ATTACHMENT 1

ROCHESTER'S ADEQUATE PUBLIC FACILITIES STANDARDS

64.130 **ADEQUATE PUBLIC FACILITES STANDARDS**

The requirements of this section supplement facility standards established in the Stormwater Management Plan, the Long-Range Transportation Plan and other adopted facilities plans, and identify the standards to be followed in the establishment of infrastructure improvements associated with any development. Adequacy is defined in terms of the type, availability and capacity of public facilities.

64.131. **Required Facilities:** In a proposed development the required improvements include streets, sidewalks, public sanitary sewer, and water utility extensions, storm water management facilities, soil erosion and sedimentation control and monumentation. Other items that are necessary or material to the project, such as school sites or parkland, may be identified during the development approval process.

64.132. **Public Facilities:** Public facilities and utilities shall be installed according to the standards adopted by the appropriate agency. The use of private sewage disposal systems and private water supply to serve any new development shall not be permitted unless: 1) the Common Council has determined that public utilities will not be reasonably available and private utilities will not impair the ability to extend services in the future, and 2) the Olmsted County Health Department or County Sanitarian finds that proposed geologic and soil conditions, and lot sizes are adequate to support the proposed use of private utilities. There shall be adequate area to relocate the drain field in case of soil saturation for any lot authorized for on-site wastewater disposal. City Engineer approval shall be required for all planned work involving the use of public facilities or public right-of-way. The City Engineer also shall review and decide on all requests to connect private facilities to public facilities.

64.133. **Funding Required Improvements:** Required improvements reasonably related to the development shall be installed at the sole expense of the applicant. Assessment of costs to subsequent users or public participation may in certain instances be applicable to a proposed project. The City Engineer shall recommend to the County when such policies may be applicable.

64.134. **Guarantees for Improvements:** Bonds or surety deposits shall be required, unless waived in the development agreement prior to commencing activity involving the installation of public improvements, which shall be in amounts sufficient to cover the cost of installation. Any unexpended portion of a surety deposit shall be returned to the developer upon satisfactory completion of the public improvements. (See Section 61.250)

64.135 **Maintenance:** Maintenance of newly installed public facilities shall remain with the developer for a period of two years from final inspection or as otherwise defined in an owner contract or development improvement agreement. Following the expiration of this period, the city shall assume responsibility for maintenance and upkeep of public facilities.

64.136. **Dedications Required:** Development plans, construction plans, land subdivisions and site development plans shall identify needed right-of-way or easement locations necessary for the provision of utilities, drainage and vehicular or pedestrian circulation within the development and connecting to adjacent development which meet specified levels of service called for in adopted City plans and regulations. Easements shall be granted and right -of-way dedicated to the public by the applicant as part of the development approval process or through separate instrument, which shall be in a form approved by the City Attorney.

64.137. **Cost Sharing:** The City Engineer shall advise the Council regarding costs and right-of-way widths for major streets. The applicant shall provide right-of-way in accordance with the adopted Long-Range Transportation Plan, Official Map legislation and standards. However, an applicant may appeal a street dedication requirement to the Council and if the applicant provides sufficient evidence that the costs are not roughly proportional to the needs generated by the subdivision, the Council may decide to purchase a portion of the right-of-way that exceeds such rough proportionality.

64.138. **Drainage Easements Required:** Drainage easements needed for stormwater management as indicated on an approved drainage or grading plans shall be provided. The document ENGINEERING STANDARDS FOR PUBLIC WORKS IN CONJUNCTION WITH THE DEVELOPEMTN OF SUBDIVISIONS, COMMERCIAL AND INDUSTRIAL PROPERTY, available from the Rochester Public Works Department, should be consulted for current design standards adopted by the City of Rochester.

64.139. **Utility Easement Required:** Utility easements required by the various public and private utilities shall be provided. The various utility agencies and the City Engineer shall be consulted as to current policy on design and required easement widths. Vegetation located on utility easements shall be placed so as to not interfere with the free movements of service vehicles. Structures shall not be placed on utility easements.