

Official Maps

DESIGNATION OF FUTURE RIGHT OF WAY NEEDS



What is an Official Map?

A map which establishes anticipated acquisition lines for future streets or sites needed for public facilities such as parks or schools

Prepared by licensed land surveyor

Adopted by ordinance by local jurisdictions such as counties, cities or townships

Filed with Property Records / County Recorder

- Property Records / Recorder notes existence of Official Map on records of affected properties

Where is Authority Derived?

Official Maps are a tool authorized in Minnesota State Statute that gives cities, towns and counties the authority to do land use planning and zoning (Chapters 394 and 462 of statute)

- Counties can adopt maps under Chapter 394
- Cities & Towns can adopt maps under Chapter 462

Establishes no right of ownership by road authority – land or easement must be acquired through normal acquisition process

Intended use of Official Mapping

To establish with some certainty the proposed right-of-way for a future roadway project so that landowners can make future plans knowing future acquisition limits

If a building permit application is filed, to provide the road authority with a reasonable length of time to negotiate an agreement without threat of building construction starting

To encourage cooperative efforts between landowners and road authority to achieve an agreement that will benefit both parties

What is shown on an Official Map?

An Official Map document is similar to a Subdivision Plat without any lots – it shows:

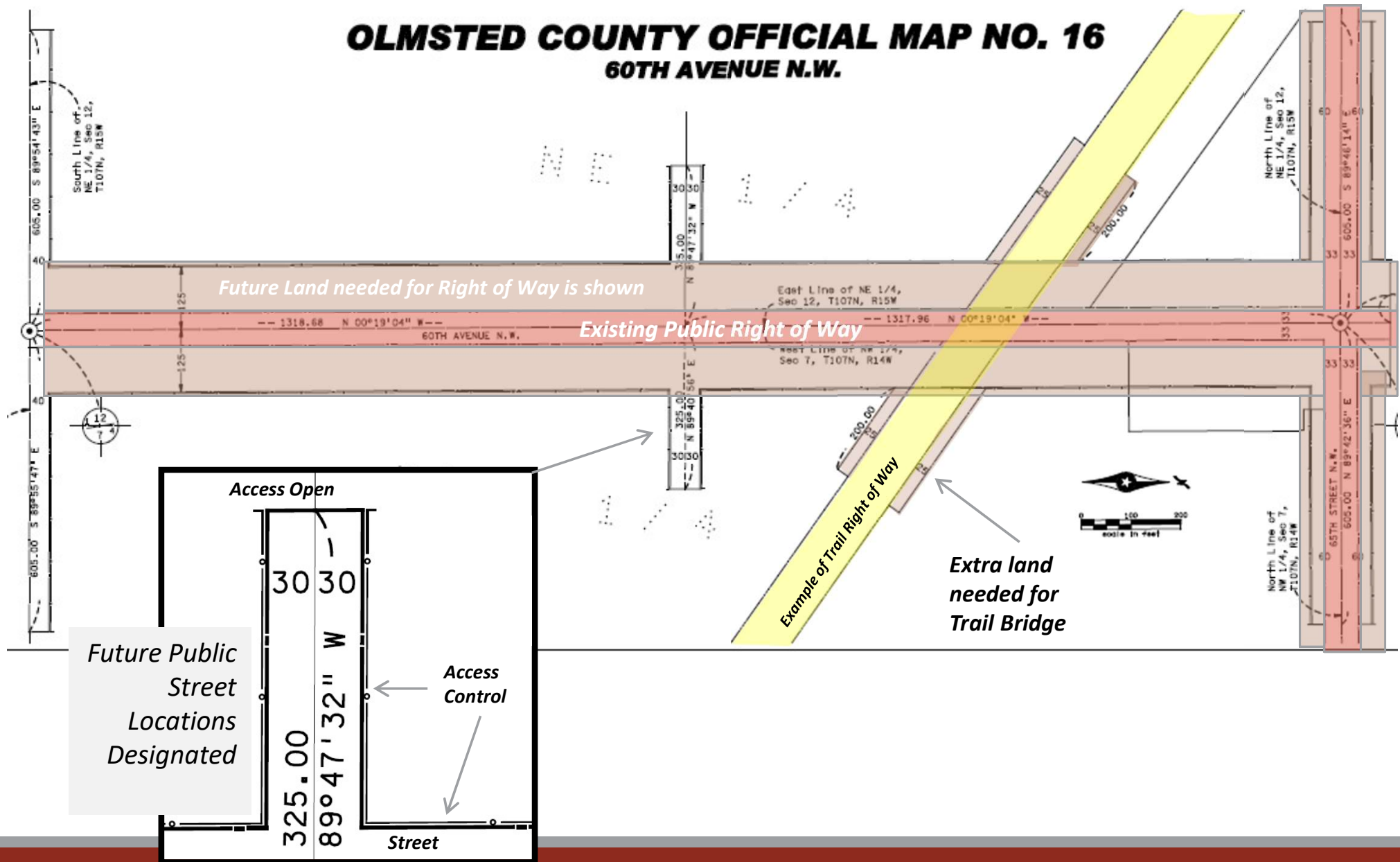
- A surveyed centerline of the proposed road corridor with right of way limits dimensioned off the centerline

OR

Surveyed Right-of-Way limits

- Anticipated access control for future limited-access roadways typically highlighted

Example of an Official Map drawing



Effect of Official Map

After adoption of an Official Map, zoning & building permits within future right of way are subject to provisions of the official map statute

Statute provides a road authority with a 6 months period to initiate proceedings to acquire title or interest in the property before final action by local authority on a permit application is required

If road authority does not initiate proceedings, zoning/building permit must be issued under normal procedures and standards

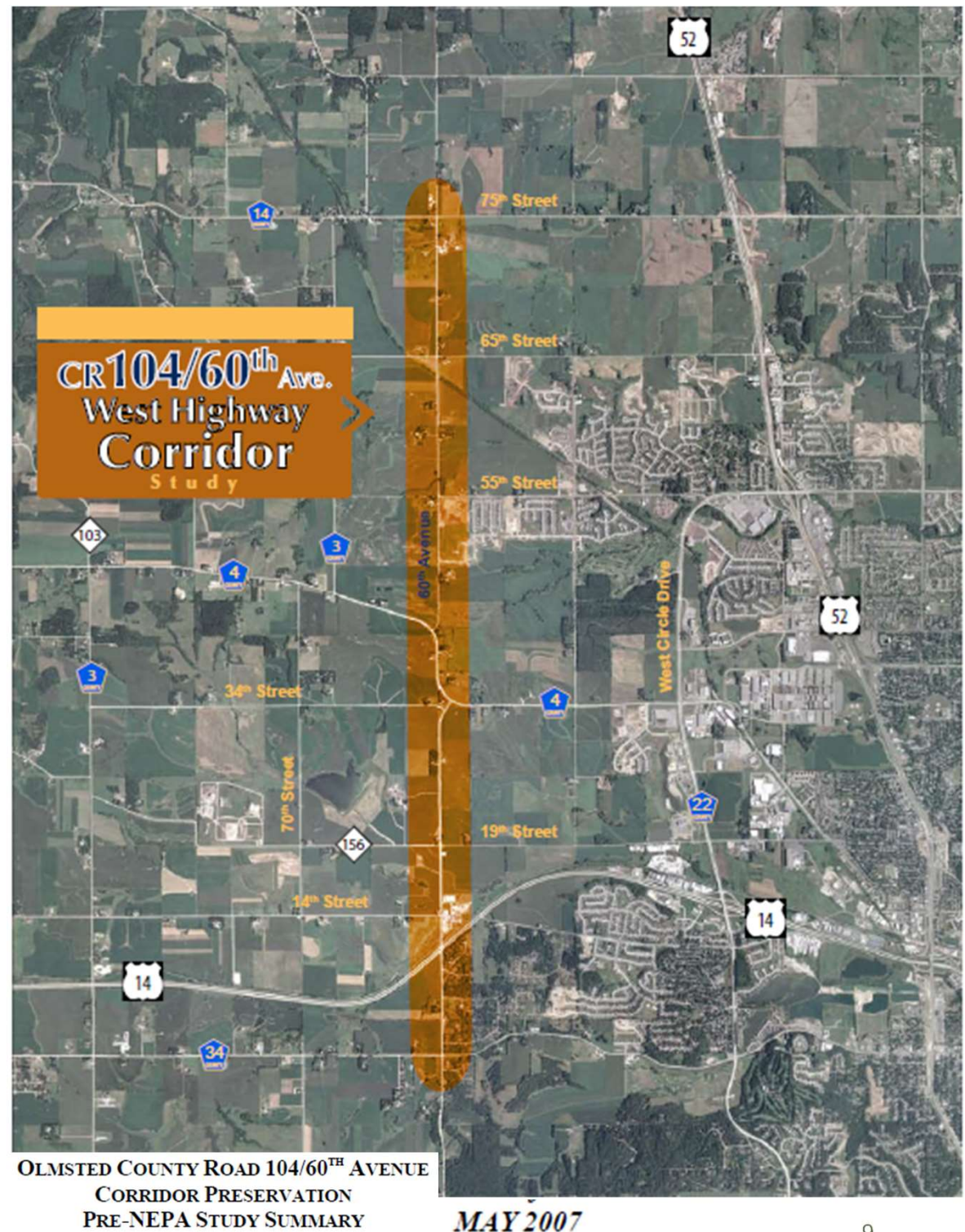
What is the Typical Approach to Developing an Official Map?

1. Typically some type of Corridor Study is completed to confirm the need for improvements and investigate alternative improvement options
2. As part of the study a preferred option is identified and a Preliminary Layout including Right-of-Way Needs Analysis is completed and a draft Official Map is prepared
3. A public review including a public hearing is conducted and the Official Map is adopted by ordinance or resolution

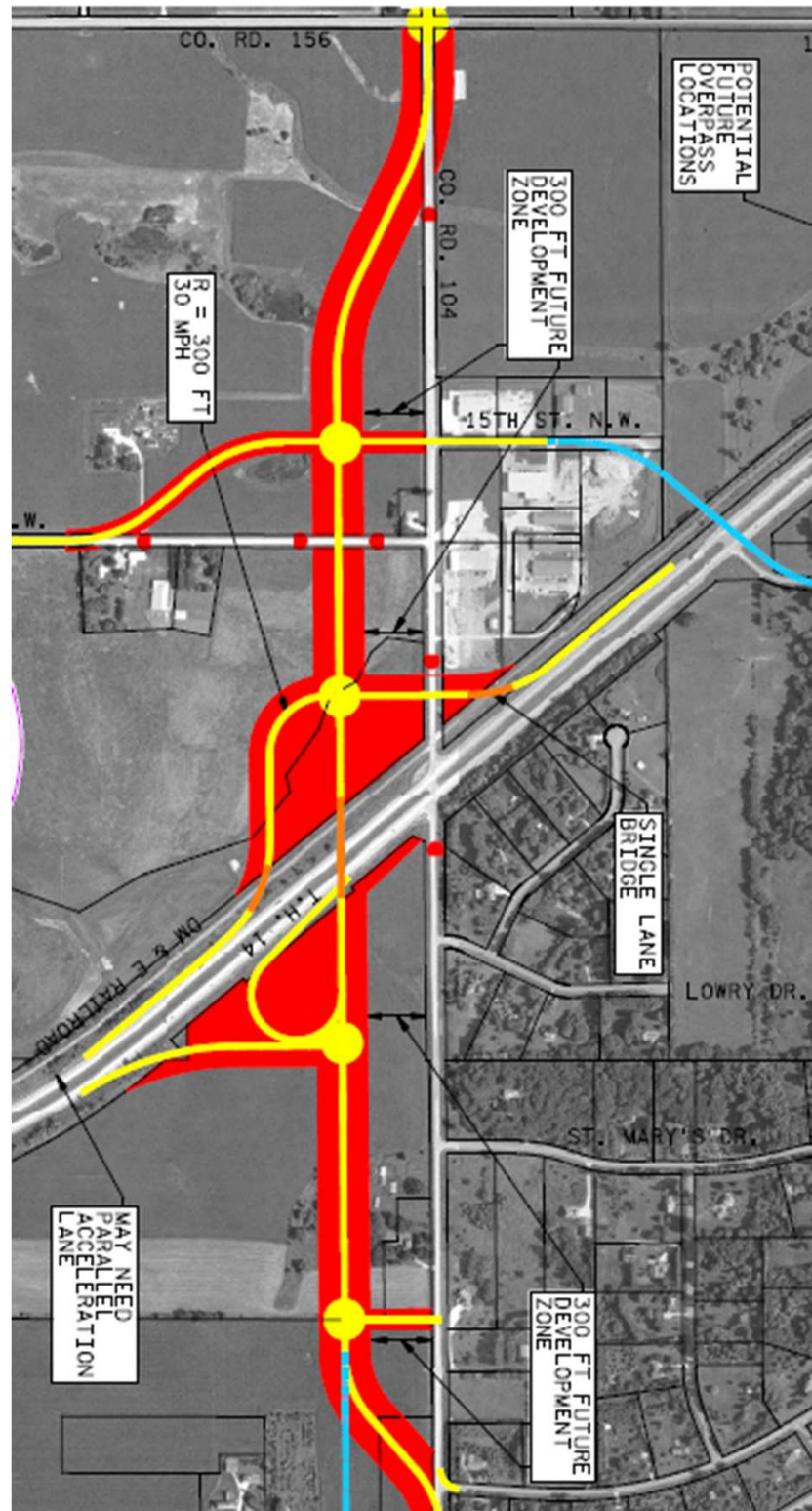
Official Street Map Starts with a Plan Concept

Planning Study for CSAH 44 corridor including TH 14 / CSAH 14 intersection was completed in 2006-2009 timeframe

Lead to Official Map being adopted in 2010



Illustrative
illustration of
Adopted
Official Map
Boundaries for
a future TH 14
– CSAH 44
Interchange
Area



After Official Map is Adopted – Responsibility of Jurisdictions

- Jurisdiction with zoning authority is expected to exercise statutory powers under official map statute if an application for building permit is filed
- Road authority proposing future project is expected to have the resources available to conduct negotiations with any landowner proposing or applying for a building permit
- Acknowledgement on the part of the public entity(s) that if resources are not available for acquisition or land or easement or to execute other arrangement the building proposal may proceed

Typical process followed when a Building Permit within an area included in an Official Map is filed:

Steps 1-4 (of 7 – continued on next page)

- Landowner applies for Zoning or Building Permit
- Staff as part of permit review identifies that site lies within an area included in the Official Map
- Official denies permit because it is in conflict with the Official Map
- Applicant can appeal denial to Zoning Board of Appeals

Typical process (continued)

Steps 5-7

- Board of Appeals considers whether, in absence of Official Map, a hardship is created by denial and approval of permit would be justified
- Action of Board of Appeals triggers six month window in which road authority must initiate proceeding to acquire land
- At end of six month window, if acquisition proceedings have not commenced, the zoning/building officer shall issue the permit if it meets all other local regulatory requirements