City of Duluth
Policy on Street Extensions for Limited Residential Development
(as adopted by the Special Assessment Board on March 11, 2003)

Introduction

In recent years, the City has received various requests from property owners and/or developers to allow for the limited extension of existing streets to serve one or more "to-be-developed" residential lots. Typically, these "developments" include 1-4 lots or more that are proposed to be developed along an extension of an existing street. In many cases, the existing street is "under-constructed" (i.e., does not meet City standards) for some existing length, with a surface that may consist of dirt, gravel, or perhaps minimal bituminous.

In 2000, the City's Special Assessment Board approved and adopted a "Policy on real estate development where the lot to be developed has no street frontage or insufficient street frontage". While this Policy does in part address the petition and construction of streets "for their street frontage", it does not specifically address the nature and/or condition of the existing street to be extended.

Also in 2000, the City's Planning Commission amended the City's "Local Street Design Standards" to require that the minimum standard cross-section for a new residential street be a 28-foot wide bituminous surface with concrete curb and gutter. While these Standards do provide a formal variance procedure to allow for narrower streets, they do not specifically address improvements required to an existing street segment serving as the connection to the proposed new street extension.

Consequently, and with the above-noted information as background, City Engineering Division staff developed a policy that would reasonably address the required level of improvements to both (a) an existing street that will serve as a connection to a proposed street extension and is currently not constructed to City standards, and (b) the proposed street extension itself.

Based on recent experience, six general categories of streets that would be involved were identified. They are:

1. Street of minimal length (< 300 feet) that will be extended 100 feet or less.
2. Street of minimal length (< 300 feet) that will be extended 100 to 300 feet.
3. Street of minimal length (< 300 feet) that will be extended more than 300 feet.
4. Street of significant length (> 300 feet) that will be extended 100 feet or less.
5. Street of significant length (> 300 feet) that will be extended 100 to 300 feet.
6. Street of significant length (> 300 feet) that will be extended more than 300 feet.

Policy Provisions

Following are the policies that apply to each general category identified above.

Note that in all cases, the policies represent minimum requirements, and in no case shall the extended street be constructed to a standard less than the existing street.

1. Street of minimal length (< 300 feet) that will be extended 100 feet or less.

   Existing street: The existing street shall consist of a graveled surface constructed to a minimum depth of 6" and a minimum width of 20 feet. If the existing street is disturbed due to utility extensions associated with the street extension, it shall be reconstructed to City of Duluth standards for a graveled street – including Type 5 geotextile fabric and 12" of Class 5 granular base (24 feet wide). Costs to improve or reconstruct the existing street to these minimum requirements shall be the responsibility of the developer.

   Extended street: The extended street shall be constructed to City of Duluth standards for a graveled street – including Type 5 geotextile fabric and 12" of Class 5 granular base (24 feet wide); or to standards matching the existing street if greater. The extended street shall terminate in as shown in Appendix A of this policy. Appropriate street drainage (to be approved by City Engineering prior to construction) shall be provided. Costs to construct the extended street shall be the responsibility of the developer.

2. Street of minimal length (< 300 feet) that will be extended 100 to 300 feet.

   Existing street: The existing street shall consist of a graveled surface constructed to a minimum depth of 6" and a minimum width of 20 feet. If the existing street is disturbed due to utility extensions associated with the street extension, it shall be reconstructed to City of Duluth standards for a graveled street – including Type 5 geotextile fabric and 12" of Class 5 granular base (24 feet wide). Costs to improve or reconstruct the existing street to these minimum requirements shall be the responsibility of the developer.

   Extended street: The extended street shall be constructed to City of Duluth standards for a rural bituminous street – including Type 5 geotextile fabric, 12" of Class 5 granular base (24 feet wide), and 3" of bituminous surfacing (22 feet wide); or to standards matching the existing street if greater. The extended street shall terminate as shown in Appendix A of this policy. Appropriate street drainage (to

be approved by City Engineering prior to construction) shall be provided. Costs to construct the extended street shall be the responsibility of the developer.

3. Street of minimal length (< 300 feet) that will be extended more than 300 feet.

   Existing street: The existing street shall be reconstructed to City of Duluth standards for an urban bituminous street – including Type 5 geotextile fabric, 12" of granular backfill material, 8½" of Class 5 granular base (28 feet wide), 3½" of bituminous surfacing (28 feet wide) and concrete curb & gutter. Costs to improve the existing street to these minimum requirements shall be shared by the developer and adjacent property owners per the City's Code provisions regarding "Local Improvements" (Article VII).

   Extended street: The extended street shall be constructed to City of Duluth standards for an urban bituminous street – including Type 5 geotextile fabric, 12" of granular backfill material, 8½" of Class 5 granular base (28 feet wide), 3½" of bituminous surfacing (28 feet wide) and concrete curb & gutter. The extended street shall terminate as shown in Appendix A of this policy. Costs to construct the extended street to these minimum requirements shall be shared by the developer and adjacent property owners per the City's Code provisions regarding "Local Improvements" (Article VII).

4. Street of significant length (> 300 feet) that will be extended 100 feet or less.

   Existing street: The existing street shall consist of a graveled surface constructed to a minimum depth of 6" and a minimum width of 20 feet. For purposes of this policy, it is assumed that the existing street will meet these minimum requirements. If it does not, costs to improve the existing street to these minimum requirements shall be the responsibility of the City. However, if the existing street is disturbed due to utility extensions associated with the street extension, it shall be reconstructed to City of Duluth standards for a graveled street – including Type 5 geotextile fabric and 12" of Class 5 granular base (24 feet wide). Costs to reconstruct the existing street shall be the responsibility of the developer.

   Extended street: The extended street shall be constructed to City of Duluth standards for a graveled street – including Type 5 geotextile fabric and 12" of Class 5 granular base (24 feet wide); or to standards matching the existing street if greater. The extended street shall terminate as shown in Appendix A of this policy. Appropriate street drainage (to be approved by City Engineering prior to construction)

shall be provided. Costs to construct the extended street shall be the responsibility of the developer.

5. Street of significant length (> 300 feet) that will be extended 100 to 300 feet.

   Existing street: The existing street shall consist of a graveled surface constructed to a minimum depth of 6" and a minimum width of 20 feet. For purposes of this policy, it is assumed that the existing street will meet these minimum requirements. If it does not, costs to improve the existing street to these minimum requirements shall be the responsibility of the City. However, if the existing street is disturbed due to utility extensions associated with the street extension, it shall be reconstructed to City of Duluth standards for a graveled street – including Type 5 geotextile fabric and 12" of Class 5 granular base (24 feet wide). Costs to reconstruct the existing street shall be the responsibility of the developer.

   Extended street: The extended street shall be constructed to City of Duluth standards for a rural bituminous street – including Type 5 geotextile fabric, 12" of Class 5 granular base (24 feet wide), and 3" of bituminous surfacing (22 feet wide); or to standards matching the existing street if greater. The extended street shall terminate as shown in Appendix A of this policy. Appropriate street drainage (to be approved by City Engineering prior to construction) shall be provided. Costs to construct the extended street shall be the responsibility of the developer.

   Alternative: At the City's discretion, the existing street shall be included in the City's formal Street Improvement Program (SIP) and constructed to SIP standards, with reconstruction costs to be shared between the City and adjacent property owners per SIP guidelines. In this case, the extended street shall be constructed to City of Duluth standards for an urban street as previously described, with costs to construct the extended street to be the responsibility of the developer.

6. Street of significant length (> 300 feet) that will be extended more than 300 feet.

   Existing street: The existing street shall consist of a graveled surface constructed to a minimum depth of 6" and a minimum width of 20 feet. For purposes of this policy, it is assumed that the existing street will meet these minimum requirements. If it does not, costs to improve the existing street to these minimum requirements shall be the responsibility of the City. However, if the existing street is disturbed due to utility extensions associated with the street extension, it shall be reconstructed to City of Duluth standards for a

graveled street – including Type 5 geotextile fabric and 12" of Class 5 granular base (24 feet wide). Costs to reconstruct the existing street shall be the responsibility of the developer.

Extended street: The extended street shall be constructed to City of Duluth standards for an urban bituminous street – including Type 5 geotextile fabric, 24" of Class 5 granular base (28 feet wide), 3½" of bituminous surfacing (28 feet wide) and concrete curb & gutter. The extended street shall terminate as shown in Appendix A of this policy. Costs to construct the extended street shall be the responsibility of the developer.

Alternative: At the City's discretion, the existing street shall be included in the City's formal Street Improvement Program (SIP) and constructed to SIP standards, with reconstruction costs to be shared between the City and adjacent property owners per SIP guidelines. In this case, the extended street shall be constructed to City of Duluth standards for an urban street as previously described, with costs to construct the extended street to be the responsibility of the developer.

Summary

The purpose of this policy is to provide a reasonable and consistent manner in which to address the required level of improvements to both an existing street that will serve as a connection to a proposed street extension and is currently not constructed to City standards, and a proposed street extension itself. It is recognized that certain situations may require variance from these policies. Any variance requests shall be reviewed and acted upon by the Special Assessment Board following review and recommendations of the City Engineer.

In addition, it is recognized that under those categories where a street is not constructed, reconstructed or improved to City of Duluth standards for an urban bituminous street, there may be a need for a recordable "disclaimer" agreement between the City and the developer so as to provide for the assessment of future street improvements against adjacent properties per the City's Code provisions regarding "Local Improvements (Article VII.)

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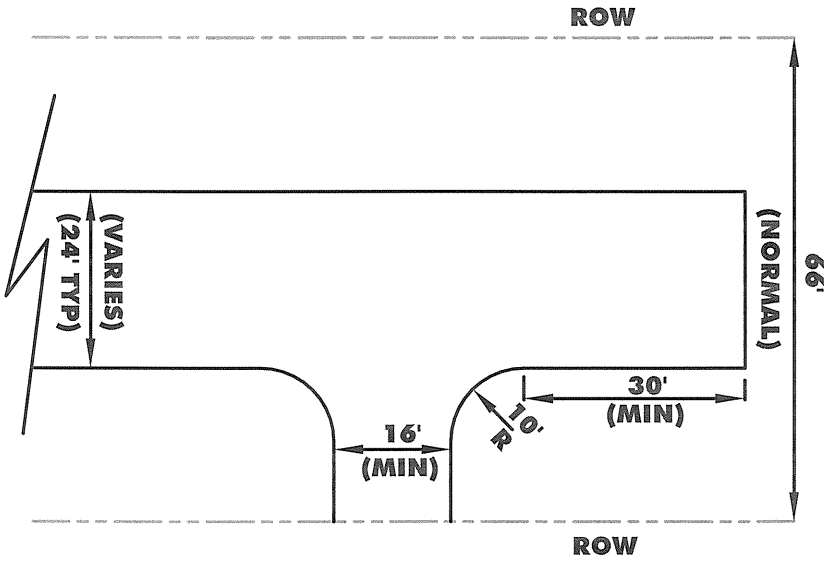
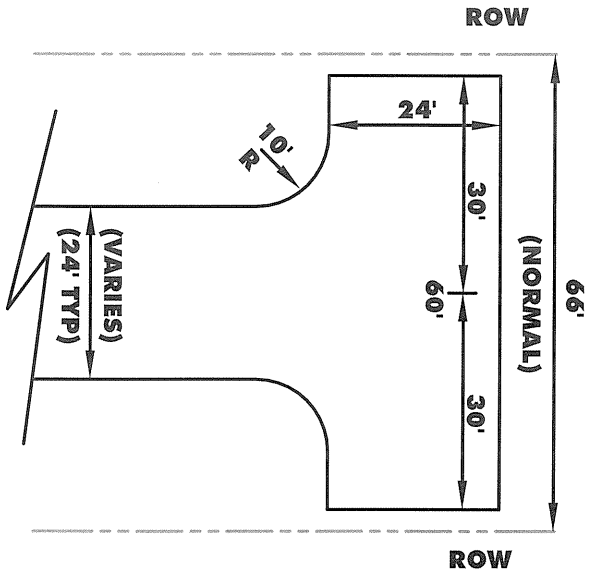
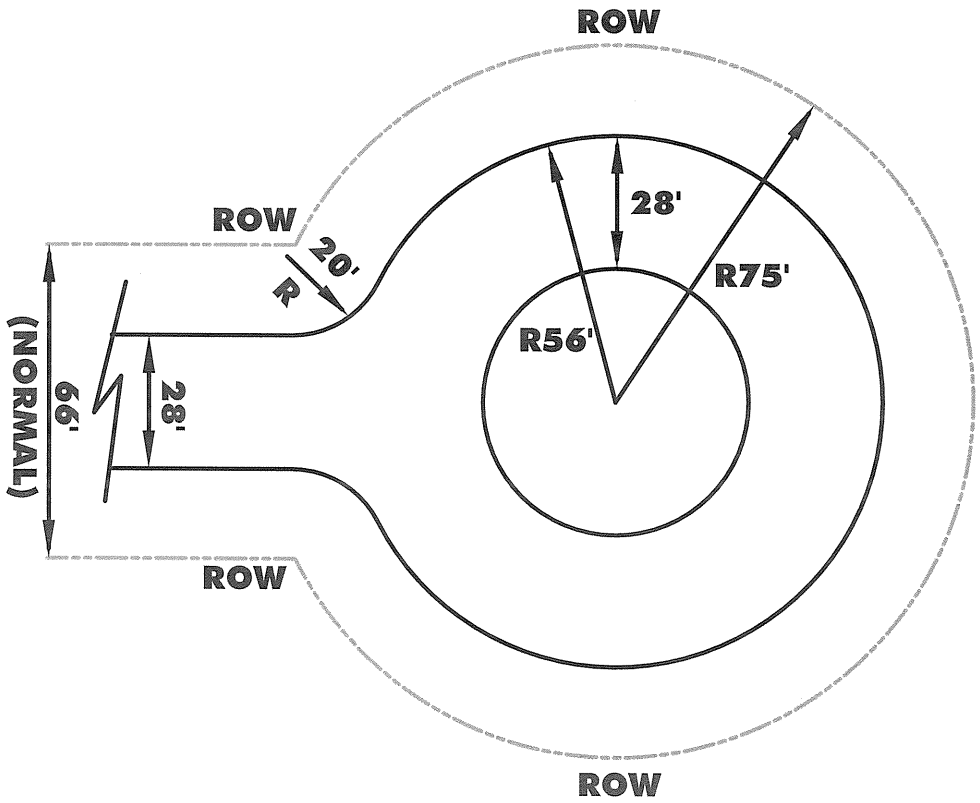
Appendix A

Any street extended under this Policy shall terminate in the manner as shown in this Appendix based on the length of extended street. However, no extended street should terminate in a manner that would be consider "lesser" than the manner of termination of the existing street – except by variance of the City Engineer and/or the Special Assessment Board.

Street to be extended 100 feet or less.



Street to be extended 100 to 300 feet.



Street to be extended more than 300 feet.