation areas, if required, shall be located with specific -improvements detailed in Phase II.

u) Identification of wetlands on the site.

3) **Site Data**

a) Completed site capacity calculation.

b) Gross square footage of all buildings and structures.

c) Amount of landscaped area provided.

d) Amount of usable recreation provided, (for residential uses).

e) Dwelling unit density, with a breakdown by unit type included.

4) **Building Information**

- a) Elevations, with dimensions (II).
- b) Preliminary floor plans for all stories of all structures and buildings, with room usage noted and dimensions (II).
- c) Window locations shall be identified in all performance standard residential uses and multi-family residential uses under four stories.

5) **Other Information**

- a) A grading and drainage plan, if one is required, meeting the standards described in Paragraph 64.300 of the Rochester Zoning Ordinance and Land Development Manual (II). See grading plan checklist provided by the Rochester Public Works Department.
  - b) A transportation impact report, if one is required (see Paragraph 61.520).
  - c) Any information needed to establish conformance of the development with the Industrial Performance Standards of Section 63.600 of the Rochester Zoning Ordinance and Land Development Manual (II).
  - d) Any private contractual agreements regarding satellite or shared parking or shared access points (II).
  - e) In any incentive development, a summary of those features in the development which, in the estimation of the applicant, justify the granting of bonus density or floor area.
  - f) If in a performance district, the information required by Paragraph 61.510 of the Rochester Zoning Ordinance and Land Development Manual to establish conformance with the Land Use Plan.
- J) **ZONING CERTIFICATES:** An application for a zoning certificate shall be accompanied by the following information. Where information has been previously submitted as part of a variance, conditional use, land subdivision or site planning permit that was required prior to the issuance of any zoning certificate, such information need not be resubmitted unless changes are being made.
- 1) All applications for zoning certificates involving the placement of a new building on a vacant lot require the following submittals:
    - a) Two (2) copies of a certificate of survey of the lot.
    - b) A site preparation plan prepared according to Paragraph 61.570.
    - c) Copy of the approved grading plan covering the area for which the permit is proposed.
  - 2) For all interior alterations, except those involving a change of use or a conversion to higher density of residential use, any changes to the exterior facade of a building or structure not involving an addition, or any fences or walls, the information to be submitted shall be that

which, in the opinion of the Zoning Administrator, is necessary to establish compliance with the Rochester Zoning Ordinance and Land Development Manual.

- 3) All applications for residential uses, from single family dwellings to four-plexes, an accessory building or structure, or a temporary use shall be accompanied by two (2) copies of a site plan showing:
  - a) Evidence of the location of all lot corners, with dimensions of all resultant property lines shown; and any existing easements of record.
  - b) Adjacent public or private streets to which access is available for the lot, or copies of a legally established agreement for providing such access;
  - c) Location, size and height of any structure or building, both existing or proposed, on the lot.
  - d) Drawings or sketches showing the front, rear and side elevations of any proposed new construction, if requested by the Zoning Administrator.
  - e) The existing and/or intended use of each structure or part thereof.
  - f) All drawings shall be drawn to scale at a scale of not less than 1" = 40' and the scale shall be noted.
  - g) The location of off-street parking, driveways, and of a potential garage site if a garage is not to be constructed.
  - h) See Section 5 below for further requirements.
- 4) All applications for a zoning certificate involving a use for which construction of a building is not proposed shall provide the following information on two (2) copies of a site plan.
  - a) Evidence of the location of all lot corners, with dimensions of all resultant lot lines; and any existing easements of record.
  - b) Identification of the purpose for which each portion of the site will be used.
  - c) Location, dimensions, and type of construction of any structures that will be located on the site.
  - d) Location of any off-street parking and driveways serving the use.
  - e) Identification of adjacent streets to which access is proposed for the development.
  - f) Any additional information necessary to establish compliance with the appearance controls and bufferyard regulations of the Rochester Zoning Ordinance and Land Development Manual.
- 5) For all other uses, the information to be submitted shall be the same as that required for conditional use permits, as spelled out in Section I of Appendix B of the Informational Supplement to the Rochester Zoning Ordinance and Land Development Manual. The

Zoning Administrator may waive certain of the requirements where such information is not needed to establish compliance with the Zoning Ordinance. Where a Conditional Use or Site Planning Permit has been required and approved prior to application for a zoning certificate for any use, a copy of the approved site plan may be used as the submittal document for zoning certificate approval, with only that additional information not shown added.

**6) Additional considerations for zoning certificate submittals:**

- a) The Zoning Administrator may require the submittal of information indicating compliance with any, or all, applicable General Zoning District Standards and Appearance Control Standards required under the provisions of the Zoning Ordinance and Land Development Manual.
- b) When a request for a zoning certificate to permit footings and foundation construction only is submitted the application need only show evidence of all lot corners, with setbacks noted and the proposed use of the building or structure identified.
- c) **CERTIFICATE OF ENVIRONMENTAL SPECIALIST:** In every case where the lot is not provided and is not proposed to be provided with public water supply and/or disposal of sanitary wastes by means of public sewers, the applications shall be accompanied by a certificate of approval, by the Environmental Specialist of Olmsted County, of the proposed method of water supply and/or disposal of sanitary wastes.
- d) **CERTIFICATE OF COMPLIANCE WITH FLOOD PLAIN PROVISIONS:** For uses within a flood fringe or Floodway district, the applicant shall submit certification by a registered professional engineer or other qualified person designated by the Zoning Administrator that the finished fill and building floor elevations, flood proofing or other flood protective measures were accomplished in conformance with the provisions of the Zoning Ordinance and Land Development Manual.
- e) If a development is located in a performance district the information needed to establish conformance with the Land Use Plan (Paragraph 61.510) shall be submitted.

## **K) SITE DEVELOPMENT PLAN – See below Checklist**

### **SITE DEVELOPMENT PLANS**

The following information shall be submitted with any application for a site development plan approval. This information shall be contained in a site plan or combination site plan/grading plan. **Eight (8) copies** of the plan shall be submitted to the Planning Department along with the **Type I application form**. The site plan shall have a scale of no greater than 1"=50'.

**General Information:** To be placed on the site development plan in addition to the application form.

1. Name of the project.
2. Location of the project
3. Date of the plan preparation
4. North point and scale of the drawing
5. Dimensions of all property lines, structures, paved areas, easements, etc.

#### **Site Information:**

1. Boundary lines of the property
2. Adjacent streets with rights of way shown, on site roadways and driveways, street right of ways, fire lanes, and access to public streets
3. Utility right of ways and easements including electric, natural gas, telephone, water(domestic and fire), sanitary sewer and drainage easements
4. Location of existing utilities on or adjacent to the site
5. Locations of buildings and structures
6. Location of critical environmental features required for the site capacity calculations (Sec. 61.530 – 61.533) including lakes, ponds, water courses, wetlands, drainageways, floodway, floodway fringe, moderate and steep slopes
7. Location of parking and loading areas
8. Sidewalks, walkways, bikeways, transit facilities
9. Landscape area, bufferyards and planting plan (The adjacent land uses and zoning districts must be available for the determination of bufferyards.), fences and retaining walls

#### **Zoning Information: includes but not limited to the following**

1. Completed site capacity calculation
2. Gross square footage of all buildings and structures and the related floor area ratio calculations, and setbacks from property lines
3. Amount of landscape area provided and bufferyards (landscaping plan)
4. Amount of useable recreation area provided (residential development)
5. Dwelling unit density with breakdown by unit type included (residential development)
6. Parking and loading areas including dimensions and numbers
7. Exterior storage, lighting plans and sign locations where applicable

#### **Building Information:**

1. Elevations with dimensions
2. Window locations identified in all performance standard residential uses and multi-family residential uses under four stories
3. Information necessary for water, sewer, and electrical service to buildings

#### **Other Information:**

1. Certificate of survey
2. Grading and drainage plan if separate from the site development plan
3. Utility plan (existing and proposed improvements)

A table of zoning information should be placed on the site plan to easily display zoning ordinance requirements. Below is an example.

#### Zoning Information

Current Zoning:

Site Address:

Proposed Use:

Site Location Standard:

Net buildable area (including site capacity calculation):

Multiply by Floor Area Ratio:

Equals permitted floor area:

Minimum setback requirements:

Front yard:

Side yard:

Side street yard:

Sum of side yards:

Rear yard:

Minimum landscape area:

Landscape area proposed:

Permitted height of building:

Proposed building height:

Required off-street and handicap parking:

Exterior Lighting:

Sign regulations:

Exterior storage regulations:

Bufferyard indicator by yard:

**L) ADDITIONAL INFORMATION:** The Zoning Administrator may require that any application include the following information:

1) On a site plan, the following information shall be identified:

a) **General Site Features:**

(1) Vicinity sketch and boundary line survey.

(2) Location of any buildings, structures, utilities, sewer, storm and water drains on the site and on property within one hundred (100) feet of the project site.

(3) Contours of the existing site at two (2) foot intervals.

(4) Acreage of the project.

(5) Scale of map and north arrow.

- (6) Name and addresses of owner, of developer, or technician who made the plan, and engineer responsible for engineering detail.
- (7) Location by section, township, range, county and state.
- (8) Name of project area.
- (9) Locate all trees with a trunk diameter of greater than five (5) inches, measured at a point five (5) feet from the ground.

**b) Proposed Alterations:**

- (1) Changes to land surface and vegetative cover.
- (2) Areas of cut and fill.
- (3) Detailed plans of storm water and erosion control facilities.
- (4) Contours of finish areas at an interval that will adequately describe the final topography.
- (5) Structures, roads, paved areas, buildings.
- (6) Utility easements and drainage easements.

2) In a written report, the following information should be provided:

**a) Runoff Characteristics:**

- (1) Drainage area in acres for each storm water and erosion control structure.
- (2) Calculation of C.F.S. (Cubic Feet Per Second Runoff) prior to development and C.F.S. after development.
- (3) Watershed above project area (if applicable).
- (4) Certification of the quantity of excavation and fill involved.

**b) Projected Phasing of Project:**

- (1) Date of cover removal.
- (2) Date of temporary cover.
- (3) Date of permanent storm water and erosion control structures constructed.
- (4) Date of final completion of project.

**c) Maintenance of Facilities:**

(1) Who will maintain structure during development.

(2) How long will structure be maintained.

d) **Certification:**

(1) A certification from a registered professional engineer, hydrologist, or soils scientist stating that the development will meet the standards of this section. This certification shall also appear on the site plan.

**M) Wind Energy Conversion Systems and Meteorological Towers:** An application for a zoning certificate shall be accompanied by the information required for a zoning certificate identified in subsection J of Appendix B. An application for a conditional use permit shall be accompanied by the information required in subsection I of Appendix B and in 61.140

Additional information shall be required as follows:

1. Stamped engineering drawings of the tower, base, footings, and/or foundation, as provided by the manufacturer.
2. Utility notification response.
3. Location of overhead power lines in and adjacent to the site.
4. WECS specifications including manufacturer, model, rotor diameter, nameplate capacity, statement of overspeed controls.
5. WECS structure information including tower/turbine color, lighting, location of underground power lines.

## APPENDIX C FLOW CHARTS PROCEDURES

Appendix C includes flow charts that illustrate the process that is followed in reviewing various types of development related applications. The charts are arranged in the following order:

	Page Number
<b>CHART A</b> A series of questions with answer blanks to help determine, for a proposed new use, what type of permit or certificate approval will be required.	<a href="#"><u>23</u></a>
<b>CHART B</b> A Timeline showing the approximate time frame needed to process Type I, II, or III permits or certificates. These processes are applicable to Zoning Certificates, Sign Permits, Housing Certificates, Conditional Use Permits, Land Subdivision Permits, Site Planning Permits, and General Development Plans.	<a href="#"><u>24</u></a>
<b>CHART C</b> Copies of Applications	<a href="#"><u>30</u></a>
<b>CHART D</b> A Checklist of ordinance provisions to review to insure that all relevant issues have been addressed prior to submitting an application.	<a href="#"><u>35</u></a>
<b>CHART E</b> Zoning Certificate Worksheet	<a href="#"><u>40</u></a>
<b>CHART F</b> Describes the Annexation Process	41
<b>CHART G</b> Describes the Land Use Plan Amendment Process	42

### CHART A: GUIDE TO DETERMINING PROCEDURES FOR A NEW USE

To use this guide, answer each of the questions “yes” or “no”. The next step is located directly below the appropriate “yes” or “no”.

<b>PROPOSED DEVELOPMENT</b>	Establish a New Land Use (in a new building, an existing building, or on a parcel where no structure is involved) Proposed Use:						
<b>FIRST QUESTION</b>	What is the property zoned?						
<b>SECOND QUESTION</b>	Is the proposed use permitted in the district? <b>Yes</b> <input type="checkbox"/>			<b>No</b> <input type="checkbox"/>			
<b>NEXT STEP</b>	Identify Class of Development: <b>Permitted</b> <input type="checkbox"/> <b>Conditional</b> <input type="checkbox"/> <b>Incentive</b> <input type="checkbox"/>			Identify the need for a Zone Change OR an Application for a Restricted Use, OR Special District			
<b>THIRD QUESTION</b>	Does the proposal meet the Density Factor or Floor Area Ratio standards listed in the Zoning District table?			Does the proposed development fall into any of the following categories?			
	<b>Yes</b> <input type="checkbox"/>		<b>No</b> <input type="checkbox"/>		<b>Yes</b>	<b>No</b>	
	If yes, proposal is a permitted or conditional use		If development exceeds standards, it will be an Incentive Development		Adaptive Reuse	<input type="checkbox"/>	<input type="checkbox"/>
					Mixed Uses	<input type="checkbox"/>	<input type="checkbox"/>
<b>FOURTH QUESTION</b>	Is it a Conditional Use (identified as a Type II, III, or VAR in the table)?		Except for the Density Factor and/or Floor Area Ratio, does the proposal meet all other requirements?		Did you check “Yes” for any of the above categories?		
	<b>No</b> <input type="checkbox"/>	<b>Yes</b> <input type="checkbox"/>	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	
	Submit Zoning Certificate Application	Submit Conditional Use Permit Application	Process the Incentive Development through the Type III Procedure	Process as a Concurrent Review (combines Incentive Development with Design Modification)	Submit application for a Restricted Development	A Zone Change is necessary. (See Paragraph 60.330 of the Land Development Manual)	
					Process as a Type III Procedure. See Conditional Use Permit for submittal requirements.		
<b>FIFTH QUESTION</b>	Is a variance needed?		Is a variance needed?				
	<b>No</b> <input type="checkbox"/>	<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Yes</b> <input type="checkbox"/>			
	Type I Procedure	File a Variance application	Proceed with Conditional Use application	Combine a Conditional Use & a Variance as a Site Planning Permit			
<b>SUBMIT APPLICATION FOR A ZONING CERTIFICATE FOLLOWING APPROVAL OF ABOVE PERMITS</b>							

**CHART B: SUMMARY OF TYPE I, II, AND III PROCEDURES**

<b>TYPE I PROCEDURE</b>	<b>DAYS</b>	<b>TYPE II PROCEDURE</b>	<b>STEP</b>	<b>TYPE III (PHASE I) PROCEDURE</b>	<b>DAYS</b>	<b>TYPE III (PHASE II) PROCEDURE</b>	<b>TYPE III (PHASE III) PROCEDURE</b>
Applicant files application	1	Applicant files application		Applicant files application	1	Applicant files application	Applicant files application
Staff determines if application is complete	3	Staff determines if application is complete	Submittal	Staff determines if application is complete	3	Staff determines if application is complete	Staff determines if application is complete
If "YES", go on If "NO", resubmit application		If "YES", go on If "NO", resubmit application	Phase	If "YES", go on If "NO", resubmit application		If "YES", go on If "NO", resubmit application	If "YES", go on If "NO", resubmit application
	4	Referrals sent to other Agencies and Notice of Proposed Action sent to adjacent owners	Staff	Referrals sent to other agencies	4	Referrals sent to other agencies	Referrals sent to other agencies
Staff reviews application for conformance with ordinance	6	Staff review of application ongoing	Review	Staff review of application ongoing		Staff review of application ongoing	Staff review of application ongoing
	8						
Zoning Administrator approves or denies permit	10	All Referral Comments received, or "No Objection" assumed	Phase	All Referral Comments received, or "No Objection" assumed		All Referral Comments received, or "No Objection" assumed	All Referral Comments received, or "No Objection" assumed
	14				14		
	20	Zoning Administrator decides to approve or deny application		Hearing before Designated Review Body	25	Hearing before Planning Commission	Review before Planning Commission
	25	Notice of Action sent to Commission along with requests for hearings	Public	Staff report and review of hearing sent to Council for informational purpose			Commission recommends approval or denial of application
	40	Public Hearing held before Planning Commission	Review	Notice of Action sent	40	Hearing before Council	Hearing before Council
	50	Final Notice of Action sent	Phase		Up to 60	Council approves or denies application	Council approves or denies application
						Notice of Action sent	Notice of Action sent

## TYPE I REVIEW PROCEDURE

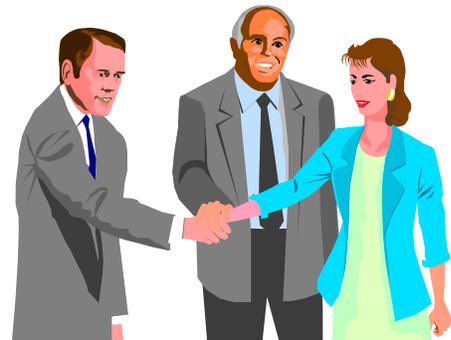
- Application submitted to Planning Staff



- Planning Staff review
  - Zoning Certificates - 10 days
  - Sign Permits - 10 days
  - Housing Certificates - 5 days
  - Other Applications not needing approval of others - 20 days
  - Applications not needing approval of others - 7 days following approval by others



- Application approved, denied, or applicant informed of necessary changes



**CHART B: SUMMARY OF TYPE I, II, AND III PROCEDURES**

**TYPE II  
REVIEW PROCEDURE**

- Application submitted to Planning Staff



- Planning Staff and Referral Agency review



30 days

- Planning staff preliminary approval or denial



If approval - 25 days

- Review or hearing before Planning Commission



Uphold or reverse Planning staff decision

**CHART B: SUMMARY OF TYPE I, II, AND III PROCEDURES**

**TYPE III, PHASE I  
REVIEW PROCEDURE**

- Application submitted to Planning Staff



- Planning Staff and Referral Agency review



- Review or hearing before Planning Commission



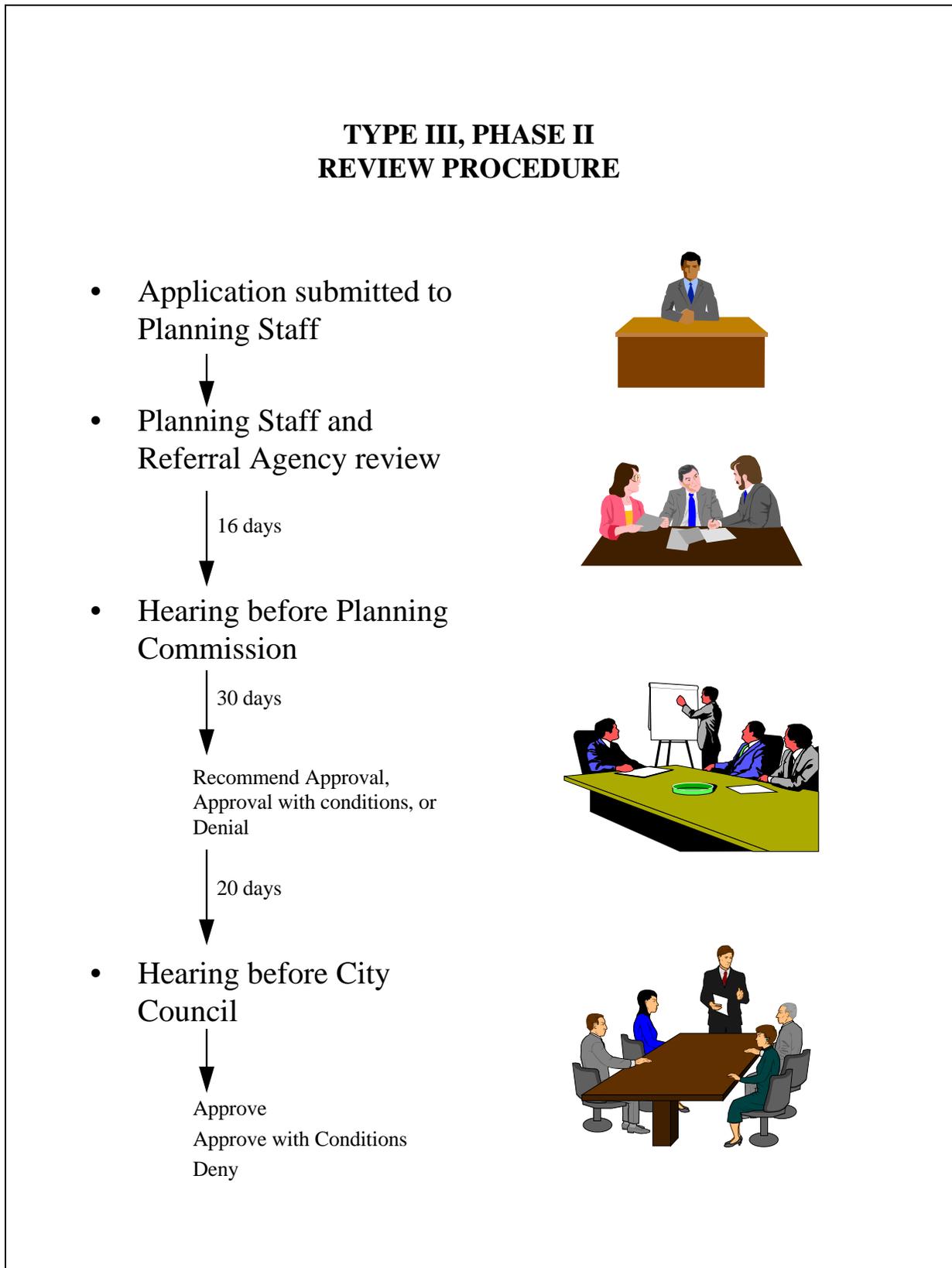
- Approve
- Approve with conditions
- Deny



- Report submitted to City Council for information purposes only



**CHART B: SUMMARY OF TYPE I, II, AND III PROCEDURES**



**CHART B: SUMMARY OF TYPE I, II, AND III PROCEDURES**

**TYPE III, PHASE III  
REVIEW PROCEDURE**

- Application submitted to Planning Staff



- Planning Staff and Referral Agency review



- Review before Planning Commission



Recommend Approval,  
Approval with conditions, or  
Denial



- Hearing before City Council



Approve  
Approve with Conditions  
Deny



**CHART C: COPIES OF DEVELOPMENT APPLICATIONS**

*(Original forms are available at the Rochester-Olmsted Planning Department Office)*

**TYPE I DEVELOPMENT APPLICATION  
CITY OF ROCHESTER**

The undersigned hereby makes application for a Type I Development as regulated by Section 60.510 of the City of Rochester Land Development Manual.

NAME OF APPLICANT: \_\_\_\_\_

ADDRESS OF APPLICANT: \_\_\_\_\_

TELEPHONE NUMBER: (home) \_\_\_\_\_ (work) \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_ E-MAIL (IF APPLICABLE) \_\_\_\_\_

ADDRESS OF PROPERTY IF DIFFERENT THAN APPLICANT'S ADDRESS: \_\_\_\_\_

\_\_\_\_\_

SIGNATURE OF PROPERTY OWNER: \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

<b>B. TYPE OF APPLICATION</b>	
(Please check appropriate box)	
<input type="checkbox"/> Type I GDP Amendment	<input type="checkbox"/> Type I Site Development Plan *
<input type="checkbox"/> Type I Home Occupation *	<input type="checkbox"/> Type I PUD Amendment
<input type="checkbox"/> Type I Design Modification *	<input type="checkbox"/> Type I Special District Amendment
<input type="checkbox"/> Type I Land Subdivision Permit	<input type="checkbox"/> Temporary Use *
<input type="checkbox"/> Other _____	

REASON FOR APPLICATION: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE: \_\_\_\_\_

Respectfully Submitted:

\_\_\_\_\_  
(Owner or Corporation)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Phone)

<b>ROCHESTER BUILDING SAFETY DEPARTMENT</b>	
*** Required information prior to submitting application to Planning Dept. ***	
<input type="checkbox"/> No Comments	<input type="checkbox"/> Building Permit Required
<i>(initial inside 1 of the boxes)</i>	
Comments _____	

Return Application to:

Rochester-Olmsted Planning  
Department  
2122 Campus Drive SE, Suite 100  
Rochester MN 55904-4744  
Ph: (507) 328-7100  
Fx: (507) 328-7958

**DISTRIBUTION:**  
Planning Department: (white copy)  
Applicant: (canary copy)  
GIS Division (pink copy)

<b>FOR OFFICE USE ONLY</b>	
Date Received:	_____
Received by:	_____
Application Fee:	_____
<b>TOTAL AMOUNT DUE:</b>	_____

**CHART C: COPIES OF DEVELOPMENT APPLICATIONS**

*(Original forms are available at the Rochester-Olmsted Planning Department Office)*

**TYPE II DEVELOPMENT APPLICATION  
CITY OF ROCHESTER**

The undersigned hereby makes application for a Type II Development as regulated by Section 60.520 of the City of Rochester Land Development Manual.

NAME OF APPLICANT: \_\_\_\_\_

ADDRESS OF APPLICANT: \_\_\_\_\_

TELEPHONE NUMBER: (home) \_\_\_\_\_ (work) \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_ E-MAIL (IF APPLICABLE) \_\_\_\_\_

ADDRESS OF PROPERTY IF DIFFERENT THAN APPLICANT'S ADDRESS: \_\_\_\_\_

SIGNATURE OF PROPERTY OWNER: \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_

\_\_\_\_\_

<b>A. TYPE OF APPLICATION</b>	
(Please check appropriate box)	
<input type="checkbox"/> Type II Design Modification	<input type="checkbox"/> Type II Land Subdivision Permit
<input type="checkbox"/> Type II Conditional Use	<input type="checkbox"/> Type II Restricted Development
	<input type="checkbox"/> Other _____

REASON FOR APPLICATION: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE: \_\_\_\_\_

Respectfully Submitted:

(Owner or Corporation)	(Address)	(Phone)
Submittal Instructions: (see attached)		
Return Application to:	Rochester – Olmsted Planning Department 2122 Campus Dr. SE, Suite 100 Rochester, MN 55904 Ph: (507) 328-7100 Fx: (507) 328-7958	

DISTRIBUTION:  
Planning Department: (white copy)  
Applicant: (yellow copy)

Form 1920-29

<b>FOR OFFICE USE ONLY</b>
Date Received:
Received by:
Application Fee:

**CHART C: COPIES OF DEVELOPMENT APPLICATIONS**

*(Original forms are available at the Rochester-Olmsted Planning Department Office)*

**TYPE III, PHASE I DEVELOPMENT APPLICATION  
CITY OF ROCHESTER**

The undersigned hereby makes application for a Type III Development as regulated by Section 60.530 of the City of Rochester Land Development Manual.

NAME OF APPLICANT: \_\_\_\_\_

ADDRESS OF APPLICANT: \_\_\_\_\_

TELEPHONE NUMBER: (home) \_\_\_\_\_ (work) \_\_\_\_\_

FAX NUMBER (\_\_\_\_\_) \_\_\_\_\_ E-MAIL (IF APPLICABLE) \_\_\_\_\_

ADDRESS OF PROPERTY IF DIFFERENT THAN APPLICANT'S ADDRESS: \_\_\_\_\_

SIGNATURE OF PROPERTY OWNER: \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_

**B. TYPE OF APPLICATION**

(Please check appropriate box)

- Type III phase I Conditional Use
- Type III Phase I Variance
- Type III Phase I Appeal
- Type III Phase I Final Plat
  - GDP File No. & Name: \_\_\_\_\_ Phase: \_\_\_\_\_
- Other

REASON FOR APPLICATION: (Please describe in detail if applicable) \_\_\_\_\_

DATE: \_\_\_\_\_

Respectfully Submitted,

\_\_\_\_\_  
(Owner or Corporation) (Address) (Phone)

Return Application to: Rochester – Olmsted Planning Department  
2122 Campus Dr. SE, Suite 100  
Rochester, MN 55904  
Ph: (507) 328-7100 Fx: (507) 328-7958

DISTRIBUTION:

Planning Department: (white copy)  
City Clerk: (canary copy)  
Applicant: (pink copy)

Form 1920-30

<b>FOR OFFICE USE ONLY</b>
Date Received:
Received by:
Application Fee:

**CHART C: COPIES OF DEVELOPMENT APPLICATIONS**

*(Original forms are available at the Rochester-Olmsted Planning Department Office)*

**TYPE III, PHASE II DEVELOPMENT APPLICATION  
CITY OF ROCHESTER**

The undersigned hereby makes application for a Type III Development as regulated by Section 60.530 of the City of Rochester Land Development Manual.

NAME OF APPLICANT: \_\_\_\_\_

ADDRESS OF APPLICANT: \_\_\_\_\_  
Street Address City State Zip

TELEPHONE NUMBER: (home) \_\_\_\_\_ (work) \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_ E-MAIL \_\_\_\_\_

ADDRESS OF PROPERTY IF DIFFERENT THAN APPLICANT'S ADDRESS: \_\_\_\_\_

SIGNATURE OF PROPERTY OWNER: \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_

**C. TYPE OF APPLICATION**

(Please check appropriate box)

- Type III, Phase II, General Development Plan
- Type III, Phase II, Land Subdivision Permit
  - GDP File No. & Name: \_\_\_\_\_ Phase: \_\_\_\_\_
- Type III, Phase II, Zoning District Amendment
- Type III, Phase II, Rochester Land Use Plan Amendment
- Type III, Phase II, Restricted Development Preliminary Plan
- Type III, Phase II, Incentive Development Preliminary Plan
- Other \_\_\_\_\_

If filing Land Use Plan Amendment or Zoning District Amendment, please state designation from \_\_\_\_\_ and to \_\_\_\_\_.

REASON FOR APPLICATION: (Attach additional pages, if necessary) \_\_\_\_\_

DATE: \_\_\_\_\_

Respectfully Submitted,

\_\_\_\_\_  
(Owner or Corporation) (Address) (Phone)

Return Application to: Rochester – Olmsted Planning Department  
2122 Campus Dr. SE, Suite 100  
Rochester, MN 55904  
Ph: (507) 328-7100

DISTRIBUTION:

Planning Department: (white copy)  
City Clerk: (canary copy)  
Applicant: (pink copy)  
Form 1920-03

<b><i>FOR OFFICE USE ONLY</i></b>	
<b><i>Date Received:</i></b>	_____
<b><i>Received by:</i></b>	_____
<b><i>Application Fee:</i></b>	_____
<b><i>Plat/Parcel #:</i></b>	_____

**CHART C: COPIES OF DEVELOPMENT APPLICATIONS**

*(Original forms are available at the Rochester-Olmsted Planning Department Office)*

**TYPE III, PHASE III DEVELOPMENT APPLICATION  
CITY OF ROCHESTER**

The undersigned hereby makes application for a Type III Development as regulated by Section 60.530 of the City of Rochester Land Development Manual.

NAME OF APPLICANT: \_\_\_\_\_

ADDRESS OF APPLICANT: \_\_\_\_\_

ADDRESS OF PROPERTY IF DIFFERENT THAN APPLICANT: \_\_\_\_\_

TELEPHONE NUMBER (home) \_\_\_\_\_ (work) \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_ E-MAIL (if applicable) \_\_\_\_\_

SIGNATURE OF PROPERTY OWNER: \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

<p><b>D. TYPE OF APPLICATION</b></p> <p>(Please check appropriate box)</p> <p><input type="checkbox"/> Type III Phase III Restricted Development Final Plan</p> <p><input type="checkbox"/> Type III Phase III Incentive Development Final Plan</p> <p><input type="checkbox"/> Other</p>
---

REASON FOR APPLICATION: (Please describe in detail if applicable) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
(Owner or Corporation) (Address) (Phone)

**Return Application to:**  
Rochester – Olmsted Planning Department  
2122 Campus Dr. SE, Suite 100  
Rochester, MN 55904  
Ph: (507) 328-7111 Fx: (507) 328-7958

DISTRIBUTION:  
Planning Department: (white copy)  
City Clerk: (canary copy)  
Applicant: (pink copy)

Form 1920-31

<p><b>FOR OFFICE USE ONLY:</b></p> <p>Date Received: _____</p> <p>Received By: _____</p> <p>Application Fee: _____</p>
--

**CHART D: CHECKLIST OF PROVISIONS**

CHECKLIST ITEMS	RELATIVE ORDINANCE PROVISIONS	PERMITTED TYPE I, II, OR III USES				RESTRICTED DEVELOPMENT (DEFINED IN 62.700)		INCENTIVE DEVELOPMENT (DEFINED IN 62.600)		SINGLE FAMILY DWELLING
		NEW USE OR CHANGE OF USE		LAND SUBDIVISION PERMIT OR FINAL PLAT		ITEM NEEDED	ITEM COMPLETE	ITEM NEEDED	ITEM COMPLETE	ITEM NEEDED
<b>GENERAL INFORMATION</b>										
1. Application form filled out completely?	60.504	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Correct application fee submitted?	60.175	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Correct legal description submitted?	60.504 (3)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>EXISTING LOT/SITE INFORMATION</b>										
1. Zoning on lot identified?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Zoning on adjacent lot identified?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Existing uses on adjacent lot identified?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Lot dimensions shown?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Are adjacent streets identified?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is existing access control identified?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Are classifications of adjacent streets identified?	64.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>NATURAL FEATURES</b>										
1. Are existing drainageways identified and located?	DEFINITION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Are locations of highly erosive soils or other soils unsuited for building identified?	Appendix F	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Are flood plain areas identified? a) FPE shown? b) Contour line shown? c) Date of high water included?	Zoning Map FIRM Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Are the location of any defined woodlands shown?	DEFINITION	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Are the location of any defined wetlands shown?	DEFINITION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Are the areas of steep slopes identified? a) 15-25% slopes? b) Over 25% slopes?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>PUBLIC FACILITIES</b>										

**CHART D: CHECKLIST OF PROVISIONS**

CHECKLIST ITEMS	RELATIVE ORDINANCE PROVISIONS	PERMITTED TYPE I, II, OR III USES				RESTRICTED DEVELOPMENT (DEFINED IN 62.700)		INCENTIVE DEVELOPMENT (DEFINED IN 62.600)		SINGLE FAMILY DWELLING
		NEW USE OR CHANGE OF USE		LAND SUBDIVISION PERMIT OR FINAL PLAT		ITEM NEEDED	ITEM COMPLETE	ITEM NEEDED	ITEM COMPLETE	ITEM NEEDED
		ITEM NEEDED	ITEM COMPLETE	ITEM NEEDED	ITEM COMPLETE	ITEM NEEDED	ITEM COMPLETE	ITEM NEEDED	ITEM COMPLETE	ITEM NEEDED
1. Are locations of proposed pedestrian facilities shown?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Utility easements: a) Existing shown? b) Location of proposed easements shown?	64.139	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Access to streets: a) Are driveway locations dimensioned relative to property lines and curbs? b) Is type of construction noted?	64.140 63.510	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Right-Of-Way: a) Are existing right-of-way limits shown? b) Are proposed right-of-ways correctly shown?	64.230	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Sewer and Water: a) Are locations of existing lines shown? b) Have plans for new service been submitted?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Storm Drainage: a) Has a control plan been prepared to use as a basis for stormwater control improvements? b) Are locations of existing stormwater structures shown on the site plan?	64.310	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7. Street Improvements: a) Are proposed streets laid out in a manner consistent with policies of Paragraph 64.120? b) Will a Transportation Impact Report be required?	64.120 64.230 61.520	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. Soil Erosion: a) Has a control plan been prepared to use as a basis for erosion control measures that will be needed?	64.320	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Is access extended to property lines in order to afford access to abutting properties?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Are other utilities, including telephone, gas, and electric, available for extension into the property?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**CHART D: CHECKLIST OF PROVISIONS**

CHECKLIST ITEMS	RELATIVE ORDINANCE PROVISIONS	PERMITTED TYPE I, II, OR III USES				RESTRICTED DEVELOPMENT (DEFINED IN 62.700)		INCENTIVE DEVELOPMENT (DEFINED IN 62.600)		SINGLE FAMILY DWELLING
		NEW USE OR CHANGE OF USE		LAND SUBDIVISION PERMIT OR FINAL PLAT		ITEM NEEDED	ITEM COMPLETE	ITEM NEEDED	ITEM COMPLETE	ITEM NEEDED
11. Are areas of proposed public parkland or recreation space shown on the plan?	64.400		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>ITEMS TO BE PROVIDED IN A NARRATIVE FORM</b>										
1. Is a description of the proposed use provided?		<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. For lands in the Developing or CDC Districts, has the necessary information been provided to assist the Zoning Administrator in making a determination of conformance with the Land Use Plan?	61.510	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Has the method of ownership for common areas been described and necessary documents prepared?	63.130 63.140	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Has a summary been provided summarizing the proposed amounts of floor area or dwelling units, landscaped area, and recreation space?		<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. For projects to be completed in stages, has an approved staging plan been provided?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Have necessary financial guarantees for landscape materials been submitted?		<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7. Has justification for requested bonus density or floor area under Incentive Development provisions been submitted?	62.640		<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. Has justification for requested Design Modifications been submitted?	60.420	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. For uses which may create any of the nuisances addressed in Article 63.600 Industrial Performance Standards, has a written description of the processes involved been submitted, or an engineer's report certifying that the proposed use will not exceed the ordinance standards?	63.610 to 63.614	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>ITEMS TO BE PROVIDED IN GRAPHIC FORM</b>										

**CHART D: CHECKLIST OF PROVISIONS**

CHECKLIST ITEMS	RELATIVE ORDINANCE PROVISIONS	PERMITTED TYPE I, II, OR III USES				RESTRICTED DEVELOPMENT (DEFINED IN 62.700)		INCENTIVE DEVELOPMENT (DEFINED IN 62.600)		SINGLE FAMILY DWELLING
		NEW USE OR CHANGE OF USE		LAND SUBDIVISION PERMIT OR FINAL PLAT		ITEM NEEDED	ITEM COMPLETE	ITEM NEEDED	ITEM COMPLETE	ITEM NEEDED
		ITEM NEEDED	ITEM COMPLETE	ITEM NEEDED	ITEM COMPLETE					
1. Site Plan including:	DEFINITION	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Location of structures on the lot?		<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Location and size of yard?	63.110	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Transitional setbacks identified?	Use Tables	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
d) Location and type of exterior lighting?	63.210	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
e) Traffic Visibility Zone identified?	63.520	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Fire lanes/emergency vehicle access shown?	63.530	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
g) Location of exterior storage areas shown?	63.240	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
h) Location of recreation space shown, along with types of improvements and character of area identified?	63.140	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
i) Location of signs shown?	63.220	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
j) Are the manner in which all detailed regulations of Paragraph 63.200 have been met identified?		<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Site Preparation Plan:	64.300	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Are finished lot grades identified, along with building grades?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b) Are location of erosion control structures and stormwater runoff control structures identified?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c) Has a stormwater runoff calculation been completed and submitted?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
d) Are measures being taken to treat steep slopes consistent with hillside regulations shown?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Building Elevations:		<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Have building elevations been prepared showing total height of structures, along with door and window locations?		<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Landscape Plan:	63.130	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a) Are proposed bufferyards, including locations, plant materials and structures, shown?	63.260	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**CHART D: CHECKLIST OF PROVISIONS**

CHECKLIST ITEMS	RELATIVE ORDINANCE PROVISIONS	PERMITTED TYPE I, II, OR III USES				RESTRICTED DEVELOPMENT (DEFINED IN 62.700)		INCENTIVE DEVELOPMENT (DEFINED IN 62.600)		SINGLE FAMILY DWELLING
		NEW USE OR CHANGE OF USE		LAND SUBDIVISION PERMIT OR FINAL PLAT		ITEM NEEDED	ITEM COMPLETE	ITEM NEEDED	ITEM COMPLETE	ITEM NEEDED
b) Is location of parking lot landscaping shown?	63.456	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c) Is location of general lot landscaping shown?		<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Is schedule of plant materials included in the submittal package?	63.150	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Parking and Circulation Plan:		<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Are locations and dimensions of aisles, spaces and driveways shown?	63.450	<input checked="" type="checkbox"/>	<input type="checkbox"/>							
b) Are parking area setbacks and location of required plantings shown?	63.455	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c) Are location and size of required loading spaces shown?	63.460	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
d) Are proposed pedestrian and bicycle facilities shown?		<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>OFF-SITE DEVELOPMENT IMPROVEMENTS</b>										
1. Are acceleration or deceleration lanes shown and the manner in which they will be paid for agreed upon?	64.225	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Have traffic improvements identified in the Transportation Impact Report been agreed upon?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Have off-site sewer, water, stormwater, and erosion measures identified in the control plan been agreed upon?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

# CHART E: ZONING CERTIFICATE WORKSHEET

This worksheet is intended to help identify applicable regulations for any proposed use or development.

## GENERAL DATA

Zoning District \_\_\_\_\_  
 (Refer to Zoning Map and Description of Districts,  
 Paragraph 60.320)

Use Category \_\_\_\_\_  
 (To determine the use category, refer to descriptions of categories,  
 Paragraph 62.140)

## DETAILED SITE REGULATIONS

## NOTES

Use Type	_____	Refer to second column in applicable Zoning District Table	_____
Detailed Regulations	_____	Refer to third column in applicable Zoning District Table	_____
Density Factor or Floor Area Ratio	_____	In RESIDENTIAL TABLES, refer to columns 5-8; in NONRESIDENTIAL TABLES, refer to GENERAL DISTRICT STANDARDS (1st of 2 tables)	_____
Minimum Landscape Area	_____	In RESIDENTIAL TABLES, refer to column 10; in NONRESIDENTIAL TABLES, refer to GENERAL DISTRICT STANDARDS (1st of 2 tables)	_____
Minimum Recreation Area (for residential use)	_____	Refer to Column 11 in RESIDENTIAL TABLES	_____
Maximum Height	_____	In RESIDENTIAL TABLES, refer to column 12; in NONRESIDENTIAL TABLES, refer to GENERAL DISTRICT STANDARDS (1st of 2 tables)	_____
Off-Street Parking	_____	In RESIDENTIAL TABLES (General Standards), refer to column 1; in NONRESIDENTIAL TABLES (Site Appearance Standards), refer to last column.	_____

## SETBACKS

Front Yard	_____	In RESIDENTIAL TABLES, refer to Site Appearance Standards (2nd table), columns 2-5 In NONRESIDENTIAL TABLES, refer to General District Standards (1st of 2 tables).	_____
Side Yard	_____		_____
Least Width	_____		_____
Minimum Sum	_____		_____
Rear Yard	_____		_____

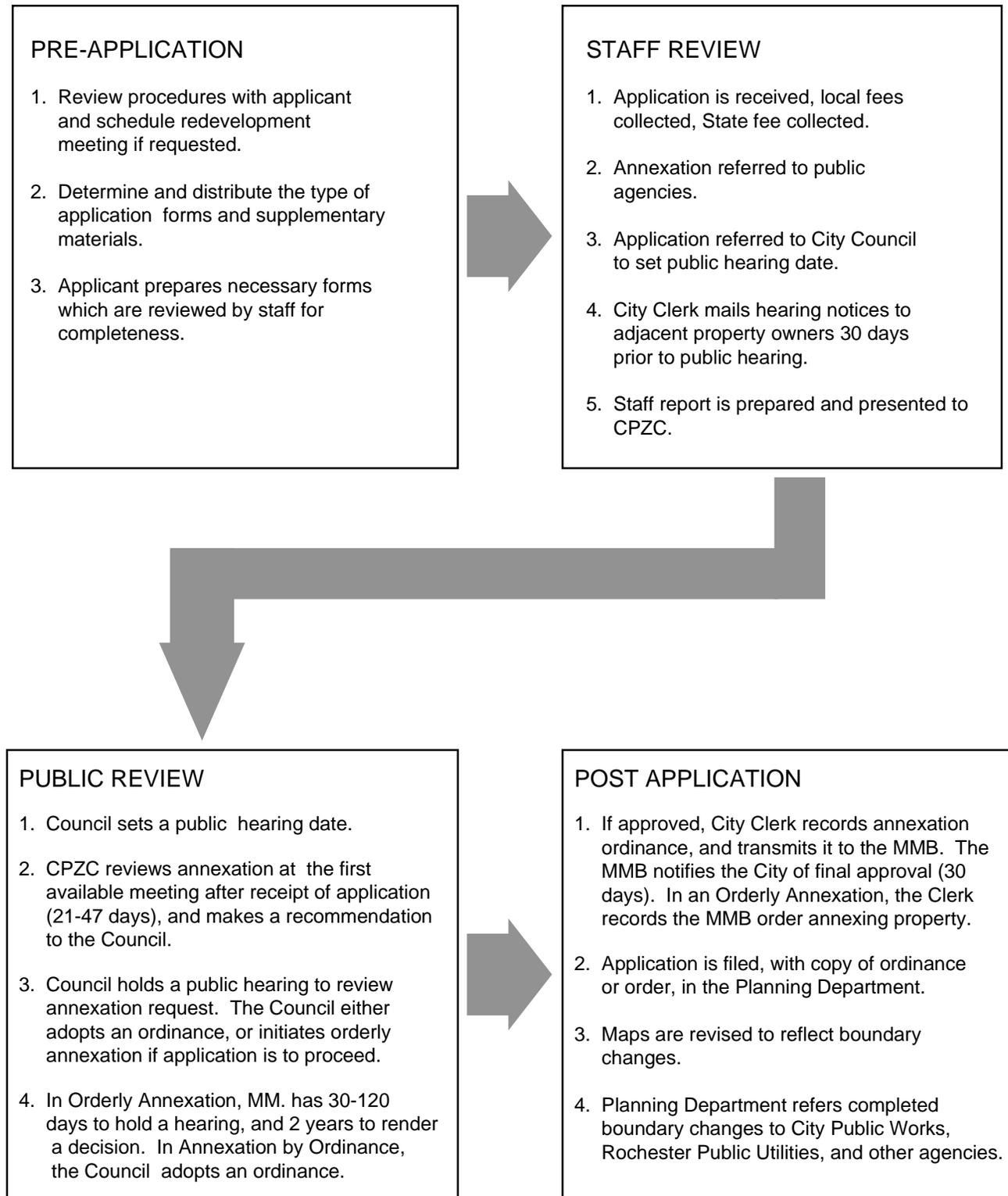
## APPEARANCE CONTROLS

Use SITE APPEARANCE STANDARD TABLES in all districts.

Hours of Operation	_____	In RESIDENTIAL DISTRICTS, refer to column 7; in NONRESIDENTIAL DISTRICTS, refer to column 5.	_____
Exterior Lighting	_____	In RESIDENTIAL DISTRICTS, refer to column 8; in NONRESIDENTIAL DISTRICTS, refer to column 6.	_____
Signage	_____	In RESIDENTIAL DISTRICTS, refer to column 9; in NONRESIDENTIAL DISTRICTS, refer to column 7.	_____
Landscape Material Point Base	_____	In RESIDENTIAL DISTRICTS, refer to column 10; in NONRESIDENTIAL DISTRICTS, refer to column 8.	_____
Exterior Storage	_____	In RESIDENTIAL DISTRICTS, refer to column 11; in NONRESIDENTIAL DISTRICTS, refer to column 9.	_____
Site Location Requirements	_____	In RESIDENTIAL DISTRICTS, refer to column 12; in NONRESIDENTIAL DISTRICTS, refer to column 10.	_____
Bufferyard Indicator	_____	In RESIDENTIAL DISTRICTS, refer to column 13; in NONRESIDENTIAL DISTRICTS, refer to column 11.	_____

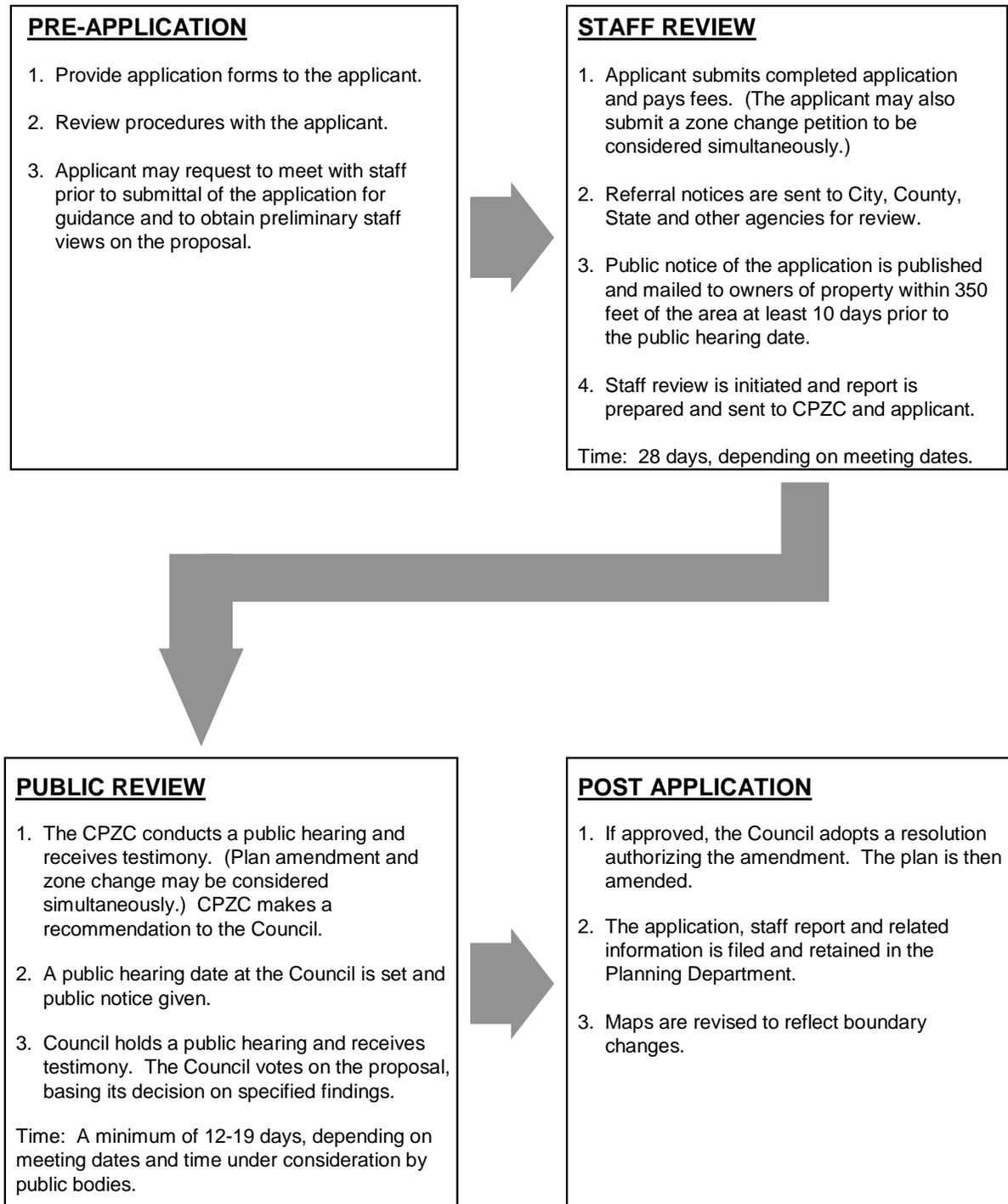
# CHART F

## ANNEXATIONS



# CHART G

## LAND USE PLAN AMENDMENT PROCESS



## **APPENDIX D PLANT MATERIALS GUIDE**

Included in this appendix are lists of suggested shrub, tree and ground cover plantings for use in this climate. Plantings are required by the Rochester Zoning Ordinance and Land Development Manual in various situations for the purposes of screening, erosion control, beautification and as sound or light barriers.

**Section One** of the appendix provides some general information on planning for landscape development in and around a site. **Section Two** addresses permanent ground cover, **Section Three** provides a guide to tree plantings and shrub plantings. Further information on the use of this guide is available from the Rochester-Olmsted Planning Department, while technical assistance is available from the City of Rochester Park and Recreation Department – City Forester, City of Rochester Public Works Department, Olmsted County Soil and Water Conservation District, the University of Minnesota Extension Service, Minnesota Department of Natural Resources, Minnesota Board of Water and Soil Resources, and the local office of the U. S. Department of Agriculture Natural Resource Conservation Service.

## SECTION 1 GENERAL LANDSCAPE INFORMATION

Trees, shrubs and perennial vegetation are a necessary part of the urban ecosystem. Vegetation provides many benefits for people living within an urban setting and functions as a green infrastructure. Vegetation benefits include:

- Protection from soil erosion and control of erosion where land is temporarily disturbed for construction projects, and permanent protection from soil erosion;
- Control of stormwater runoff (rate and volume) and reducing water pollution (temperature, sediment, nutrients, heavy metals, etc.);
- Aesthetic values throughout the city;
- improved urban wildlife habitat;
- Air pollution reduction by removal of atmospheric chemicals;
- Amelioration of noise and glare;
- Human health benefits through reduction in air pollution, reducing potential heat island impacts, increased sense of community, mental comfort, traffic safety, and support of a walkable community;
- Energy savings by reducing building heating and cooling needs, and reduction in the urban heat island impacts;
- Economic stability through enhanced property values, improved property marketability, increased life of private and public infrastructure, and as a component of the city infrastructure.

The zoning ordinance requires that site plans be developed as a part of the application submittal process in most cases. The site plan will need to include a landscape plan due to requirements of the ordinance and in other cases due to the nature of the proposed development. The landscape plan should take into account the planned and required on site improvements, the natural features of the site, and the environmental setting in which the plants will be placed. The landscape plan should include:

- plant/seeding selection and amount of plant material needed;
- minimum standards for plant stock;
- site preparation including grading, soil improvements, fertilization, and irrigation;
- planting procedures;
- plant spacing;
- planting schedule and planting standards and specifications (how to plant/seed the site);
- landscape maintenance.

Resource guides can be found for specific ecological settings and landscape goals on the Minnesota Department of Natural Resources website and at the following United States and Minnesota Department of Agriculture locations:

- <http://nrcs.usda.gov/feature/backyard>
- NRCS - Plant Publications Program – Technical Resources – Publications Relating to Seeding and Planting The publications section is located at <http://plant-materials.nrcs.usda.gov/>.
- <http://www.mda.state.mn.us/en/plants/pestmanagement/invasive-species-council/regulations.aspx>

## SECTION 2

## PERMANENT GROUND COVER

The establishment of temporary and permanent vegetation is required by the City of Rochester. Standards and specifications have been adopted by the City Public Works Department. The two sources of information and guidelines for all temporary and permanent vegetation that must be utilized for development, grading, and related projects within the city include:

- Mn/DOT Seeding Manual 2007 Edition (and updates as produced by the Minnesota Department of Transportation)
- MN Wetland Restoration Guide
- Minnesota Board of Water and Soil Resources – Seeding Guidelines and State Seed Mixes
- Minnesota Pollution Control Agency – Plants for Stormwater Design, Volumes I and II

These publications are available on line at the Minnesota Department of Transportation, Minnesota Board of Water and Soil Resources, and the Minnesota Pollution Control Agency. The manuals/guides provide lists of appropriate seed and plant material, guidelines for establishment, and seed source. The BWSR guide also provides information on invasive species and those plant species that are controlled by state law/rule.

Three websites that provide information include:

- [http://www.dot.state.mn.us/environment/pdf\\_files/seedingmanual.pdf](http://www.dot.state.mn.us/environment/pdf_files/seedingmanual.pdf)
- [http://www.bwsr.state.mn.us/native\\_vegetation/index.html](http://www.bwsr.state.mn.us/native_vegetation/index.html)
- <http://www.pca.state.mn.us/index.php/water/water-types-and-programs/stormwater/stormwater-management/plants-for-stormwater-design.html?menuid=&missing=0&redirect=1>

### SECTION 3 GUIDE TO TREES AND SHRUBS FOR LANDSCAPE PLANTINGS

The bufferyard requirements in 63.260 identify plant types as canopy plantings, understory plantings, and shrubs. The definition for each is as follows:

- Canopy planting: These plantings consist of single stem or multi-stem trees. At maturity a canopy planting will normally be a minimum of 35 feet in height. Not all canopy plantings can be expected to reach that height in an urban setting, however, the normal height as depicted by the University of Minnesota or the Minnesota Department of Transportation is acceptable.
- Understory planting: Plantings that consist of single or multi-stem trees. At maturity the understory plantings will normally be less than 30 feet in height.
- Shrubs: Typically are multi-stemmed woody plants that at maturity are normally less than 15 feet in height. Shrubs are typically low growing plants that can be used for creating hedges, screening and for windbreaks.

Plants utilized to comply with the standards of the zoning ordinance shall not be species listed by the Minnesota Department of Natural Resources as “non-native terrestrial plants”, plants prohibited as noxious weeds by the State of Minnesota, or plants that are covered by City of Rochester or Olmsted County rules and regulations.

The University of Minnesota Extension Service and Department of Transportation provides resource guides on their website that lists deciduous and conifer trees that are recommended for planting in southeast Minnesota. Those resource guides can be found at:

- [http://www.extension.umn.edu/gardeninfo/components/info\\_trees.html](http://www.extension.umn.edu/gardeninfo/components/info_trees.html)
- [http://www.sustland.umn.edu/implement/planting\\_trees.html](http://www.sustland.umn.edu/implement/planting_trees.html)
- <http://www.extension.umn.edu/distribution/housingandclothing/DK6135.html>
- <http://dotapp7.dot.state.mn.us/plant>
- <http://www.sustland.umn.edu/>

The City Forester can provide additional information that is related to tree planting and boulevard trees. Permits are required from the City Forester for boulevard tree planting.

- [www.rochestermn.gov/departments/park/forestry/index.asp](http://www.rochestermn.gov/departments/park/forestry/index.asp)

## **APPENDIX E STORMWATER AND EROSION/SEDIMENT CONTROL MEASURES**

The Rochester Zoning Ordinance and Land Development Manual includes general standards addressing erosion/sediment control and stormwater provisions. The City also has adopted a Surface Water Management Plan that provides additional guidance on surface water quantity and quality on development sites. The Minnesota Pollution Control Agency has developed a detailed manual of Best Management Practices for stormwater control that is located on the website as follows:

<http://www.pca.state.mn.us/water/pubs/sw-bmpmanual.html>. The information from these sources provides a detailed listing of Best Management Practices that may be used to implement the policies of Paragraph 64.300 of the ordinance.



SINGLE RESIDENTIAL LOT GRADING PLAN CHECKLIST

revised March 2010

KEY

- [x] = Yes
[ ] = No

Blank = Not Applicable

Site: \_\_\_\_\_

Prepared By: \_\_\_\_\_ Date: \_\_\_\_\_

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

GENERAL

- [ ] Completed grading permit application form.
[ ] Owner name(s) and address(es) listed on Grading Plan.
[ ] Plan is 1"=50' or larger scale. North arrow shown.
[ ] Plan is drawn in two-foot contours. All contours are labeled. Or many spot elev. and arrows alternative.
[ ] Existing contours are dashed and proposed are solid.
[ ] Directional arrows are shown for proposed drainage.
[ ] Details of terrain and drainage are provided for areas adjacent to the proposed grading.
[ ] Existing public and private utilities are shown.
[ ] Property limits are shown. Streets are labeled. Lot & block information. Street address shown, if known.
[ ] Schedule of BMP installation shown.
[ ] BMP details included.
[ ] Concrete washout management BMP addressed on plan.

SITE GRADING, SEDIMENT & EROSION CONTROL

- [ ] Down-slope sediment control scheduled before grading.
[ ] Adjacent property protected from drainage and sediment.
[ ] Stabilized vehicle exit(s) are provided, minimize number.
[ ] All storm sewer inlets, existing and proposed have inlet protection/temporary sediment control that remains until up-slope areas are stabilized.
[ ] Temporary stockpiles include additional sediment control and temporary cover after 14 days.
[ ] Percent of slope is shown for drainage swales.
[ ] Fill & cut property line setbacks are >2' for cut slope ht. >10' or fill slope ht. >4' and setback is dimensioned on the plans.
[ ] All proposed lot corner elevations are shown.
[ ] Proposed elevations of garage and lowest floor, ground at front and rear of building, along with the structure type are indicated on the plan.
[ ] Top of foundation is min. 6" above the ground.
[ ] Grade 1' below top of foundation 10' from building.
[ ] Drainage flows away from structures at min. 2%.
[ ] Freeboard to structures. Floor el. or the grade adjacent to the building is at least 1' above any overflow elevation, and at least 2' above any pond 100-year water level, whichever is greater and min. 1' above FEMA flood el.
[ ] Minimum lot slopes for vegetated areas are 2% minimum.

- As a reference document see
http://www.pca.state.mn.us/water/stormwater/index.html
http://www.co.olmsted.mn.us/licenses/grading\_permit.asp

- [ ] All exposed soil stabilized in 14 days.
[ ] Soil within 1 mile of impaired water-7 days.
[ ] Maximum unbroken 3:1 or steeper slope of 75 feet horz.
[ ] Temporary or permanent cover is indicated for all disturbed areas. Temporary seeding specifies seed mix and includes disk anchored mulch on all slopes longer than 200' or > 5%. Permanent cover specifies 4" topsoil, seed mix and disk anchored mulch, or 4" topsoil and sod.
[ ] Slopes in excess of 4:1 and 4:1 slopes longer than 30' are seeded and protected with erosion control blankets or sodded and staked. Blanket category specified per Mn/DOT 3885.1. Plan depicts required blanket locations.
[ ] For sites where temporary or permanent cover will not be complete by November 15, plan indicates adequate measures to control spring erosion & sedimentation.

DRAINAGE SWALES & EASEMENTS

- [ ] Drainage and Utility easements are shown and labeled on the plan.
[ ] Drainage easements are provided where concentrated flow is received from more than 1 adjacent lot and also where concentrated flow is received from more than 1 acre of adjacent property. 100-year flow in easement.
[ ] Minimum drainage easements for flows from 1 acre or less or 4 lots or less are a minimum of 15' wide. Ditch is 1.9' deep V-shaped with 4:1 slopes.
[ ] Minimum drainage easements for flows from more than 1 acre or more than 4 lots are a minimum of 20' wide. Ditch is a minimum of 2' deep with a 4' bottom and 4:1 slopes up to the easement line. 100-year runoff contained in easement.
[ ] Easement documents are signed and submitted to Public Works with recording fee or included in plat.
[ ] Control elevations for drainage ways are provided.
[ ] Minimum slope of small drainage swales is 2%.
[ ] Drainage easements for flow from more than 1 acre or 4 lots are seeded and protected with erosion control blankets or sodded. Blanket category specified per Mn/DOT 3885.1. Plan depicts required blanket locations.
[ ] Ditches within 200' of surface water or Property line stabilized in 24 hrs after connection.



## SUBDIVISION AND NON-RESIDENTIAL LOT GRADING PLAN CHECKLIST

revised March 2010

### KEY

= Yes

= No

Blank = Not Applicable

Site: \_\_\_\_\_

Prepared By: \_\_\_\_\_ Date: \_\_\_\_\_

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

### GENERAL

- NPDES permit including SWPPP is referred to on plan
  - Completed grading permit application form.
  - Final grading plan is signed by a licensed professional, 5 copies. One copy of other documentation.
  - Submitted Signed Drainage Report per City Template
  - Owner name(s) and address(es) listed on Grading Plan.
  - Plan is 1"=50' or larger scale. North arrow shown.
  - Plan is drawn in two-foot contours. All finished contours and adequate existing contours are labeled.
  - Existing contours are dashed and proposed are solid.
  - Directional arrows are shown for proposed drainage.
  - Details of terrain and drainage are provided for areas adjacent to the proposed grading.
  - Existing public and private utilities are shown.
  - Boundaries of drainage areas shown (in drainage report).
  - Soil types shown (in drainage report).
  - Areas not to be disturbed clearly defined.
  - ALL receiving waters, including wetlands, within 1 mile shown or identified, including impaired waters.
  - Property limits are shown. Streets are labeled. Lot & block information. Street address shown, if known.
  - Proposed sidewalk shown for commercial/industrial sites.
  - County/MNDOT permit obtained for work in their ROW.
  - Substantial Land Alteration approved for elevation changes  $\geq 10'$  or other criteria that require a SLA.
  - All City Council approval conditions are met.
  - The following areas are tabulated for residential (acres):
    - Total platted area (site area)
    - Total area disturbed
    - Total developable area (excluding floodway, natural steep slopes, & wetlands).
  - The following areas are tabulated for non-residential (acres):
    - Total project area
    - Total impervious areas of project, existing & proposed.
    - Tabulation of total and impervious area by tax parcel.
  - Schedule of BMP installation shown.
  - BMP details included.
  - Concrete washout management BMP addressed on plan.
  - Dewatering activities discharge to treatment facility.
- ### SITE GRADING, SEDIMENT & EROSION CONTROL
- Down-slope sediment control scheduled before grading.
  - Adjacent property protected from drainage and sediment.
  - Stabilized vehicle exit(s) are provided, minimize number.
  - Silt fences are provided per BMP Manual 6.31. In concentrated flow areas is "high flow, heavy duty" type.
  - All storm sewer inlets, existing and proposed have inlet protection/temporary sediment control that remains until up-slope areas are stabilized.
  - Maximum unbroken 3:1 or steeper slope of 75 feet horz.
- Temporary stockpiles include additional sediment control and temporary cover after 14 days.
  - Percent of slope is shown for streets and drainage swales.
  - Fill & cut property line setbacks are  $>2'$  for cut slope ht.  $>10'$  or fill slope ht.  $>4'$  and setback is dimensioned on the plans.
  - All proposed lot corner elevations are shown.
  - Proposed elevations of garage and lowest floor, ground at front and rear of building, along with the structure type are indicated on the plan.
  - Top of foundation is min. 6" above the ground.
  - Grade 1' below top of foundation 10' from building.
  - Freeboard to structures. Floor el. or the grade adjacent to the building is at least 1' above any overflow elevation, and at least 2' above any pond 100-year water level, whichever is greater and min. 1' above FEMA flood el.
  - Drainage flows away from structures at min. 2%.
  - Temporary or permanent diversion swales, stabilized with turf mat, pipe, riprap, are used at the top of slopes exceeding 4:1, when applicable.
  - Minimum lot slopes for vegetated areas are 2% minimum.
  - All exposed soil stabilized in 14 days.
    - Soil within 1 mile of impaired water - 7 days.
  - Temporary or permanent cover is indicated for all disturbed areas. Temporary seeding specifies seed mix including disk anchored mulch on all slopes  $>200'$  or  $>5\%$ . Permanent cover specifies 4" min. topsoil, seed mix and disk anchored mulch, or 4" min. topsoil and sod.
  - Slopes steeper than 4:1 and 4:1 slopes longer than 30' are seeded and protected with erosion control blankets or sodded and staked. Blanket category specified per Mn/DOT 3885.1. Plan depicts required blanket locations.
  - Statement that slopes steeper than 4:1 are stable from land-sliding and surface erosion. Geotechnical report for slopes  $>3:1$ .
  - For sites where temporary or permanent cover will not be complete by November 15, plan indicates adequate measures to control spring erosion & sedimentation.
- ### DRAINAGE SWALES & EASEMENTS
- Drainage and Utility easements are shown and labeled on the plan.
  - Drainage easements are provided where concentrated flow is received from more than 1 adjacent lot and also where concentrated flow is received from more than 1 acre of adjacent property. 100-year flow contained in easement.
  - Minimum drainage easements for flows from 1 acre or less or 4 lots or less are a minimum of 15' wide. Ditch is 1.9' deep V-shaped with 4:1 slopes.
  - Minimum drainage easements for flows from more than 1 acre or more than 4 lots are a minimum of 20' wide. Ditch is a minimum of 2' deep with a 4' bottom and 4:1

slopes up to the easement line. 100-year runoff contained in easement.

- Control elevations for drainage ways are provided.
- Minimum slope of small drainage swales is 2%.
- Drainage easements for flow from more than 1 acre or 4 lots are seeded and protected with erosion control blankets or sodded. Blanket category specified per Mn/DOT 3885.1. Plan depicts required blanket locations.
- Velocity computations are provided for drainage easements where concentrated flow from more than 2 acres or 8 lots is directed. Where 10-year velocities exceed 5 ft/sec, permanent turf reinforcement mats are installed per City std. plate 7-07. Mats per Mn/DOT 3888.1 or manufacturer and product is specified. Plan depicts blanket locations and cross sections.
- Easement documents are signed and submitted to Public Works with recording fee or included in plat.
- Ditches within 200' of surface water or Property line stabilized in 24 hrs after connection.

**STORM DRAIN SYSTEM, INLETS, & OVERFLOWS**

- All apron elevations (inlets and outlets) are labeled. Area inlet, CB, MH, elevations are labeled. Pipe sizes and types are labeled.
- 400' max. manhole spacing for lines 15" diameter or less.
- 500' max. manhole spacing for lines 18" to 30" diameter.
- Drainage from subdrains, sump pumps, and building storm drains does not flow through public CB's.
- Not more than 3 CB's in a series (at an intersection) before connecting to the storm sewer main.
- Storm sewer main generally does not flow through CB's.
- Flow direction change is  $\leq 90^\circ$  at junctions.
- Drainage does not cross intersections (no valley gutters).
- CB spacing as necessary for inlet capacity, curb spread, and not exceeding 1000' on residential streets or 600' on collector and arterial streets.
- Apron inlets to the storm sewer include trash racks.
- Trash racks on inlet structures in wooded areas designed assuming a minimum of 50% plugging condition.
- For other than R1 & R2, drainage from impervious surfaces is collected on-site and not sheet drained onto sidewalks, rights of way or adjacent property.
- Concentrated drainage is collected in CB before crossing walk.
- Overflow swales are provided which limit the depth of ponding in the street to 2' or less.

- Emergency overflow with the high point elevation and direction of overflow are clearly marked on plans.
- Emergency overflow swale meets minimum drainage easement standards noted above.

**OUTLETS & ENERGY DISSIPATION**

- Discharge direction of flow generally 45 degrees or less to the flow direction of receiving ditch or stream.
- Discharges to rear property lines shall generally be piped to at least the rear property line.
- Where discharge pipe velocities are 10 fps or less, riprap and filter volumes are indicated in accordance with Mn/DOT Standard Plate.
- Where discharge pipe velocities are greater than 10 fps, energy dissipater is provided along with riprap and filter.
- Discharges on slopes steeper than 10% shall not be allowed unless discharge is into existing drainage ditch and volume of water in ditch is not greater than 110% of the pre-developed condition.
- Pipe outlet energy dissipation complete within 24 hours of connection to surface water or outlet.
- Evaluation of downstream adequacy provided (capacity & stability).

**TEMPORARY SEDIMENT BASINS**

- Temporary sediment basin provided or provisions for the use of existing City facilities.
- Sized to store 2-year, 24-hr storm from the drainage area below the outlet pipe (no smaller than 1800 cf/acre of drainage area), or
  - Sized at 3,600 cf/acre of drainage area.
  - Designed to minimize short-circuiting.
  - Floating debris discharge is prevented.
  - Designed for full dewatering.
  - Energy dissipation provided at outlet pipe.
  - Principal and emergency spillway designed per BMP storm frequency standards.
- Fenced if slopes exceed 4:1 per City detail.
- Plan requires any permanent or temporary sediment ponds to be constructed before other construction starts.
- For areas draining less than 10 acres alternative sediment control (5 acres within 1 mile of impaired waters).
  - Multiple lines of silt fence.
  - Small basins
  - Vegetative strips (full permanent vegetation before upslope excavation).

\* As a reference document see  
<http://www.pca.state.mn.us/water/stormwater/index.html>

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## APPENDIX F HIGHLY EROSIIVE SOILS

In certain instances, a development site may contain highly erosive soils which require special considerations pertaining to erosion control measures that may need to be utilized on the site. Please refer to the Olmsted County Soil Survey for more information regarding the location of these soils.

S.C.S. SOIL TYPE	SOIL NAME
11C	Sogn Loam
27C	Dickinson
73F	Bellechester
99D2	Racine
173F	Frontenac
251F	Marlean
251G	Marlean
283E	Plainfield
301C	Lindstrom
309D	Schapville
322C	Timula
322D	Timula
322E	Timula
401D	Mt. Carroll
4O2-D2	Mt. Carroll
401E	Mt. Carroll
473D	Dorerton
473F	Dorerton
484E	Eyota
488F	Brodale
488G	Brodale
593D	Elbaville
593E	Elbaville
898F	Brodale-Bell
973D	Brodale-Sohn
1819G	Dorerton-Roc

**APPENDIX G  
SPECIAL ASSESSMENT POLICIES FOR LOCAL IMPROVEMENT PROJECTS  
CITY OF ROCHESTER**

**SECTION I GENERAL POLICIES**

**A. INTRODUCTION**

A local improvement project is a project involving the construction of one or more of the following types of improvements, on which part or all of the cost is to be assessed to benefiting properties:

Street Pavement	Curb & Gutter Driveway
Watermain	Storm Sewer
Sidewalk	Service Connections
Sanitary Sewer	Water Tower

Minnesota Statutes, Chapter 429, regulates the procedure for the construction and financing of local improvement projects when at least part of the cost is defrayed by special assessments against benefited properties. When an improvement is constructed which is of special benefit to certain areas, it is the intent of the Common Council that special assessments be levied against the benefited properties within that area.

The objectives of these special assessment policies are: to promote orderly development; to ensure fair and equitable treatment of benefiting properties; and to assure that the City's financial resources are protected.

**B. INITIATION OF PUBLIC IMPROVEMENT PROJECTS**

1. **Petition:** Petitions for public improvements received through the last day of May will be scheduled for budget hearings in that year and for construction in the following year.

Petitions for public improvements to be acted upon and constructed in the same year will be only by special consent of the Council.

2. **Council Action:** Public improvements may also be initiated by the Common Council when, in its judgment, such action is required.
3. **New Developments:** Minimum improvements required in new additions are street grading and surfacing, concrete curb and gutter, sanitary sewer, watermain, storm sewer, and service connections stubbed into the boulevard. These improvements shall be constructed in conformance with City requirements and paid for entirely by the developers under contract with the City.

**C. SERVICE LIFE OF IMPROVEMENTS**

Public improvements are judged to have a normal usable life expectancy. For the purpose of this policy statement, this life expectancy shall be as follows:

1. **Surface Improvements**
  - a. Concrete pavement..... 30 years
  - b. Concrete curb and gutter ..... 30 years
  - c. Plant mix bituminous ..... 20 years
  - d. Sidewalks ..... 20 years
2. **Subsurface Improvements**

- a. Watermains ..... 40 years
- b. Sanitary sewers..... 40 years
- c. Storm sewers ..... 40 years

3. When any existing surface improvement is ordered to be renewed or replaced, the assessments to be levied therefore will be prorated from 0% at one-half life expectancy to 100% of new construction assessment at full life expectancy. When any subsurface improvement is ordered to be renewed or replaced, the assessments to be levied therefore will be prorated from 0% at 1/2 life expectancy to 50% of new construction assessment at full life expectancy.

**D. ASSESSMENT POLICIES APPLICABLE TO ALL TYPES OF IMPROVEMENTS**

The following are the basic principles and definitions of the City's assessment policy:

- 1. Special assessments against property abutting an improvement or property within the project will be levied as soon as possible after the improvement is completed. Normally, this will be within one year after completion of the project.
- 2. Benefits received by non-abutting property may be designated as a deferred assessment to be levied (with interest, the rate being set by the Council) after a certain number of years or after subsequent improvements are made extending the project so as to abut the property.
- 3. Under Minnesota Statutes, Section 429.051, the City does not defer assessments for areas outside the City, but rather assumes any non-assessable cost as a municipal obligation. When property is annexed and served by the original improvement, the City can then create a new assessment to be reimbursed for all or any portion of the prior assumed municipal costs, including interest, related to the improvement.
- 4. Special assessments are based upon the amount of assessable costs of each project. The term "assessable cost" and related terms as used in this policy statement are defined as follows:
  - a. "assessable cost" is the "project cost" less the "City cost".
  - b. "project cost" is the cost of all construction work required to accomplish the improvement, plus engineering, legal, financing and other contingent costs.
  - c. The assessment rate for any special assessment district is computed by dividing the total assessable cost of such improvement by the total number of assessment units.
- 5. Frontage roads along highways or other arterial streets are deemed to be of special benefit to abutting properties and therefore, the entire costs of improvements on frontage roads may be assessed against the benefited property even though those properties may be located only on one side of the frontage road.
- 6. Publicly owned properties, other than State and Federal properties, including municipal building sites, schools, parks and playgrounds, but not including public streets and alleys, are regarded as being assessable on the same basis as if such property were privately owned.

**E. BASIC ASSESSMENT DATA REQUIRED FOR EACH PARCEL**

- 1. **Area** (Used for sanitary sewer trunk, water towers, and may be used for storm sewer)

Area used is the gross area of the parcel as it is benefited by each separate improvement.

2. **Adjusted Front Footage** (Generally used for all improvements except for sanitary sewer trunk, water towers, and in some cases, storm sewers)

In the adjusted front footage method, odd-shaped lots are adjusted to an average frontage that would be the equivalent to the frontage of a rectangularly shaped lot of the same area and depth.

## F. DETAILS OF COMPUTING ADJUSTED FOOTAGE

### 1. **Odd-Shaped Lots**

For odd-shaped lots, such as exist on cul-de-sacs or triangular intersections, etc., the adjusted front footage is computed by dividing the area of the lot, up to a maximal distance of 150 feet from the street where the improvement is to be installed, by 150 (or by the average depth, if less than 150 feet).

### 2. **Approximately Rectangular Lots**

For a lot which is approximately rectangular, the adjusted front footage is computed by averaging the front and back sides of the lot. If the lot is deeper than 120 feet, the width at the 120 foot depth is used for the back lot line. This method is used only where the divergence between front and rear lot lines is five feet or less.

### 3. **Rectangular Lots**

For the normal rectangular lot, the adjusted front footage is the actual front footage of the lot.

### 4. **Shallow Lots**

For rectangular lots under 120 feet in depth, or irregular lots averaging less than 120 feet in depth, the adjusted front footage is determined by actual lot area divided by 120 feet.

### 5. **Corner Lots**

Residential corner lots for street paving, curb and gutter are given a deduction of 120 feet for the long side or are assessed the width of the lot, whichever is greater. Residential corner lots for sanitary sewer and watermain will be assessed based on the short side frontage plus the long side frontage over 120 feet.

For sidewalk improvements, one-half the long side of the lot is a City responsibility. For surface improvements, multi-family, commercial and industrial corner lots shall be assessed at the per foot cost for the entire length of the side lot as well as front of lot.

### 6. **Large Tracts**

Large tracts may have adjusted front footage on two or more sides. This adjusted front footage shall apply only to improvements on the particular street upon which the adjusted front footage faces.

The corners of these large tracts shall be considered as side lots. A distance of 120 feet back from the corner on one of the streets at each street intersection shall be considered as the side of the lot and will not receive an adjusted front footage assessment. Corner credits are given on last side assessed.

### 7. **Double Frontage Lots**

For double frontage lots, 120 feet or less in depth, a single adjusted front footage is used.

If the lot is more than 120 feet in depth, the area within the first 150 feet of depth abutting the primary access is divided by 120 to arrive at the first adjusted front footage. The balance of the lot is then used in computing the second frontage.

If the second frontage abuts a major arterial street where restricted access is desired by the City, an exemption for the first 150 feet of such frontage may be granted upon receipt by the City of a formal access restriction executed by the property owner. Such formal access restriction shall be in the form of a deed for planter easement, running to the City of Rochester, with a minimum width of ten feet.

## **G. PAYMENT POLICY FOR IMPROVEMENT PROJECTS**

1. The payment policy of special assessments calls for a notice, showing the amount to be paid by each property owner, to be sent to the property owner after the Common Council approves of the assessments, which are proposed during an assessment hearing.
2. Normal City policy is to allow the property owner a payment period (with interest) of five years for sidewalks and curb and gutter projects, and a payment period of ten years for all other types of improvement projects. If the property owner pays the entire assessment within 30 days after the date the assessment has been adopted, no interest will be charged.
3. If the assessment has not been paid in 30 days, the first installment is certified to the County Auditor, plus interest at a rate determined by the Common Council on the total amount from the date of the resolution levying the assessment until December 31st of the year in which the first installment is due.

This amount is due and payable with property taxes for the year. Thereafter, installments will be certified to the County Auditor by October 10th of each year, including interest at the rate set by the Common Council on the unpaid balance. Prepayment of the assessment may be made any time during the year up until November 15th (no payment can be accepted during the period from November 15th through December 31st of any year).

## SECTION II - SPECIFIC PROCEDURES

### A. STREETS

1. In all streets, prior to permanent surfacing or resurfacing, except where physical problems determine otherwise, all utilities and utility service lines (including sanitary sewers and water lines) shall normally be installed to serve each known or assumed building location. No surface improvements to less than both sides of a full block of street shall be approved, except as necessary to complete the improvement of a block which has previously been partially completed.
2. Streets are classified as follows according to the amount of traffic they carry or are expected to carry and the type of construction required:
  - a. "arterial streets" and "collector streets" shall be "9 ton" design and of adequate width to accommodate projected traffic volume.
  - b. "residential streets" shall normally be of "7 ton" design and shall normally be 32' in width, measured between the faces of the concrete curb and gutter.
  - c. The increased cost of constructing a street to a design standard higher than that required to serve the benefited property shall be charged as "City cost".
3. The following general provisions shall be used in distributing the costs of roadway construction in a previously platted or developed area of multiple ownership:
  - a. The increased cost of constructing a street to a design standard higher than that required to serve the benefited property shall be charged as "City cost".

The residential property (zoned or used for R-1, R-2, R-3) on each side of the street shall normally be assessed for one half of the cost of standard 36' residential street construction, even though a higher type of street is constructed.

Commercial property (R-4, B-1, B-2, B-3) on each side of the street located in areas that are mainly residential shall be assessed for one-half the cost of 36' of collector street construction even if a higher type of street is constructed.

Commercial and industrial properties (R-4, B-1, B-2, B-3, M-1, M-2) on each side of the street, located in areas which are mainly commercial and industrial shall be assessed for one-half the cost of 36' of arterial street construction whenever it is necessary to construct this type.

The maximum assessment for residential street reconstruction shall be \$17.00 per assessable foot for street pavement and \$25.00 per foot for street pavement and curb and gutter.

- b. On street resurfacing projects, the cost of constructing a new surface or "wearing" course shall be assessed to properties in the benefited area.
- c. On Municipal State Aid, Federal Aid, Urban or other State or Federal Aid projects, assessments shall be levied against the benefited properties on the same basis as other streets, except as modified in 3,d, below.
- d. On Municipal State Aid, Federal Aid, Urban or other State or Federal Aid projects, the cost of the intersection and curb and gutter intersection radius shall not be proportioned against the other benefited frontage on the project.

### B. Sidewalks

1. Sidewalks shall be provided on both sides of streets in accordance with Rochester Code of Ordinances, paragraph 50.02.
2. Sidewalks are to be:
  - a. 5' wide on collector streets.
  - b. 4' wide on low volume traffic streets in new subdivisions.
3. The total cost of sidewalks is assessed against the abutting property except on residential corner lots where one-half of the long side is paid for from City funds.

The 120' deduction for the long side of corner lots works well for street paving, sewer and water projects since the corner lot deduction can be added to the project balance assessed. However, in the case of sidewalks, many of the walks are installed on a lot by lot basis and the added City cost cannot be charged against the balance of the project. We estimate that the approximate annual City cost of sidewalk installation and replacement would be \$52,000 for 120' deduction and \$26,000 for 1/2 of the long side deduction.

4. In the case of a sidewalk replacement project, a certified letter is sent to the property owner, stating the areas of sidewalk that need to be replaced. The property owner is given 30 days in which to make a decision as to whether they will do the work themselves, hire a contractor or let it remain in the City project. If left in the City project, normal City policy is to hold a public hearing and cause the work to be completed.

Property owners must complete their replacement within the construction season.

5. For either a new or a replacement project, a property owner may construct their own portion of the sidewalk if they so desire. In order to do so, the property owner must obtain a permit and specifications from the City Engineer's office. The Engineer's office will provide the needed elevations and will inspect the forms and the completed work. No permits will be issued after a contract has been awarded on a sidewalk project.

#### **C. Curb and Gutter**

1. On all new additions, and street developments of old additions, concrete curb and gutter is required.
2. The cost of curb and gutter is assessed against property on an adjusted front footage basis. Driveways are assessed against the property served.

#### **D. Water Towers**

1. The total cost of the tower, land, its appurtenances, footings, all pipe, booster pumps (if needed), and the cost of installation thereof shall be assessed against benefited properties, the extent of the area so benefited by said tower to be determined by the City Council.
2. The cost of drilling a well is paid for by the City.

#### **E. Sanitary Sewer and Watermain**

1. General policy is to assess, (on a front-foot basis), the entire cost of sanitary sewer and watermain projects against the benefited property, with the exception of the first 120 feet of the long side of corner lots. The remaining portion of the long side is assessed to the corner lot; the cost of the 120 feet not assessed is charged against property owners of the entire project. Sanitary trunk line sewers are usually assessed on an area basis.
2. The normal size of a watermain is 8 inches. The material cost difference of the watermain pipe and fittings over 8 inches is borne by the City.

#### **F. Storm Sewer**

1. The cost of a storm sewer may be assessed against benefited property on an area basis, and by the amount of water runoff. The portion of the storm sewer cost which is assessed to benefited property varies from project to project, depending upon the particular circumstances.
2. A storm sewer project may be installed in conjunction with the sanitary sewer and watermain, or included as drainage in a street improvement project.

#### **G. Sewer and Water Service Lines**

1. Sewer and water service lines, when installed as part of a local improvement project, the costs would be fully assessed to the properties served.

## SECTION III - ADDITIONS AND AMENDMENTS TO ASSESSMENT POLICIES

### RESOLUTION 576-92

WHEREAS, the current assessment policy for local improvement projects was last reviewed in March of 1992 and the Common Council has determined that a review of and amendment to the current policy is appropriate at this time.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Rochester that the Assessment Policy for Local Improvement Projects shall be amended to include the following provisions:

1. Initiation of Projects. A local improvement project for the installation of water and sanitary sewer services shall be initiated either by action of the Council or by a petition of the affected property owners. The number or percentage of votes needed for authorization of a project shall be determined by Minnesota law.

2. Determination to Commence a Project. The Common Council shall make the final decision as to the commencement of any improvement project. The Council shall consider the necessity of the project, the cost of the project, the willingness of the property owners to share in the expense of the project, and any other factors deemed appropriate by the Council in making this decision. Specific guidelines shall apply depending on the previous use of the property in which the project is to be constructed. In areas of new development, the council shall require the developer or developers to execute assessment agreements in which they promise to pay all assessments attributable to their property before the project will be initiated. In previously developed areas, the property owners requesting the improvement project shall be required to sign assessment agreements in which they promise to pay the assessments attributable to their property. At least 20 percent of the total project cost must be immediately assessable to the requesting property owners. Property owners within the scope of the improvement project who do not wish to participate in the project will not be a part of the project. The rights and obligations of persons desiring to be excluded from the project are set forth in section 4 below.

3. Maximum Assessment Rate. A maximum assessment rate shall be established for property owners in previously developed residential areas who are subject to special assessments as a result of improvement projects for water and sanitary sewer services. The maximum assessment rate of \$80.00 per assessable foot shall apply until revised by further action of the Council. This rate shall be subject to review on a yearly basis. This maximum assessment rate shall not apply to those parcels of property which, as a result of the improvement project, are found to result in the opportunity for a lot split and further development. This determination shall be made by the Council and shall be based on information received from the Department of Planning and Zoning, appraisal information, and any other information provided to the Council.

~~4. Property Owners Not Participating in Initial Assessment. As indicated in paragraph 2 above, property owners within the scope of the improvement project can decide to not participate in the project. These property owners will not be initially assessed and will not be allowed to connect to or use the improvements until they have executed an appropriate assessment agreement or connection contract. It is intended that those property owners wishing not to participate in the project initially be treated similarly to those who wish to be included in the project from the beginning. Thus the amount of the assessment agreement or connection contract shall be the amount that would have been assessed against the property under the formula used for the properties initially assessed plus interest. The maximum assessment ceilings at the time of the initial assessment shall apply. Interest shall be at the same rate as is applicable to the properties initially assessed and shall begin to accrue 30 days after resolution of the Council adopting the assessments against the participating properties. Interest shall continue to accrue for a period of ten years or until execution of the assessment agreement or connection contract. Subsequent changes in the maximum assessment ceiling amounts shall not affect the amount of assessment agreement or connection contracts. (This section has been replaced by Resolution 627-92.)~~

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER,  
MINNESOTA, THIS 19th DAY OF OCTOBER, 1992.

(s) *Nancy B. Selby*  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: (s) *Carole A. Grimm*  
CITY CLERK

\_\_\_\_\_

APPROVED THIS 20th DAY OF OCTOBER, 1992.

(s) *Nancy B. Selby*  
(ACTING) MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)

\_\_\_\_\_

**RESOLUTION 627-92**

WHEREAS, the assessment policy for local improvement projects was last amended in October of 1992 and the Common Council has determined that a change in the starting time for interest calculations at the time the assessment resolution is approved and adopted.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Rochester that the following section of the Assessment Policy for Local Improvement Projects shall be amended to read as follows:

4. Property Owners Not participating in Initial Assessment. As indicated in paragraph 2 above, property owners within the scope of the improvement project can decide not to participate in the project. These property owners will not be initially assessed and will not be allowed to connect to or use the improvements until they have executed an appropriate assessment agreement or connection contract. It is intended that those property owners wishing not to participate in the project initially be treated similarly to those who wish to be included in the project from the beginning. Thus, the amount of the assessment agreement or connection contract shall be the amount that would have been assessed against the property under the formula used for the properties initially assessed plus interest. The maximum assessment ceilings at the time of the initial assessment shall apply. Interest shall be at the same rate as is applicable to the properties initially assessed and shall begin to accrue at the time the Council adopts the resolution establishing the assessments against the participating properties. Interest shall continue to accrue for a period of ten years or until execution of the assessment agreement or connection contract. Subsequent changes in the maximum assessment ceiling amounts shall not effect the amount of the assessment agreement or connection contracts.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 16th DAY OF NOVEMBER, 1992.

\_\_\_\_\_  
(s) Nancy B. Selby  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: (s) Carole A. Grimm  
CITY CLERK

APPROVED THIS 17th DAY OF NOVEMBER, 1992.

\_\_\_\_\_  
(s) Chuck Hazama  
MAYOR OF SAID CITY

(Seal of the City of Rochester, Minnesota)

**RESOLUTION**

BE IT RESOLVED by the Common Council of the City of Rochester that the Council, pursuant to authority provided for in a certain ordinance establishing a water service availability fee, and a water and sewer service connection charge, hereby establishes the following fee or connection charge to be effective November 1, 1985.

Water Service Availability Fee, \$1,100 per acre; Sewer Service Connection Charges, \$25.00 per front foot of the property to be served;

Water Service Connection Charges \$21.00 per front foot of the property to be served.

BE IT FURTHER RESOLVED that the water service availability fee and connection charges established by this resolution shall be effective until October 31, 1986, or until otherwise modified by the Common Council.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS *2nd* DAY OF *OCTOBER*, 1985.

\_\_\_\_\_  
(s) *R. J. Postier*  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: (s) *Carole Grimm*  
\_\_\_\_\_  
CITY CLERK

Approved this *8th* day of *October*, 1985.

\_\_\_\_\_  
(s) *Chuck Hazama*  
MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)

**ORDINANCE NO. 2469**

**AN ORDINANCE RELATING TO AVAILABILITY AND CONNECTION CHARGES FOR WATER AND SANITARY SEWER SERVICE; ESTABLISHING AN AVAILABILITY AND CONNECTION CHARGE FOR ALL LANDS SERVED BY CITY WATER AND SANITARY SERVICE IN THE CITY OF ROCHESTER; PROVIDING FOR THE COLLECTION THEREOF; AMENDING THE ROCHESTER CODE OF ORDINANCES BY ADDING A CHAPTER**

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. The Rochester Code of Ordinances is amended by adding a Chapter to read:

**28. WATER AND SANITARY SEWER SERVICE  
AVAILABILITY AND CONNECTION CHARGES**

28.01. Findings. The Common Council of the City of Rochester finds that is in the best interest of the City and its inhabitants that, the cost of construction of a water storage facility, watermain, and sanitary sewer line which serves a particular parcel of property should be borne by the owner of the property which is served, and not the general property taxpayers of the City. The Common Council further finds that in certain instances, because of rapid urban growth an owner of land served by a water storage facility, watermain or sewer line has not paid a share of the cost of construction of these facilities. In order to preserve the fiscal integrity of the City, to provide sufficient funds for expansion of existing facilities, and equitably apportion the cost of construction of water storage facilities, watermains and sanitary sewer lines among all landowners in the City, the Common Council finds that a service availability fee and connection charge should be established for water and sewer service which is applicable to all lands in the City as provided in Minn. Stat. 444.075.

28.02. Purpose. The purpose of the service availability fee and connection charge established by section 28.03 of this Chapter is to ensure that the City obtains sufficient funds to pay the cost of construction of water storage facilities, watermains and sanitary sewer lines from the owners of property served; to reimburse the City for the cost of making and supervising any connection by the property served by said facilities; and, to equitably apportion the cost of construction of said facilities among all landowners served.

28.03 Availability Fee and Connection Charge; Established. Subdivision 1. A water service availability fee, in an amount to be determined by resolution of the Common Council from time to time, is hereby established to apply to any parcel of land in the City which is connected to and served by water service, and which has not heretofore been assessed for the cost of construction of a water storage facility.

Subd. 2. A connection charge, in an amount to be determined by resolution of the Common Council from time to time, is hereby established to apply to any parcel of land in the City which hereafter is connected to City water and sanitary sewer service, and which has not heretofore been assessed for the cost of construction of a trunk watermain or sewer line.

28.04. Unpaid Charges. A water service availability fee or connection charge that is not paid within ninety days of the date billed shall be considered delinquent. On or before October 1 of every calendar year, the City Clerk shall certify any such delinquent charge to the County Auditor and the same shall be added, with interest at the then legal rate, to the taxes against the land in question, and collected thereafter as other taxes are collected. Provided, that such delinquent fee or charge may, in the discretion of the Common Council, be billed on the tax statements in installments over time, with interest to apply on

the unpaid balance thereof, at the rate set forth in the resolution certifying the same to the County Auditor for collection.

Section 2. Notwithstanding the provisions of Section 1 of this ordinance, the water service availability fee established therein shall not apply to any parcel of land which, on the effective date of this ordinance, a structure is already being adequately served by direct connection to water service provided by the City.

Section 3. This ordinance shall be effective from and after its publication.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 7th DAY OF OCTOBER, 1985.

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(s) R. J. Postier  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: (s) Carole A. Grimm  
CITY CLERK

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Approved this 8th day of October, 1985.

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(s) Chuck Hazama  
MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)

**ORDINANCE NO. 2783**

AN ORDINANCE AMENDING AND REENACTING SECTION 28.04 OF THE ROCHESTER CODE OF ORDINANCES, RELATING TO THE WATER SERVICE AVAILABILITY FEE.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. The Rochester Code of Ordinances, Section 28.04 is hereby amended and reenacted to read as follows:

28.04 Unpaid Charges. Subdivision 1. A water service availability fee or connection charge that is not paid within ninety days of the date billed shall be considered delinquent. On or before October 1 of every calendar year, the City Clerk shall certify any such delinquent charge to the County Auditor and the same shall be added, with interest at the then legal rate, to the taxes against the land in question, and collected thereafter as other taxes are collected. Provided, that such delinquent fee or charge may, in the discretion of the Common Council, be billed on the tax statements in installments over time, with interest to apply on the unpaid balance thereof, at the rate set forth in the resolution certifying the same to the County Auditor for collection.

Subd. 2. Notwithstanding the provisions of section 28.03, the water service availability fee established therein shall not apply to any parcel of land on which, on October 19, 1985, a structure was already being adequately served by direct connection to water service provided by the city so long as that structure remains on the parcel and is connected to the City's water service. Should the structure be removed from the parcel or be disconnected from the City's water service, the water service availability fee shall be assessed.

Section 2. This ordinance shall be effective from and after its publication.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS *2nd* DAY OF *DECEMBER*, 1991.

\_\_\_\_\_  
(s) *Nancy B. Selby*

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PRESIDENT OF SAID COMMON COUNCIL

ATTEST: (s) *Carole A Grimm*  
\_\_\_\_\_  
CITY CLERK

APPROVED THIS *3rd* DAY OF *DECEMBER*, 1991.

\_\_\_\_\_  
(s) *Chuck Hazama*

\_\_\_\_\_  
MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)

**APPENDIX H**  
**REVIEW OF ROCHESTER CODE OF ORDINANCE REQUIREMENTS PERTAINING**  
**TO LAND USE MATTERS**

The following list is intended to provide a general overview of those chapters in the Rochester Code of Ordinances (other than the Zoning Ordinance and Land Development Manual regulations) which affect the use of land within the City. This list is intended only to make people aware that requirements exist, but is not intended to provide an exhaustive description of the requirements themselves. References are made in parenthesis at the end of each description of the primary City department responsible for the administration of the given ordinance.

<u>Chapter</u>	<u>Description</u>
3.02	Definitions of certain terms, including "sidewalk" and "street".
15	<b><u>Development District</u></b> administrative organization is described, with duties of the district administrator and advisory board described (Downtown Development Office).
20	<b><u>Planning and Zoning Commission</u></b> structure, duties and rules of organization are described, along with the duties of the Planning Director (Rochester-Olmsted Planning Department).
30	<b><u>Acquisition of Public Lands</u></b> defines the procedure to be used when, during consideration of an annexation, the need for a school site or other public ground is identified, to insure that the needed sites are made available to the public for purchase (Rochester-Olmsted Planning Department).
32	<b><u>Housing Code: General</u></b> establishes the basic groundwork for the Housing Code, including its applicability and scope, the responsible department (Building Safety) for administration, definitions and enforcement inspection procedures (Building Safety Department)
34	<b><u>Housing Code: Minimum Standards</u></b> defines the minimum requirements for ventilation, light, water and sanitary facilities, etc., that must be met for all structures used for dwelling purposes (Building Safety Department).
35	<b><u>Housing Code: Maintenance of Dwellings and Apartments</u></b> describes minimum conditions for walls, windows, ceilings, floors, sanitary facilities, etc., that are expected to be maintained in any dwelling. In addition, Sections 35.17 - 35.21 describe minimum standards for yard areas, fences and non-dwelling structures, such as foundations, that are expected to be maintained, and Section 35.22 describes regulations applying to junked or abandoned automobiles (Building Safety Department).
36	<b><u>Housing Code: Water and Sewer Requirements</u></b> describes the requirements for all development in terms of providing water and sanitary sewer service (Public Works Department).
38	<b><u>Housing Code: Registration of Rental Units</u></b> establishes the need to obtain a registration certificate before any dwelling/apartment or rooming unit is let for occupancy, and describes application requirements, enforcement provisions, review provisions and fees (Building Safety Department).
41	<b><u>Highway Restriction in Airport Area</u></b> establishes standards for the erection or planting of any vegetation or structures along certain roads within the vicinity of the airport, and establishes remedies which the City may pursue in order to bring any violations into compliance.
46	<b><u>Planting and Care of Trees</u></b> describes the property owners and the City's responsibility in the care of all trees growing within the boulevard areas of any public streets (Park and Recreation Department).

<u>Chapter</u>	<u>Description</u>
50	<p><b><u>Building Code</u></b> establishes the Building Code regulations applicable within the City of Rochester. In addition,</p> <p>Section 50.02 (1) establishes the requirement for sidewalk permits; (Public Works Department)</p> <p>Section 50.02 (2) details that street rough grading must be completed before construction permits can be issued; (Public Works Department)</p> <p>Section 50.02 (3) establishes revocable permits and what they can be used for; (Public Works Department)</p> <p>Section 50.03 establishes zones within the City for application of the Building Code (Building Safety Department).</p>
55	<p><b><u>Fire Prevention Code</u></b> establishes a fire code for the City of Rochester and details the requirements that are determined to be applicable, the need for permits, the method for appeals, and how violations will be treated. In addition,</p> <p>Section 55.03 prohibits the storage of explosives;</p> <p>Section 55.04 establishes location requirements for the storage of flammable or combustible liquids;</p> <p>Section 55.05 establishes location criteria for the bulk storage of Liquefied Petroleum Gases.</p>
70	<p><b><u>Concrete Sidewalks, Driveways, Curb and Gutters</u></b> establishes the requirement that all contractors engaged in the construction of such facilities be licensed (Public Works Department).</p>
71	<p><b><u>Curbs, Curb Cuts and Driveways</u></b> establishes that a permit must first be obtained prior to any work on a public street relative to a curb, curb cut or driveway. This section details the standards that are to be met in approving such a permit request. In addition, Section 71.07 establishes maximum driveway widths and minimum separations (Public Works Department).</p>
72	<p><b><u>Repair and Maintenance of Sidewalks</u></b> describes a property owners responsibility in the upkeep of sidewalks within the City. In addition, Section 72.07 establishes standards for the control of weeds and grasses within the City and how the City will remedy situations deemed to be a public nuisance (Public Works Department).</p>
73	<p><b><u>Miscellaneous Street and Sidewalk Regulations</u></b> covers a range of topics, including:</p> <p>Section 73.01 which establishes that a permit must be obtained before commencing any excavation in a public street or alley;</p> <p>Section 73.05 prohibits the storage of alcohol on any sidewalk or street;</p> <p>Section 73.08 establishes the need to obtain a permit prior to using any sidewalk for a sidewalk sale of merchandise or goods.</p>
73A	<p><b><u>Newsstands on Public Sidewalks</u></b> describes the provisions for the placement of unattended devices, used to distribute or vend newspapers and periodicals, on public sidewalks. This chapter discusses the general provisions for the placement of these devices, as well as the size, use and appearance of such devices.</p>

<u>Chapter</u>	<u>Description</u>
73B	<b><u>Sidewalk Cafes</u></b> permits licensed restaurants and other food establishments to conduct a portion of that business on the public sidewalk with a special permit, and subject to certain restrictions (City Clerk).
74	<b><u>House Number and Street Signs</u></b> establishes the system for assigning house numbers within the City, along with the City's responsibility in erecting street signs (Public Works Department).
76	<b><u>Supervision and Control of Sewers</u></b> establishes regulations pertaining to the construction of, discharges into, and maintenance of sewers within the City, designating the City Engineer as chief officer in charge of the supervision of such facilities. Of particular note are: Sections 76.04 - 76.07, which establishes the requirement that a license be obtained by any person planning to offer his services for hire. Section 76.10 limits connections generally to lands within the City. Section 76.13 establishes the requirement for separate service connections for each building.
80	<b><u>Human Rights</u></b> describes the City's policies on discrimination in the areas of employment, public services, education, and, in Section 80.09, Housing Section 80.10, Public Accommodations
85	<b><u>General Regulations</u></b> deals with a range of topics, spanning pornography, unlawful assembly, distribution of handbills, and, of particular note, Section 85.10, which establishes more restrictions in the City. Section 85.11, which limits the use of travel trailers as living quarters on public or private property.
93	<b><u>Public Transportation</u></b> establishes licensing and franchise requirements for public transportation services in the City.
95	<b><u>Taxicabs</u></b> establishes licensing, inspection, rate and other miscellaneous requirements for cabs, including Section 95.12, which gives the Council authority to establish cab stands as needed.
97	<b><u>Limousine Franchises</u></b> establishes licensing, franchise and other requirements for limousines.

**Chapter**

**Description**

Chapters 100 through 125 establish licensing and permit requirements for various types of activities that may occur within the City. Among the activities requiring permits or licenses are the following:

- 100 **Auction and Auctioneers**
- 101 **Bingo**
- 102 **Bowling Alleys**
- 104 **Circuses and Other Shows**
- 105 **Companionship Sales**
- 106 **Cats, Dogs and Other Animals**
- 107 **Gambling**
- 108 **House Movers**
- 109 **Junk Dealers**
- 110 **Moving Picture Shows**
- 111 **Pawn Brokers**
- 113 **Pigeons**
- 113A **Chickens**
- 115 **Saunas and Massages**
- 116 **Signs (Licensing)**

*Applications for needed permits or licenses are obtained at City Hall, at either the City Clerk's or City Administrator's Office.*

- 125A **Alcoholic Beverages** details the regulations applicable to establishments engaged in the sale of liquor. The primary requirement under this ordinance is the need to obtain a liquor license prior to the opening of any business involving the sale of such products. (City Administrator's Office)
- 130 **Traffic Code** establishes restrictions on speed limits, operation of motorcycles seasonal load restrictions and traffic control devices (including installation, maintenance and relocation).

<u>Chapter</u>	<u>Description</u>
134	<b><u>Parking Regulations</u></b> establishes a broad range of controls on parking within the City, including restrictions on location, type of vehicles, and hours of use, in addition to establishing rates and parking zones within the City (Public Works Department).
135	<b><u>Truck Routes</u></b> establishes which streets within the City are designated for use by "trucks" (defined as any vehicles exceeding 5 tons in weight, loaded or unloaded). (Public Works Department)
138	<b><u>Residential Permit Parking Zones</u></b> establishes the provisions for the creation of residential permit parking zones in designated areas (Public Works Department).
141	<b><u>Refuse Collection and Disposal</u></b> establishes standards for the storage of refuse, how it is to be packed for collection, the need for licensing (applicable to refuse collectors), and rates for rubbish collection.

### **OTHER REGULATIONS**

**Ordinance 1466** establishes the procedures by which the City Council may designate certain areas as rural service districts for tax purposes.

The **Rochester Home Rule Charter** is basically the constitution of the City of Rochester. Several chapters within the charter also relate to land use matters. These include **Chapter VI, Ordinances**, which outlines the procedures for adoption and enactment of a City ordinance, and **Chapter XVII, Vacation of Public Ways**, which outlines the procedures for the vacation of public right-of-way and easements.

**Minnesota Statutes** contain the enabling legislation for land use regulations by municipalities. **Minnesota Statutes Section 414** establishes the procedures for annexation of land to the City. **Minnesota Statutes Section 462** establishes the rules and procedures for the adoption of Official Maps.

## APPENDIX I

### Animal Unit Calculations

Use this table to calculate animal units for your facility.

For each animal type checked, list the maximum number of animals that you intend to have (standing herd size) at the facility at any given time. Put that number in the **# of Animals** column (column 3). Multiply the **Animal Unit Factor** (column 2) by the **# of Animals** (column 3) to get the **Animal Units** for each animal type (column 4). Then add up your animal unit numbers in column 4 for a total.

**Example:** If you have 245 heifers, you will check the heifer checkbox, write 245 in column 3 for heifers and multiply 245 x 0.7 (animal unit factor) for a total of 171.5. You will write 171.5 in column 4 for heifers.

	1. Example	2. Animal Unit Factor	3. # of Animals	4. Animal Units
<input checked="" type="checkbox"/>	Heifer	0.7	245	171.5

	1. Animal Type	2. Animal Unit Factor	3. # of Animals	4. Animal Units
<b>A. Dairy Cattle</b>				
<input type="checkbox"/>	Mature cow (whether milked or dry) over 1,000 pounds	1.4		
<input type="checkbox"/>	Mature cow (whether milked or dry) under 1,000 pounds	1.0		
<input type="checkbox"/>	Heifer	0.7		
<input type="checkbox"/>	Calf	0.2		
<b>B. Beef Cattle</b>				
<input type="checkbox"/>	Slaughter steer or stock cow	1.0		
<input type="checkbox"/>	Feeder cattle (stocker or backgrounding) or heifer	0.7		
<input type="checkbox"/>	Cow and calf pair	1.2		
<input type="checkbox"/>	Calf	0.2		
<b>C. Swine</b>				
<input type="checkbox"/>	Over 300 pounds	0.4		
<input type="checkbox"/>	Between 55 and 300 pounds	0.3		
<input type="checkbox"/>	Under 55 pounds ( <i>and separate from sow</i> )	0.05		
<b>D. Horses</b>				
<input type="checkbox"/>	Horse	1.0		
<b>E. Sheep</b>				
<input type="checkbox"/>	Sheep or lamb	0.1		
<b>F. Chickens</b>				
<input type="checkbox"/>	Laying hen or broiler, if the facility has liquid manure system	0.033		
<input type="checkbox"/>	Chicken over 5 pounds, if using dry manure system	0.005		
<input type="checkbox"/>	Chicken under 5 pounds, if using a dry manure system	0.003		
<b>G. Turkeys</b>				
<input type="checkbox"/>	Over five pounds	0.018		
<input type="checkbox"/>	Under five pounds	0.005		
<b>H. Ducks</b>				
<input type="checkbox"/>	Duck	0.01		
<b>I. Animals not listed in Item A to H</b>				
	Animals not listed in Item A to H Type 1: _____ Type 2: _____	Average weight of the animal in pounds divided by 1,000 pounds	1: _____ 2: _____	1: _____ 2: _____
<b>TOTAL ANIMAL UNITS</b> (Add up all numbers in column 4)				