


<p>Commissioners: Julie Kimble Michelle Kruzell Tammy McGehee Michelle Pribyl Karen Schaffhausen Erik Bjorum <i>Vacant</i></p>	 <p>Planning Commission Agenda Wednesday, June 1, 2022 6:30pm</p> <p>Members of the public who wish to speak during public comment or on an agenda item may do so in person during this meeting or virtually by registering at www.cityofroseville.com/attendmeeting.</p>	<p>Address: 2660 Civic Center Dr. Roseville, MN 55113</p> <p>Phone: 651-792-7080</p> <p>Website: www.cityofroseville.com/pc</p>
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1. Call To Order

2. Roll Call

3. Approval Of Agenda

4. Review Of Minutes

Documents:

[MAY 4, 2022 MINUTES.PDF](#)

5. Communications And Recognitions

5.A. From The Public:

Public comment pertaining to general land use issues not on this agenda.

5.B. From The Commission Or Staff:

Information about assorted business not already on this agenda.

6. Other Business

6.A. Discuss Phase Two Zoning Code Amendments Regarding The Shoreland Ordinance And Sustainability

Documents:

[6A REPORT AND ATTACHMENTS.PDF](#)

7. Adjourn



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Draft Minutes – Wednesday, May 4, 2022 – 6:30 p.m.**

- 1 **1. Call to Order**
2 Chair Kimble called to order the regular meeting of the Planning Commission meeting at
3 approximately 6:30 p.m. and reviewed the role and purpose of the Planning Commission.
4
- 5 **2. Roll Call**
6 At the request of Chair Kimble, City Planner Thomas Paschke called the Roll.
7
- 8 **Members Present:** Chair Julie Kimble, and Commissioners Michelle Pribyl, Michelle
9 Kruzel, Tammy McGehee, Karen Schaffhausen, Erik Bjorum and
10 Emily Leutgeb.
11
- 12 **Members Absent:** None.
13
- 14 **Staff Present:** City Planner Thomas Paschke, Community Development Director
15 Janice Gundlach
16
- 17 **3. Approve Agenda**
18
- 19 **MOTION**
20 **Member Schaffhausen moved, seconded by Member Bjorum, to approve the agenda**
21 **as presented.**
22
- 23 **Ayes: 7**
24 **Nays: 0**
25 **Motion carried.**
26
- 27 **4. Review of Minutes**
28
- 29 **a. March 2, 2022 Planning Commission Regular Meeting**
30
- 31 **MOTION**
32 **Member McGehee moved, seconded by Member Pribyl, to approve the March 2,**
33 **2022 meeting minutes.**
34
- 35 **Ayes: 7**
36 **Nays: 0**
37 **Motion carried.**
38
- 39 **5. Communications and Recognitions:**
40

41 a. **From the Public:** *Public comment pertaining to general land use issues not on this*
42 *agenda, including the 2040 Comprehensive Plan Update.*

43
44 None.

45
46 b. **From the Commission or Staff:** *Information about assorted business not already on*
47 *this agenda, including a brief update on the 2040 Comprehensive Plan Update*
48 *process.*

49
50 Mr. Paschke indicated this meeting is Commissioner Leutgeb’s last meeting and he
51 wanted to thank her for her time on the Commission and a great contributor to this as
52 well as the Variance Board.

53
54 Chair Kimble and the other Commissioners wished her well and thanked her for her
55 time on the Commission.

56
57 Mr. Paschke indicated because Commissioner Leutgeb was an alternate on the
58 Variance Board he asked to have the Commission add that item to the meeting to get
59 a volunteer to be the alternate.

60
61 Commissioner Bjorum agreed to be the alternate to the Variance Board.

62
63 **6. Public Hearing**

64
65 a. **Consideration of an Interim Use Renewal Pursuant to §1009.03 of the City Code**
66 **to Permit Seasonal Household Hazardous Waste Collection at Ramsey County**
67 **Property at 1725 Kent Street (PF22-003)**

68 Chair Kimble opened the public hearing for PF22-003 at approximately 6:35 p.m. and
69 reported on the purpose and process of a public hearing.

70
71 City Planner Paschke summarized the request as detailed in the staff report dated May
72 4, 2022.

73
74 Commissioner McGehee asked who on the staff has the responsibility to inspect this.

75
76 Mr. Paschke was not sure if this ever was inspected. It is possible that in the earlier
77 days, perhaps Don Munson the previous building official or others in his staff may
78 have gone out and looked at it. He indicated he has gone out to the site two or three
79 times in the early 2000’s but since then have not gone out and inspected because there
80 really was not a reason to do that without having complaints or issues and concerns.

81
82 Mr. John Springman, Ramsey County Public Environmental Health, 2785 White Bear
83 Avenue North, Maplewood, was at the meeting and addressed the Commission.

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85 **Public Comment**

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87 No one came forward to speak for or against this request.

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Chair Kimble closed the public hearing at 6:45 p.m.

Commission Deliberation

None.

MOTION

Member Schaffhausen moved, seconded by Member McGehee, to recommend to the City Council approval of the Interim Use for Ramsey County to Continue Operating a Household Hazardous Waste Collection Facility Located at 1725 Kent Street Based on the Information Contained in this Report and removal of the Condition that the City of Roseville will do any Site Inspection for the month it is in Operation. (PF22-003).

**Ayes: 7
Nays: 0
Motion carried.**

7. Adjourn

MOTION

Member Pribyl, seconded by Member Kruzel, to adjourn the meeting at 6:48 p.m.

**Ayes: 7
Nays: 0
Motion carried.**



REQUEST FOR PLANNING COMMISSION ACTION

Date: June 1, 2022
Item No.: 6A

Department Approval

Agenda Section

Janice Gundlach

Other Business

Item Description: Discuss phase two Zoning Code amendments regarding the Shoreland Ordinance and sustainability

1 **BACKGROUND**

2 On November 8, 2021 the City Council adopted an ordinance approving amendments to the Zoning
3 Code to ensure compliance with the City’s 2040 Comprehensive Plan. The Planning Commission
4 held numerous meetings in 2021 reviewing these amendments and forwarding a recommendation to
5 the City Council. These amendments were considered phase one of the Zoning Code update process.

6 On September 1, 2021 the Planning Commission held a preliminary discussion to prioritize the second
7 phase of updates to the Zoning Code. At that time, consensus was built around two topics: 1)
8 shoreland and 2) sustainability.

9 On January 31, 2022 the Planning Commission held a joint meeting with the City Council to determine
10 if Commission and Council interests were aligned regarding the second phase of updates to the Zoning
11 Code. That discussion revealed consensus to focus on updating the City’s Shoreland Ordinance to
12 comply with the DNR’s current model ordinance and to pursue other Zoning Code amendments
13 surrounding sustainability.

14 On February 28, 2022, the City Council authorized additional budget to ensure these topics could be
15 fully examined. Since that time, the City’s consultant, HKGi, has been conducting preliminary
16 analysis in preparation for a kick-off discussion with the Planning Commission.

17 HKGi has provided the attached materials to help facilitate a discussion. Regarding the Shoreland
18 Ordinance, the enclosed memo and the Comments column of the draft ordinance highlight several
19 areas for discussion. This will be the primary focus of this initial discussion.

20 Regarding sustainability, a summary memo is attached which outlines a strategy for implementing
21 more sustainability elements into the Zoning Code. No specific ordinance content has been prepared
22 yet, but staff would be interested in any feedback regarding the strategy outlined in the memo.

23 **STAFF RECOMMENDATION**

24 Provide feedback to HKGi.

Prepared by: Janice Gundlach, Community Development Director

Attachments: HKGi materials



MEMORANDUM

TO: Roseville Planning Commission
FROM: Jeff Miller and Rita Trapp, HKGi
DATE: May 24, 2022
SUBJECT: Revisions to Chapter 1017: Shoreland, Wetland, and Storm Water Management

Updating Chapter 1017: Shoreland, Wetland, and Storm Water Management was identified as one of the tasks of Phase Two of the Zoning Code updates. The intent is to update the City’s code to meet the Minnesota Department of Natural Resources (MnDNR)’s current model shoreland ordinance and to revise wetland setbacks to align with the Ramsey-Washington Metro Watershed District.

The process of updating Chapter 1017 has involved comparing the City’s existing chapter to the MnDNR’s model ordinance to identify what is new in the model ordinance, what is the same as the City’s existing chapter, and what is different. General findings from that comparison include:

- 1) The City’s existing chapter is based on historical model ordinances that have a lot of similarities to the current model ordinance. Staff is therefore recommending that the MnDNR’s current model ordinance be used as the foundation for the City’s revised Chapter.
- 2) The City’s current shoreland district extends 300 feet rather than 1,000 feet as required by the MnDNR. Revising this distance to 1,000 is being recommended so the City is in compliance with the model ordinance. The map attached show the lakes and which parcels are included with the 300 and 1,000 foot boundaries. It should also be noted that there have been some changes to the lakes included in the shoreland district. Requiring discussion is whether or not to keep Oasis Pond, Zimmerman Lake, and Willow Pond in the shoreland since the DNR does not classify these as lakes, yet they are currently in the City’s shoreland. Removing them from the shoreland would make them subject to wetland regulations only. If the desire is to keep them in the shoreland, then a discussion should be had on whether to impose a 300’ or 1,000’ boundary. The table below summarizes the changes:

Name	Classification	Change
Little Lake Johanna	General Development	This was previously classified as Recreational Development. The designation change was requested by the City of Arden Hills.
Lake Josephine	General Development	
Lake Owasso	General Development	
McCarron	General Development	

Name	Classification	Change
Bennett Lake	Natural Environment	This was previously a General Development Lake but was reclassified by the MnDNR.
Langton Lake	Natural Environment	This was previously a City designated General Development lake but has been classified as a Natural Environment lake per the DNR.
Oasis Pond	N/A per DNR – General Development per current ordinance	Need direction
Zimmerman Lake	N/A per DNR – General Development per current ordinance	Need direction
Willow Pond	N/A per DNR – General Development per current ordinance	Need direction

- 3) The City has standards that are more protective than required by the model ordinance. Some examples of these include:
 - a. The City limits impervious surface coverage for LDR and LMDR properties outside of the shoreland district to 35%. Currently the MnDNR does not have a requirement for impervious surface for properties outside of the shoreland district. This requirement is proposed to be retained.
 - b. The City has additional standards for wetlands that require buffers. This is proposed to be retained though as noted below, it is suggested it be moved to another Title of the City Code. A map showing which wetlands are protected is included.

- 4) Chapter 1017 include additional standards for wetlands and storm water management. To more clearly align with the model ordinance, it is recommended that these provisions be moved to Title 8 Public Works. This title includes chapters on municipal water system, sewer use and regulations, and storm water drainage. This change will better reflect that the wetland and storm water management are administered by Public Works and will allow them to be updated as best practices and technology change.

- 5) The City does not have recreational development lakes, rivers, and streams so provisions relating to those natural features do not need to be included. You will see that those provisions are recommended to be excluded from the document.

- 6) The City has a public water and sanitary sewer system and all new development is required to be connected to that system, so references related wells and individual septic systems are generally not needed and have been proposed to be excluded from the chapter.

- 7) The comparison of the existing chapter to the model ordinance did identify some provisions that were not in the model ordinance. Staff reviewed each provision individually to determine whether or not it would be retained. Reasons that provisions were not retained include:
- The provision did not contain regulations but additional explanation that was not needed.
 - The provision was duplicative of something elsewhere in the code, such as provisions for nonconformities or processing procedures.
 - The provision has been confusing or difficult to apply, such as how to calculate lot area for properties with wetlands.
 - The provision added a regulation that was no longer needed given the current development pattern, such as additional setbacks for riparian commercial or industrial uses
 - The provision was in conflict with City’s intent, such as allowing historic decks to be enclosed or requiring water oriented accessory structures to be setback 20 feet from a side property line

To ensure that the direction proposed in the attached draft is generally acceptable to the MnDNR, staff and the consultant team had a preliminary meeting with the MnDNR staff. Discussion and input from the MnDNR was incorporated in the draft model ordinance being reviewed by the Planning Commission.

The attached document is in the format of the model ordinance. Staff has stricken and underlined sections to be deleted and added. Comments explaining the suggested changes to the model ordinance are provided in the far column. After discussion and direction from the Planning Commission, Staff will be making revisions and reaching out to the MnDNR for further clarification on specific sections that had changed since the last meeting. The model ordinance will then be brought into the City’s code format as the entire Chapter 1017 is planned to be repealed and replaced with the new chapter.

Attachments: Shoreland Map – existing & proposed

Wetland Map

Proposed Amendments to Title 8 Public Works

Revisions to Chapter 803 Storm Water Drainage

- 1) Add new section numbers as need to the Table on Contents on the first page of the chapter
- 2) Insert a new section 803.05 Storm Water Management Overlay District. The existing 803.05 would then be renumbered to 803.06.

803.05: Storm Water Management Overlay District

- A. Establishment. The Storm Water Management Overlay District shall include all land either within one hundred (100) feet of the normal water level of constructed storm water ponds or wetlands managed for storm water quantity and quality management purposes, or all land below the 100-year flood elevation of such ponds or wetlands, whichever is most restrictive.
- B. Definition: “Storm water pond” – A manmade pond capable of holding water seasonally or permanently, the purpose of which is to collect runoff, nutrients, and sediment prior to releasing water into wetlands and natural water bodies.
- C. Lot Standards. All lots within the Storm Water Management Overlay District shall met the following setbacks:

STRUCTURE SETBACKS FROM STORM POND		
Type of Water Body	Structure Setback from Water Body	Roads, Driveway, Parking and Other Impervious Surface or Setback
Storm Pond	10 Ft. ^{1,2}	10 Ft. ³
<p>1. Setback is measured from the wetland boundary.</p> <p>2. One water- oriented accessory structure designed in accordance with Section XXX may be set back a minimum distance of 10 feet from the ordinary high water level.</p> <p>5. A 30 foot setback from road or parking surfaces may include a combination of land within rights of way and adjacent to the right of way, as well as curb and gutter controlling runoff and sediment to a storm pond. Pedestrian trails shall be exempt from setback requirements.</p>		

- D. General Standards:
 1. Existing Natural Drainageways: When possible, existing natural drainageways, and vegetated soil surfaces shall be used to convey, store, filter, and retain storm water runoff before discharge to public waters.
 2. Minimum Disturbance: Development shall be planned and conducted in a manner that will minimize the extent of disturbed areas, runoff velocities, erosion potential, and reduce and delay runoff volumes. Disturbed areas shall be stabilized and protected as soon as possible and facilities or methods used to retain sediment on the site.

3. **Constructed Facilities:** When development density, topographic features, and soil and vegetation conditions are not sufficient to adequately handle storm water runoff using natural features and vegetation, various types of constructed facilities such as diversions, settling basins, skimming devices, dikes, waterways, and ponds may be used. Preference shall be given to designs using surface drainage, vegetation, and infiltration rather than buried pipes and manmade materials and facilities.
- E. **Specific Standards:**
1. **Impervious Surface Coverage:** Impervious surface coverage of a site shall not exceed 25% of the site area in a shoreland or wetland overlay district unless storm water is conveyed to an approved, on-site or regional storm water ponding/retention facility designed to accommodate the increased runoff prior to discharge from the site into public waters or wetlands.
 2. **Review by City Engineer:** All proposed storm water facilities shall be reviewed by the city engineer and certified for compliance with the city's surface water management plan, National Urban Runoff Program (NURP) standards, the Minnesota Pollution Control Agency's (MPCA) Urban Best Management Practices, and any established standards of the water management organization having jurisdiction in the project area.
 3. **Commercial, Industrial, and Residential Development Affection:** All commercial and industrial developments and redevelopments affecting more than five acres of land and all residential developments affecting more than five 5 acres of land shall:
 - i. Be served by storm water ponding facilities, on- or off-site, designed to remove a minimum of 90% of total suspended solids resulting from the runoff from a one inch rainfall event, and
 - ii. Within the development, provide for settling chambers, sumps, dry ponds or other devices to provide for the filtering or settling of fine sands prior to discharge into the city's storm water system.
- F. **Private Storm Water Facilities:** All private storm water facilities shall be maintained in proper condition consistent with the performance standards for which they were originally designed. All settled materials from ponds, sumps, grit chambers, and other devices, including settled solids, shall be removed and properly disposed of on a five year interval. One to five year waivers from this requirement may be granted by the city engineer when the owner presents evidence that the facility has additional capacity to remove settled solids in accordance with the original design capacity.
- G. **Inventory of Private Storm Water Facilities:** Upon adoption of this chapter, the city engineer shall inventory and maintain a database for all private storm water facilities requiring maintenance to assure compliance with this section.

New Section 803.06 Wetland Protection Overlay District

A. **Purpose.** These regulations are intended to protect the City's wetlands, which are defined as land transitional between terrestrial and aquatic systems as defined in Minnesota Statutes Section 103G.005, Subdivision 19.

B. **Applicability.** All upland within one hundred (100) feet of the wetland boundary of wetlands and

those public waters not specifically listed as shoreland shall be considered within the Wetland Protection Overlay District.

C. **Lot Standards.** The minimum lot area, width and depth requirements of the underlying land use zoning district within this code shall apply provided that not more than 25% of the lot area may be included in any wetland area to meet the minimum lot area dimension.

STRUCTURE SETBACKS FROM WETLAND		
Type of Water Body	Structure Setback from Water Body	Roads, Driveway, Parking and Other Impervious Surface or Setback
Wetland	50 Ft. ^{1,2}	30 Ft. ³
<p>1. Setback is measured from the wetland boundary.</p> <p>2. One water- oriented accessory structure designed in accordance with Section XXX may be set back a minimum distance of 10 feet from the ordinary high water level.</p> <p>5. A 30 foot setback from road or parking surfaces may include a combination of land within rights of way and adjacent to the right of way, as well as curb and gutter controlling runoff and sediment to a storm pond. Pedestrian trails shall be exempt from setback requirements.</p>		

D. **Stormwater treatment.** All stormwater must be treated to the water quality standard outlined in the City’s Comprehensive Surface Water Management Plan and Stormwater Management Standards before discharged to a wetland.

E. **Wetland Buffers.** Wetland buffers shall be required for all developments adjacent to a wetland whether or not the wetland is located on the same parcel as the proposed development.

(1) Table X outlines the no-disturb buffer widths and minimums that must be met:

Average Buffer Width	25 feet
Minimum Buffer Width	12.5 feet

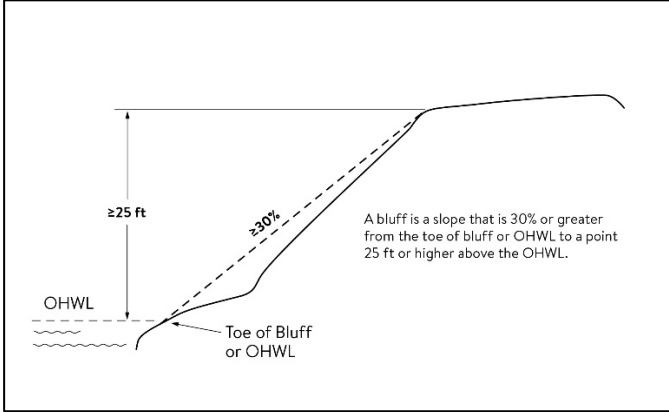
- (2) New and existing ponds constructed for water quantity and quality adjacent to new development shall maintain a 10-foot vegetative buffer from the normal water level.
- (3) Stormwater management BMPs shall not be allowed to be constructed in the buffer area.
- (4) A permanent wetland buffer monument shall be installed at each lot line where it crosses a wetland buffer, and where needed to indicate the contour of the buffer, with a maximum spacing of two hundred (200) feet of wetland edge.
- (5) Where acceptable vegetation exists in buffer areas, the retention of such vegetation in an undisturbed state is required unless an applicant receives approval by the City District to replace such vegetation. A buffer strip has acceptable vegetation if it:
 - a. Has a continuous, dense layer of vegetation or overstory of trees and/or shrubs that have been uncultivated or unbroken for at least five consecutive years, or
 - b. Is not composed of undesirable plant species (including, but not limited to: reed canary grass, common buckthorn, purple loosestrife, leafy spurge, and noxious weeds), or

- c. Does not have topography that tends to channelize the flow of surface runoff.
- (6) If the City determines the existing buffer to be unacceptable, the applicant shall maintain the minimum buffer in its undisturbed state but may disturb the remainder of the buffer area as long as the buffer area is re-planted with native species and maintained as a native habitat. The buffer planting must be identified on the permit application and the buffer landscaping shall comply with the following standards:
- a. Buffer areas shall be planted with a native seed mix approved by the City, with the exception of a one-time planting with an annual nurse or cover crop such as oats or rye.
 - b. The revegetation project shall be performed by a qualified contractor. All methods shall be approved by the City prior to planting or seeding.
 - c. The seed mix shall be broadcast according to the specifications of the selected mix including date of application. The annual nurse or cover crop shall be applied at a minimum rate of 30 pounds per acre. The seed mix selected for permanent cover shall be appropriate for soil site conditions and yellow tag certified free of invasive species.
 - d. Native shrubs may be allowed to be substituted for native forbs. All substitutions shall be approved by the City. Such shrubs may be bare root seedlings and shall be planted at eight foot spacing. Shrubs shall be distributed so as to provide a natural appearance and shall not be planted in rows.
 - e. Any groundcover or shrub plantings installed within the buffer area are independent of any landscaping requirements required elsewhere by the City.
 - f. Compacted soils in the buffer area shall be loosened to a depth of at least 5" prior to seeding.
 - g. No fertilizer shall be used in establishing new buffer areas, except on highly disturbed sites when necessary to establish acceptable buffer vegetation and then limited to amounts indicated by an accredited soil testing laboratory.
 - h. All seeded areas shall be mulched or blanketed immediately in a method approved by the City.
 - i. Buffer areas (both natural and created) shall be protected by erosion and sediment control measures during construction in accordance with Section 803.04 Erosion and Sediment Control. The erosion and sediment control measures shall remain in place until the vegetation is established.
 - j. Buffer vegetation shall be actively managed throughout the three-year establishment period. This includes but is not limited to: mowing, overseeding, spot weed control, prescribed burning, and watering.
 - k. Buffer vegetation shall be established and maintained in accordance with the requirements above. During the first three full growing seasons, the applicant or developer must replant any buffer vegetation that does not survive. The applicant or developer shall specify a method acceptable to the City for monitoring compliance and verifying establishment of the buffer at the end of the third full growing season.

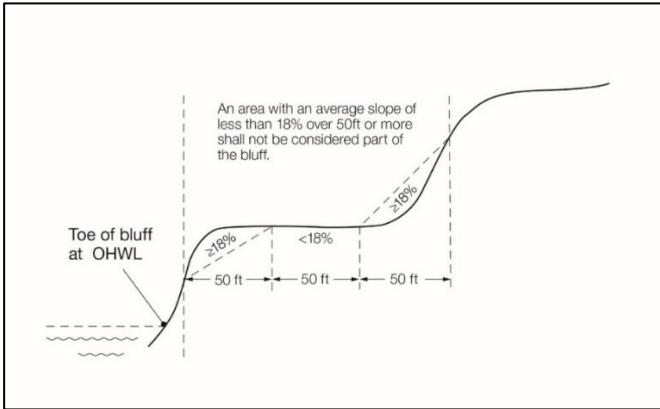
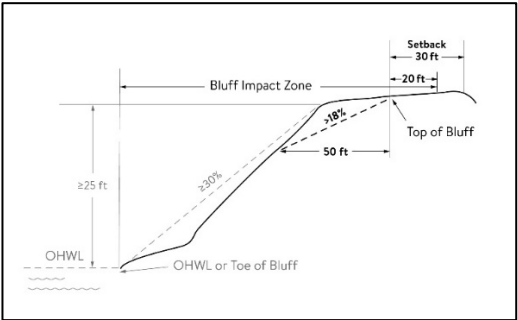
Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

Ordinance Language	Comments
<p>1.0 STATUTORY AUTHORIZATION AND POLICY</p> <p>1.1 Statutory Authorization. This shoreland ordinance is adopted pursuant to the authorization and policies contained in Minnesota Statutes, Chapter 103F, Minnesota Rules, Parts 6120.2500 - 6120.3900, and the planning and zoning enabling legislation in Minnesota Statutes, Chapter 462.</p> <p>1.2 Policy. The Legislature of Minnesota has delegated responsibility to local governments of the state to regulate the subdivision, use and development of the shorelands of public waters and thus preserve and enhance the quality of surface waters, conserve the economic and natural environmental values of shorelands, and provide for the wise use of waters and related land resources. This responsibility is hereby recognized by the City of Roseville.</p> <p>2.0 GENERAL PROVISIONS AND DEFINITIONS</p> <p>2.1 Jurisdiction. The provisions of this ordinance apply to the shorelands of the public water bodies as classified in Section 4.1 of this ordinance, and to the shorelands of public water bodies greater than 10 acres in unincorporated areas in which the city has, by ordinance, extended the application of its zoning regulations as provided by Minnesota Statute, Chapter 462.357 Subd 1. Pursuant to Minnesota Rules, Parts 6120.2500 - 6120.3900, no lake, pond, or flowage less than 10 acres in size in municipalities or 25 acres in size in unincorporated areas need be regulated in a local government’s shoreland regulations. A body of water created by a private user where there was no previous shoreland may, at the discretion of the governing body, be exempt from this ordinance.</p> <p>2.2 Enforcement. The Community Development Director is responsible for the administration and enforcement of this ordinance. Any violation of the provisions of this ordinance or failure to comply with any of its requirements, including violations of conditions and safeguards established in connection with grants of variances or conditional uses, constitutes a misdemeanor and is punishable as defined by law. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in Section 3.2 of this ordinance.</p> <p>2.3 Severability. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.</p> <p>2.4 Abrogation and Greater Restrictions. It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.</p>	<p>2.1 The City does not have unincorporated areas so this does not apply to Roseville.</p>

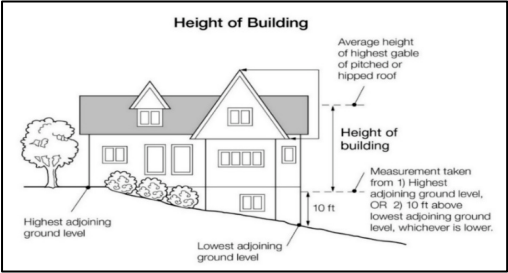
Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

Ordinance Language	Comments
<p>2.5 Definitions. Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the same meaning they have in common usage and to give this ordinance its most reasonable application. For the purpose of this ordinance, the words “must” and “shall” are mandatory and not permissive. All distances, unless otherwise specified, are measured horizontally.</p> <p>2.511 Accessory structure or facility. Any building or improvement subordinate to a principal use.</p> <p>2.512 Animal feedlot. A facility as defined by Minnesota Rules, part 7020.0300.</p> <p>2.513 Bluff. A topographic feature such as a hill, cliff, or embankment having the following characteristics:</p> <ul style="list-style-type: none">A. Part or all of the feature is located in a shoreland area;B. The slope must drain toward the waterbody.C. The slope rises at least 25 feet above the ordinary high water level;D. The grade of the slope from the toe of the bluff to a point 25 feet or more above the ordinary high water level averages 30 percent or greater (see Figure 1), except that an area with an average slope of less than 18 percent over a distance of at least 50 feet shall not be considered part of the bluff (see Figure 2). <p>Figure 1. Illustration of Bluff</p> 	<p>2.512 There are no animal feedlots in Roseville so this will be excluded.</p>

Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

Ordinance Language	Comments
<p style="text-align: center;">Figure 2. Exception to Bluff</p>  <p>2.514 Bluff impact zone. A bluff and land located within 20 feet of the top of a bluff. See Figure 3.</p> <p>2.515 Bluff, Toe of. The lower point of a 50-foot segment with an average slope exceeding 18 percent or the ordinary high water level, whichever is higher.</p> <p>2.516 Bluff, Top of. For the purposes of measuring setbacks, bluff impact zone, and administering vegetation management standards, the higher point of a 50-foot segment with an average slope exceeding 18 percent.</p> <p>2.517 Boathouse. A facility as defined by Minnesota Statutes, Section 103G.245.</p> <p>2.518 Buffer. A vegetative feature as defined by Minnesota Statutes, Section 103F.48.</p> <p>2.519 Building line. A line parallel to a lot line or the ordinary high water level at the required setback beyond which a structure may not extend.</p> <p>2.520 Controlled access lot. A lot used to access public waters or as a recreation area for owners of nonriparian lots within the same subdivision containing the controlled access lot.</p> <p>2.521 Commercial planned unit developments. Developments that provide transient, short-term lodging spaces, rooms, or parcels and their operations are essentially service-oriented. For example, hotel/motel accommodations, resorts, recreational vehicle and camping parks, and other primarily service-oriented activities are commercial planned unit developments.</p> <p>2.522 Commercial use. The principal use of land or buildings for the sale, lease, rental, or trade of products, goods, and services.</p>	<p>2.514 The City's current bluff impact zone is 30 feet rather than 20 feet. Given that the City is fully developed and there is limited bluff areas, this change is not anticipated to be impactful.</p> <p>Figure 3</p>  <p>2.521 As a PUD has not been created in the City since 2011, it has been recommended that the PUD provisions in shoreland be removed and addressed in a different way. Associated definitions are also proposed to be removed.</p>

Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

Ordinance Language	Comments
<p>2.523 Commissioner. The commissioner of the Department of Natural Resources.</p> <p>2.524 Conditional use. A land use or development as defined by ordinance that would not be appropriate generally but may be allowed with appropriate restrictions upon a finding that certain conditions as detailed in the zoning ordinance exist, the use or development conforms to the comprehensive land use plan of the community, and the use is compatible with the existing neighborhood.</p> <p>2.525 Deck. A horizontal, unenclosed platform with or without attached railings, seats, trellises, or other features, attached or functionally related to a principal use or site and at any point extending more than three feet above ground.</p> <p>2.526 Duplex, triplex, and quad. A dwelling structure on a single lot, having two, three, and four units, respectively, attached by common walls and each unit equipped with separate sleeping, cooking, eating, living, and sanitation facilities.</p> <p>2.527 Dwelling site. A designated location for residential use by one or more persons using temporary or movable shelter, including camping and recreational vehicle sites.</p> <p>2.528 Dwelling unit. Any structure or portion of a structure, or other shelter designed as short- or long-term living quarters for one or more persons, including rental or timeshare accommodations such as motel, hotel, and resort rooms and cabins.</p> <p>2.529 Extractive use. The use of land for surface or subsurface removal of sand, gravel, rock, industrial minerals, other nonmetallic minerals, and peat not regulated under Minnesota Statutes, Sections 93.44 to 93.51.</p> <p>2.530 Forest land conversion. The clear cutting of forested lands to prepare for a new land use other than reestablishment of a subsequent forest stand.</p> <p>2.531 Guest cottage. A structure used as a dwelling unit that may contain sleeping spaces and kitchen and bathroom facilities in addition to those provided in the primary dwelling unit on a lot.</p> <p>2.532 Height of building. The vertical distance between the highest adjoining ground level at the building or ten feet above the lowest adjoining ground level, whichever is lower, and the highest point of a flat roof or average height of the highest gable of a pitched or hipped roof (see Figure 3).</p> <p style="margin-top: 20px;">Figure 3. Height of Building</p>	<p>2.526 The City already has definitions of these in its primary definitions chapter.</p> <p>2.529 This term is proposed to be excluded as there are no extractive uses in Roseville</p> <p>2.530 This term is proposed to be excluded as there are no forested uses in Roseville</p> <p>2.531 Removing this definition as the City calls them Accessory Dwelling Unit and they are defined in the general chapter.</p> <div style="text-align: center; margin-top: 20px;">  </div>

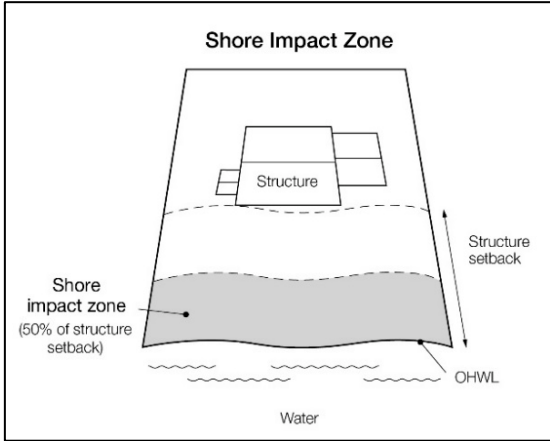
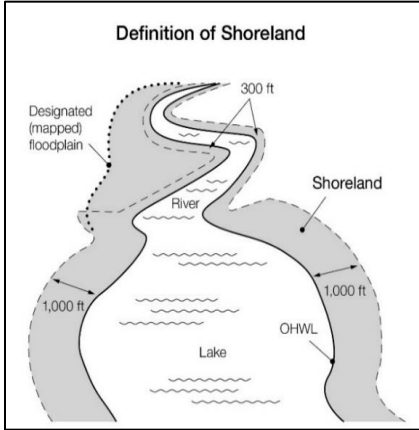
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<p>2.533 Industrial use. The use of land or buildings for the production, manufacture, warehousing, storage, or transfer of goods, products, commodities, or other wholesale items.</p> <p>2.534 Intensive vegetation clearing. The complete removal of trees or shrubs in a contiguous patch, strip, row, or block.</p> <p>2.535 Lot. A parcel of land designated by plat, metes and bounds, registered land survey, auditors plot, or other accepted means and separated from other parcels or portions by said description for the purpose of sale, lease, or separation.</p> <p>2.536 Lot width. The minimum distance between:</p> <ul style="list-style-type: none"> A. Side lot lines measured at the midpoint of the building line; and B. Side lot lines at the ordinary high water level, if applicable (see Figure 4). <p style="margin-left: 40px;">Figure 4. Lot Width</p> <div style="text-align: center;"> <p>The diagram, titled "Lot Width", illustrates a trapezoidal lot. A dashed line across the top represents the "Midpoint" of the "Building line (structure setback)". A solid line across the bottom represents the "OHWL" (Ordinary High Water Level) of the "Water". Two points, X and Y, are marked on the left and right side lot lines respectively. A note indicates that "X and Y must each be as long as the minimum lot width".</p> </div> <p>2.537 Metallic minerals and peat. "Metallic minerals and peat" has the meaning given under Minnesota Statutes, Sections 93.44 to 93.51.</p> <p>2.538 Nonconformity. Any legal use, structure or parcel of land already in existence, recorded, or authorized before the adoption of official controls or amendments to those controls that would not have been permitted to become established under the terms of the official controls as now written.</p>	<p>2.538 This term is proposed to be excluded as there are no metallic minerals so Roseville</p>

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<p>2.539 Ordinary high water level. The boundary of public waters and wetlands, and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the ordinary high water level is the operating elevation of the normal summer pool.</p>	
<p>2.540 Planned unit development. A type of development characterized by a unified site design for a number of dwelling units or dwelling sites on a parcel, whether for sale, rent, or lease, and also usually involving clustering of these units or sites to provide areas of common open space, density increases, and a mix of structure types and land uses. These developments may be organized and operated as condominiums, time share condominiums, cooperatives, full fee ownership, commercial enterprises, or any combination of these, or cluster subdivisions of dwelling units, residential condominiums, townhouses, apartment buildings, dwelling grounds, recreational vehicle parks, resorts, hotels, motels, and conversions of structures and land uses to these uses.</p>	<p>2.541 and 2.543 As a PUD has not been created in the City since 2011, it has been recommended that the PUD provisions in shoreland be removed and addressed in a different way. Associated definitions are also proposed to be removed.</p>
<p>2.541 Public waters. Any water as defined in Minnesota Statutes, Section 103G.005, Subd. 15, 15a.</p>	
<p>2.542 Residential planned unit development. A use where the nature of residency is nontransient and the major or primary focus of the development is not service oriented. For example, residential apartments, manufactured home parks, time share condominiums, townhouses, cooperatives, and full fee ownership residences would be considered as residential planned unit developments. To qualify as a residential planned unit development, a development must contain at least five dwelling units or sites.</p>	
<p>2.543 Resort. “Resort” has the meaning in Minnesota Statute, Section 103F.227.</p>	<p>2.544 This term is recommended to be excluded since the City does not have any resorts.</p>
<p>2.544 Semipublic use. The use of land by a private, nonprofit organization to provide a public service that is ordinarily open to some persons outside the regular constituency of the organization.</p>	
<p>2.545 Setback. The minimum horizontal distance between a structure, sewage treatment system, or other facility and an ordinary high water level, sewage treatment system, top of a bluff, road, highway, property line, or other facility.</p>	
<p>2.546 Sewage treatment system. “Sewage treatment system” has the meaning given under Minnesota Rules, part 7080.1100, Subp. 82.</p>	<p>2.547 This term is recommended to be excluded as Roseville does not have any ISTS</p>
<p>2.547 Sewer system. Pipelines or conduits, pumping stations, and force main, and all other construction, devices, appliances, or appurtenances used for conducting sewage or industrial waste or other wastes to a point of ultimate disposal.</p>	
<p>2.548 Shore impact zone. Land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50 percent of the structure setback (see Figure 5).</p>	

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<p>Figure 5. Shore Impact Zone</p> <div style="text-align: center; margin: 10px 0;">  <p>The diagram, titled "Shore Impact Zone", shows a trapezoidal area representing the zone. Inside, a "Structure" is shown. A dashed line indicates the "Structure setback" from the structure to the "OHWL" (Ordinary High Water Level). A shaded area below the OHWL is labeled "Shore impact zone (50% of structure setback)". The area below the OHWL is labeled "Water".</p> </div> <p>2.549 Shoreland. "Shoreland" means land located within the following distances from public waters:</p> <ol style="list-style-type: none"> A. 1,000 feet from the ordinary high water level of a lake, pond, or flowage; and B. 300 feet from a river or stream, or the landward extent of a floodplain designated by ordinance on a river or stream, whichever is greater (see Figure 6). <p>Figure 6. Definition of Shoreland</p> <div style="text-align: center; margin: 10px 0;">  <p>The diagram, titled "Definition of Shoreland", shows a "River" and a "Lake". A "Designated (mapped) floodplain" is shown along the river. A "Shoreland" boundary is shown as a shaded area. A "300 ft" distance is marked from the river to the shoreland. A "1,000 ft" distance is marked from the "OHWL" (Ordinary High Water Level) of the lake to the shoreland. Another "1,000 ft" distance is marked from the shoreland to the lake.</p> </div>	

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<p>2.550 Shore recreation facilities. Swimming areas, docks, watercraft mooring areas and launching ramps and other water recreation facilities.</p> <p>2.551 Significant historic site. Any archaeological site, standing structure, or other property that meets the criteria for eligibility to the National Register of Historic Places or is listed in the State Register of Historic Sites, or is determined to be an unplatted cemetery that falls under the provisions of Minnesota Statutes, Section 307.08. A historic site meets these criteria if it is presently listed on either register or if it is determined to meet the qualifications for listing after review by the Minnesota state archaeologist or the director of the Minnesota Historical Society. All unplatted cemeteries are automatically considered to be significant historic sites.</p> <p>2.552 Steep slope. Lands having average slopes over 12 percent, as measured over horizontal distances of 50 feet or more, which are not bluffs.</p> <p>2.553 Structure. Any building or appurtenance, including decks, <u>at-grade driveways and patios</u>, except aerial or underground utility lines, such as sewer, electric, telephone, telegraph, gas lines, towers, poles, and other supporting facilities</p> <p>2.554 Subdivision. Land that is divided for the purpose of sale, rent, or lease, including planned unit developments.</p> <p>2.555 Suitability analysis. An evaluation of land to determine if it is appropriate for the proposed use. The analysis considers factors relevant to the proposed use and may include the following features: susceptibility to flooding; existence of wetlands; soils, erosion potential; slope steepness; water supply, sewage treatment capabilities; water depth, depth to groundwater and bedrock, vegetation, near-shore aquatic conditions unsuitable for water-based recreation; fish and wildlife habitat; presence of significant historic sites; or any other relevant feature of the natural land.</p> <p>2.556 Variance. “Variance” means the same as that defined in Minnesota Statutes, Section 462.357 Subd. 6 (2).</p> <p>2.557 Water-oriented accessory structure or facility. A small, above ground building or other improvement, except stairways, fences, docks, and retaining walls, which, because of the relationship of its use to surface water, reasonably needs to be located closer to public waters than the normal structure setback. Examples of such structures and facilities include, watercraft and watercraft equipment storage structures, gazebos, screen houses, fish houses, pump houses, saunas, patios, and detached decks. Boathouses and boat storage structures given the meaning under Minnesota Statutes, Section 103G.245 are not a water-oriented accessory structures.</p>	<p>2.554 This definition is proposed to be revised to reflect the City’s practice of classifying at-grade driveways and patios as structures.</p>

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<p>2.558 Water-dependent use. The use of land for commercial, industrial, public or semi-public purposes, where access to and use of a public water is an integral part of the normal conduct of operation. Marinas, resorts, and restaurants with transient docking facilities are examples of commercial uses typically found in shoreland areas.</p> <p>2.559 Wetland. “Wetland” has the meaning given under Minnesota Rule, part 8420.0111.</p>	
<p>3.0 ADMINISTRATION</p>	
<p>3.1 Purpose. The purpose of this Section is to identify administrative provisions to ensure the ordinance is administered consistent with its purpose.</p>	
<p>3.2 Permits.</p>	
<p>3.21 A permit is required for the construction of buildings or building additions (including construction of decks and signs), the installation and/or alteration of sewage treatment systems, and those grading and filling activities not exempted by Section 8.3 of this ordinance.</p>	<p>3.21/3.22 As the City does not have ISTS, this language is proposed to be excluded</p>
<p>3.22 A certificate of compliance, consistent with Minnesota Rules Chapter 7082.0700 Subp. 3, is required whenever a permit or variance of any type is required for any improvement on or use of the property. A sewage treatment system shall be considered compliant if the only deficiency is the system’s improper setback from the ordinary high water level.</p>	
<p>3.3 Application materials. Application for permits and other zoning applications such as variances shall be made to the Community Development Department on the forms provided. The application shall include the necessary information so that the Community Development Director can evaluate how the application complies with the provisions of this ordinance.</p>	
<p>3.4 Certificate of Zoning Compliance. The Community Development Department shall issue a certificate of zoning compliance for each activity requiring a permit as specified in Section 3.2 of this ordinance. This certificate will specify that the use of land conforms to the requirements of this ordinance. Any use, arrangement, or construction at variance with that authorized by permit shall be deemed a violation of this ordinance and shall be punishable as provided in Section 2.2 of this ordinance.</p>	<p>3.4 The City does not have a certificate of zoning compliance so this language is proposed to be excluded</p>
<p>3.5 Variances. Variances may only be granted in accordance with Minnesota Statutes, Section 462.357 and are subject to the following:</p>	<p>3.5 While not part of the model ordinance, the MnDNR requested the City give consideration to requiring variances to include a condition requiring restoration of a certain percentage of shoreline.</p>
<p>3.51 A variance may not circumvent the general purposes and intent of this ordinance; and</p> <p>3.52 For properties with existing sewage treatment systems, a certificate of compliance, consistent with Minnesota Rules Chapter 7082.0700 Subp. 3, is required for variance approval. A sewage treatment system shall be considered compliant if the only deficiency is the system’s improper setback from the ordinary high water level.</p>	<p>3.52 As the City does not have ISTS, this language is proposed to be excluded</p>

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<p>3.6 Conditional Uses. All conditional uses in the shoreland area are subject to a thorough evaluation of the waterbody and the topographic, vegetation, and soil conditions to ensure:</p> <p>3.61 The prevention of soil erosion or other possible pollution of public waters, both during and after construction;</p> <p>3.62 The visibility of structures and other facilities as viewed from public waters is limited;</p> <p>3.63 There is adequate water supply and on-site sewage treatment; and</p> <p>3.64 The types, uses, and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercrafts.</p> <p>3.7 Mitigation.</p> <p>3.71 In evaluating all variances, conditional uses, zoning and building permit applications, the zoning authority shall require the property owner to address the following conditions, when related to and proportional to the impact, to meet the purpose of this ordinance, to protect adjacent properties, and the public interest:</p> <p>A. Advanced storm water runoff management treatment;</p> <p>B. Reducing impervious surfaces;</p> <p>C. Increasing setbacks from the ordinary high water level;</p> <p>D. Restoration of wetlands;</p> <p>E. Limiting vegetation removal and/or riparian vegetation restoration;</p> <p>F. Provisions for the location, design, and use of structures, sewage treatment systems, water supply systems, watercraft launching and docking areas, and parking areas; and</p> <p>G. Other conditions the zoning authority deems necessary.</p> <p>3.72 In evaluating plans to construct sewage treatment systems, roads, driveways, structures, or other improvements on steep slopes, conditions to prevent erosion and to preserve existing vegetation screening of structures, vehicles, and other facilities as viewed from the surface of public waters assuming summer, leaf-on vegetation shall be attached to permits.</p> <p>3.8 Nonconformities.</p> <p>3.81 All legally established nonconformities as of the date of this ordinance may continue, but will be managed according to Minnesota Statutes, 462.357 Subd. 1e and other regulations of this community for alterations and additions; repair after damage; discontinuance of use; and intensification of use.</p>	

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<p>3.82 All additions or expansions to the outside dimensions of an existing nonconforming structure must meet the setback, height, and other requirements of Sections 5.0 to 8.0 of this ordinance. Any deviation from these requirements must be authorized by a variance.</p>	
<p>3.9 Notifications to the Department of Natural Resources.</p>	
<p>3.91 All amendments to this shoreland ordinance must be submitted to the Department of Natural Resources for review and approval for compliance with the statewide shoreland management rules. The City of Roseville will submit the proposed ordinance amendments to the commissioner or the commissioner’s designated representative at least 30 days before any scheduled public hearings.</p>	
<p>3.92 All notices of public hearings to consider variances, ordinance amendments, or conditional uses under shoreland management controls must be sent to the commissioner or the commissioner’s designated representative at least ten (10) days before the hearings. Notices of hearings to consider proposed subdivisions/plats must include copies of the subdivision/plat.</p>	
<p>3.93 All approved ordinance amendments and subdivisions/plats, and final decisions approving variances or conditional uses under local shoreland management controls must be sent to the commissioner or the commissioner’s designated representative and postmarked within ten days of final action. When a variance is approved after the Department of Natural Resources has formally recommended denial in the hearing record, the notification of the approved variance shall also include the summary of the public record/testimony and the findings of facts and conclusions which supported the issuance of the variance.</p>	
<p>3.94 Any request to change the shoreland management classification of public waters within (<i>insert local government name</i>) must be sent to the commissioner or the commissioner’s designated representative for approval, and must include a resolution and supporting data as required by Minnesota Rules, part 6120.3000, subp.4.</p>	
<p>3.95 Any request to reduce the boundaries of shorelands of public waters within (<i>insert local government name</i>) must be sent to the commissioner or the commissioner’s designated representative for approval and must include a resolution and supporting data The boundaries of shorelands may be reduced when the shoreland of water bodies with different classifications overlap. In these cases, the topographic divide between the water bodies shall be used for adjusting the boundaries.</p>	
<p>3.10 Mandatory EAW. An Environmental Assessment Worksheet consistent with Minnesota Rules, Chapter 4410 must be prepared for projects meeting the thresholds of Minnesota Rules, part 4410.4300, Subparts 19a, 20a, 25, 27, 28, 29, and 36a.</p>	
<p>4.0 SHORELAND CLASSIFICATION SYSTEM AND LAND USES</p>	
<p>4.1 Shoreland Classification System.</p>	

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<p>4.11 Purpose. To ensure that shoreland development on the public waters of the City of Roseville is regulated consistent with the classifications assigned by the commissioner under Minnesota Rules, part 6120.3300.</p> <p>4.12 Lakes are classified as follows:</p> <p style="margin-left: 20px;">A. General development (GD)</p> <table border="1" style="margin-left: 40px; border-collapse: collapse; width: 60%;"> <thead> <tr style="background-color: #fff9c4;"> <th style="text-align: left;">General Development Lake Name</th> <th style="text-align: left;">DNR Public Waters I.D. #</th> </tr> </thead> <tbody> <tr> <td>Little Johanna</td> <td>62005800 or 62-58P</td> </tr> <tr> <td>Lake Josephine</td> <td>62005700 or 62-57P</td> </tr> <tr> <td>Lake Owasso</td> <td>62005600 or 62-56P</td> </tr> <tr> <td>McCarron Lake</td> <td>62005400 or 62-54P</td> </tr> </tbody> </table> <p style="margin-left: 20px;">B. Natural environment (NE).</p> <table border="1" style="margin-left: 40px; border-collapse: collapse; width: 60%;"> <thead> <tr style="background-color: #c8e6c9;"> <th style="text-align: left;">Natural Environment Lake Name</th> <th style="text-align: left;">DNR Public Waters I.D. #</th> </tr> </thead> <tbody> <tr> <td>Bennett Lake</td> <td>62004800 or 62-48W</td> </tr> <tr> <td>Langton Lake</td> <td>62004900 or 62-49W</td> </tr> </tbody> </table> <p>4.13 Rivers and Streams are classified as follows:-</p> <p>4.14 All public rivers and streams shown on the Public Waters Inventory Map for (insert name of county), a copy of which is adopted by reference, not given a classification in Section 4.14 shall be considered "Tributary."</p> <p>4.2 Land Uses.</p> <p>4.21 The land uses allowable for the Shoreland Overlay District shall follow the permitted and conditional use designations as defined and outlined in the underlying zoning district.</p> <p>4.21 Purpose. To identify land uses that are compatible with the protection and preservation of shoreline resources in order to conserve the economic and environmental values of shoreland and sustain water quality.</p>	General Development Lake Name	DNR Public Waters I.D. #	Little Johanna	62005800 or 62-58P	Lake Josephine	62005700 or 62-57P	Lake Owasso	62005600 or 62-56P	McCarron Lake	62005400 or 62-54P	Natural Environment Lake Name	DNR Public Waters I.D. #	Bennett Lake	62004800 or 62-48W	Langton Lake	62004900 or 62-49W	<p>4.12 The City's current code also includes three city designated lakes (Oasis Pond, Zimmerman Lakes, and Willow Pond). A determination is needed about whether these should continue to be in the shoreland overlay district. If they are, then does the City want to have the district be 300 or 1,000 feet. Commissioners should be aware that these water bodies are considered wetlands so the Wetland Protection Overlay District provisions would still apply.</p> <p>4.13 and 4.14 As there are no rivers or streams in Roseville this shall be excluded</p> <p>4.21 and 4.22 The City will rely on its underlying zoning districts for identifying what are permitted and conditional uses rather than having a separate table in the shoreland district.</p>
General Development Lake Name	DNR Public Waters I.D. #																
Little Johanna	62005800 or 62-58P																
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<p>4.22—Shoreland district land uses listed in Sections 4.23 and 4.24 are regulated as:</p> <ul style="list-style-type: none"> A.— Permitted uses (P). These uses are allowed, provided all standards in this ordinance are followed; B.— Conditional uses (C). These uses are allowed through a conditional use permit. The use must be evaluated according to the criteria in Section 3.6 of this ordinance and any additional conditions listed in this ordinance; and C.— Not permitted uses (N). These uses are prohibited. <p>5.0 SPECIAL LAND USE PROVISIONS</p> <p>5.1 Commercial, Industrial, Public, and Semipublic Use Standards.</p> <p>5.11 Water-dependent uses may be located on parcels or lots with frontage on public waters provided that:</p> <ul style="list-style-type: none"> A. The use complies with provisions of Section 7.0; B. The use is designed to incorporate topographic and vegetative screening of parking areas and structures; C. Uses that require short-term watercraft mooring for patrons must centralize these facilities and design them to avoid obstructions of navigation and to be the minimum size necessary to meet the need; and D. Uses that depend on patrons arriving by watercraft may use signs and lighting, provided that: <ul style="list-style-type: none"> (1) Signs placed in or on public waters must only convey directional information or safety messages and may only be placed by a public authority or under a permit issued by the county sheriff; and (2) Signs placed within the shore impact zone are: <ul style="list-style-type: none"> (a) No higher than ten feet above the ground, and no greater than 32 square feet in size; and (b) If illuminated by artificial lights, the lights must be shielded or directed to prevent illumination across public waters; and (3) Other lighting may be located within the shore impact zone or over public waters if it is used to illuminate potential safety hazards and is shielded or otherwise directed to prevent direct illumination across public waters. This does not preclude use of navigational lights. 	

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<p>5.12 Commercial, industrial, public, and semi-public uses that are not water-dependent must be located on lots or parcels without public waters frontage, or, if located on lots or parcels with public waters frontage, must either be set back double the ordinary high water level setback or be substantially screened from view from the water by vegetation or topography, assuming summer, leaf-on conditions.</p> <p>5.2 Agriculture Use Standards.</p> <p>5.21 Buffers.</p> <p>A. The shore impact zone for parcels with permitted agricultural land uses is equal to a line parallel to and 50 feet from the ordinary high water level.</p> <p>B. General cultivation farming, grazing, nurseries, horticulture, truck farming, sod farming, and wild crop harvesting are permitted uses if steep slopes and shore and bluff impact zones are maintained in perennial vegetation or operated under an approved conservation plan that includes alternative riparian water quality practices consistent with the field office technical guides of the local soil and water conservation district or the Natural Resource Conservation Service, and as approved by the local soil and water conservation district.</p> <p>5.22 New animal feedlots are not allowed in shoreland. Modifications or expansions to existing feedlots or resumption of old feedlots are <u>conditional uses</u> and must meet the following standards:</p> <p>A. Feedlots must be designed consistent with Minnesota Rules, Chapter 7020;</p> <p>B. Feedlots must not further encroach into the existing ordinary high water level setback or the bluff impact zone and must not expand to a capacity of 1,000 animal units or more; and,</p> <p>C. Old feedlots not currently in operation may resume operation consistent with Minnesota Statutes, Section 116.0711.</p>	<p>5.2 These provisions are proposed to be excluded as the City does not have any agricultural uses within the shoreland district.</p>

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<p>5.3 Forest Management Standards.</p> <p>5.31 The harvesting of timber and associated reforestation must be conducted consistent with the applicable provisions of the Sustaining Minnesota Forest Resources: Voluntary Site-Level Forest Management Guidelines for Landowners, Loggers and Resource Managers.</p> <p>5.32 Intensive vegetation clearing for forest land conversion to another use is a conditional use subject to an erosion control and sedimentation plan developed and approved by the soil and water conservation district.</p> <p>5.4 Extractive Use Standards. Extractive uses are conditional uses and must meet the following standards:</p> <p>5.41. Site Development and Restoration Plan. A site development and restoration plan must be developed, approved, and followed over the course of operation. The plan must:</p> <p style="padding-left: 20px;">A. Address dust, noise, possible pollutant discharges, hours and duration of operation, and anticipated vegetation and topographic alterations;</p> <p style="padding-left: 20px;">B. Identify actions to be taken during operation to mitigate adverse environmental impacts, particularly erosion; and</p> <p style="padding-left: 20px;">C. Clearly explain how the site will be rehabilitated after extractive activities end.</p> <p>5.42 Setbacks for Processing Machinery. Processing machinery must meet structure setback standards from ordinary high water levels and from bluffs.</p> <p>5.5 Metallic Mining Standards. Mining of metallic minerals and peat is a permitted use provided the provisions of Minnesota Statutes, Sections 93.44 to 93.51, are satisfied.</p> <p>6.0 DIMENSIONAL AND GENERAL PERFORMANCE STANDARDS</p> <p>6.1 Purpose. To establish dimensional and performance standards that protect shoreland resources from impacts of development.</p> <p>6.2 Lot Area and Width Standards. After the effective date of this ordinance, all new lots must meet the minimum lot area and lot width requirements in Sections 6.25 and 6.26, subject to the following standards:</p> <p style="padding-left: 20px;">6.21 Only lands above the ordinary high water level can be used to meet lot area and width standards;</p> <p style="padding-left: 20px;">6.22 Lot width standards must be met at both the ordinary high water level and at the building line;</p>	<p>5.3 These provisions are proposed to be excluded as the City does not have any forests within the shoreland district.</p> <p>5.4 These provisions are proposed to be excluded as the City does not have any extractive uses within the shoreland district.</p> <p>5.5 These provisions are proposed to be excluded as the City does not have any metallic mining within the shoreland district.</p>

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<p>6.23 The sewer lot area dimensions can only be used if publicly owned sewer system service is available to the property;</p> <p>6.24 Residential subdivisions with dwelling unit densities exceeding those in Sections 6.25 and 6.26 are allowed only if designed and approved as residential PUDs under Section 10.0 of this ordinance; and</p> <p>6.25 <u>Lake-Minimum Lot Area and Width Standards for One-Family to Four-Family Housing (Lot Type).</u></p> <p style="margin-left: 20px;">A. Riparian Lot</p> <table border="1" style="margin-left: 40px; border-collapse: collapse; width: 80%;"> <thead> <tr style="background-color: #FFD700;"> <th rowspan="2" style="text-align: center;">Housing (Lot) Type</th> <th colspan="2" style="text-align: center;">General Development Lake</th> <th colspan="2" style="text-align: center;">Natural Environment Lake</th> </tr> <tr style="background-color: #FFD700;"> <th style="text-align: center;">Lot Area (sf)</th> <th style="text-align: center;">Lot Width (ft)</th> <th style="text-align: center;">Lot Area (sf)</th> <th style="text-align: center;">Lot Width (ft)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">One-Family (Single)</td> <td style="text-align: center;">15,000</td> <td style="text-align: center;">85</td> <td style="text-align: center;">40,000</td> <td style="text-align: center;">125</td> </tr> <tr> <td style="text-align: center;">Two-Family (Duplex)</td> <td style="text-align: center;">26,000</td> <td style="text-align: center;">135</td> <td style="text-align: center;">70,000</td> <td style="text-align: center;">225</td> </tr> <tr> <td style="text-align: center;">Three-Family (Triplex)</td> <td style="text-align: center;">38,000</td> <td style="text-align: center;">195</td> <td style="text-align: center;">100,000</td> <td style="text-align: center;">325</td> </tr> <tr> <td style="text-align: center;">Four-Family (Quad)</td> <td style="text-align: center;">49,000</td> <td style="text-align: center;">255</td> <td style="text-align: center;">130,000</td> <td style="text-align: center;">425</td> </tr> </tbody> </table> <p style="margin-left: 20px;">B. Non-Riparian Lot. The lot area and lot width shall meet the standards set forth in the underlying zoning district.</p> <p>6.26 River/Stream Minimum Lot Width Standards. There are no minimum lot area requirements for rivers and streams. The lot width standards in feet are:</p> <p><u>6.3 Impervious Surface Coverage. Lot development shall meet the impervious surface and storm water management requirements of the underlying zoning district.</u></p> <p>6.4 Special Residential Lot Provisions.</p> <p style="margin-left: 20px;"><u>6.41 Development of attached, courtyard cottage, and multifamily housing shall meet the following standards:</u></p> <p style="margin-left: 40px;">A. <u>The lot area and lot width shall meet the standards of the underlying zoning district.</u></p> <p style="margin-left: 40px;">B. <u>70% of the shore impact zone must be permanently protected. If that zone does not meet a riparian buffer standards then restoration is required.</u></p> <p style="margin-left: 40px;">C. <u>Shore recreation facilities:</u></p> <p style="margin-left: 80px;"><u>(1) Must be centralized and located in areas suitable for them based on a suitability analysis. frontage by the one-family riparian minimum lot width for the lake type.</u></p>	Housing (Lot) Type	General Development Lake		Natural Environment Lake		Lot Area (sf)	Lot Width (ft)	Lot Area (sf)	Lot Width (ft)	One-Family (Single)	15,000	85	40,000	125	Two-Family (Duplex)	26,000	135	70,000	225	Three-Family (Triplex)	38,000	195	100,000	325	Four-Family (Quad)	49,000	255	130,000	425	<p>6.23 As the City is not intending to have lots develop with individual sewage treatment systems, this provision is proposed to be excluded.</p> <p>6.24 As the City has not had a PUD approved since 2011 the City is proposing to address this differently.</p> <p>6.25 The MnDNR has suggested that underlying zoning district may be sufficient for riparian lots. Use of underlying zoning would be less than what is required by the model ordinance (which is what is shown).</p> <p>6.26 As the City does not have any rivers, this section is proposed to be excluded.</p> <p>6.3 The City's requirements are 25% for LDR and LMDR. In other districts development must meet City standards for storm water management.</p> <p>6.41 The City is proposing regulations for development of attached, courtyard cottage, and multifamily housing as the current model ordinance does not address except by requiring such development to be a PUD. Design standards proposed are from the PUD regulations. Additional review by the MnDNR of these provisions will be needed as this approach was discussed generally with the MnDNR but the specific regulations were not drafted until after that meeting.</p>
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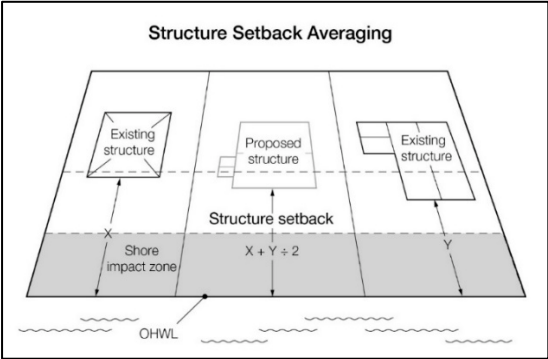
Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

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<p><u>(2) The number of mooring spaces provided for continuous beaching, mooring, or docking of watercraft shall be limited to the number determined by dividing the amount of lakeshore frontage by the single-family minimum lot width for the lake type.</u></p> <p><u>(3) Launching ramp facilities, including a small dock for loading and unloading equipment, may be provided for use by occupants of dwelling units.</u></p> <p><u>E. Accessory structures and facilities, except water oriented accessory structures, must meet the required structure setback and must be centralized.</u></p> <p><u>F. Water-oriented accessory structures and facilities may be allowed if they meet or exceed design standards contained in Section 7.3 of this ordinance and are centralized.</u></p> <p>6.442 Subdivisions of <u>two-family</u> (duplexes), <u>three-family</u> (triplexes), and <u>four-family</u> (quads) are conditional uses on Natural Environment Lakes and must also meet the following standards:</p> <p>A. Each building must be set back at least 200 feet from the ordinary high water level;</p> <p>B. Each building must have common sewage treatment and water systems in one location and serve all dwelling units in the building;</p> <p>C. Watercraft docking facilities for each lot must be centralized in one location and serve all dwelling units in the building; and</p> <p>D. No more than 25 percent of a lake’s shoreline can be in duplex, triplex, or quad developments.</p> <p>6.423. <u>An accessory dwelling unit may be allowed as long as the standards of Section 1012.12. B are met. One guest cottage may be allowed on lots meeting or exceeding the duplex lot area and width dimensions presented in Sections 6.25 and 6.26, provided the following standards are met:</u></p> <p>A. For lots exceeding the minimum lot dimensions of duplex lots, the guest cottage must be located within an area equal to the smallest duplex sized lot that could be created including the principal dwelling unit;</p> <p>B. A guest cottage must not cover more than 700 square feet of land surface and must not exceed 15 feet in height; and</p> <p>C. A guest cottage must be located or designed to reduce its visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks or color, assuming summer leaf-on conditions.</p>	<p>6.42 So as to reduce confusion and ensure that conflicts between different code provisions are created, it is proposed that the regulations refer back to the City’s ADU provisions, except that the following additional provisions related to riparian lots are noted:</p> <p>1) The minimum lot size for a detached ADU must meet the two-family (duplex) standard for the lake type.</p> <p>2) A detached ADU must be located or designed to reduce its visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks or color, assuming summer leaf- on conditions.</p>

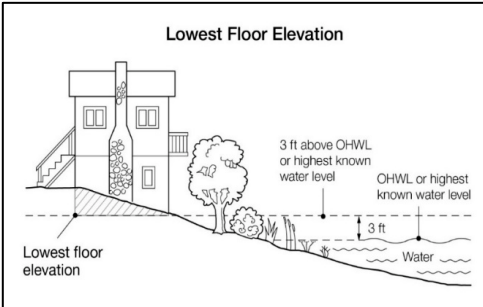
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<p>6.43 Controlled access lots are permissible if created as part of a subdivision and in compliance with the following standards:</p> <p>A. The lot must meet the area and width requirements for residential lots, and be suitable for the intended uses of controlled access lots as provided in item D;</p> <p>B. If docking, mooring, or over-water storage of more than six (6) watercraft is to be allowed at a controlled access lot, then the width of the lot (keeping the same lot depth) must be increased by a percentage of the requirements for riparian residential lots for each watercraft beyond six, consistent with the following table:</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <thead> <tr style="background-color: #d3d3d3;"> <th style="padding: 5px;">Ratio of lake size to shore length (acres/mile)</th> <th style="padding: 5px;">Required percent increase in frontage</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Less than 100</td> <td style="padding: 5px;">25%</td> </tr> <tr> <td style="padding: 5px;">100 – 200</td> <td style="padding: 5px;">20%</td> </tr> <tr> <td style="padding: 5px;">201 – 300</td> <td style="padding: 5px;">15%</td> </tr> <tr> <td style="padding: 5px;">301 – 400</td> <td style="padding: 5px;">10%</td> </tr> <tr> <td style="padding: 5px;">Greater than 400</td> <td style="padding: 5px;">5%</td> </tr> </tbody> </table> <p>C. The lot must be jointly owned by all purchasers of lots in the subdivision or by all purchasers of nonriparian lots in the subdivision who are provided riparian access rights on the access lot; and</p> <p>D. Covenants or other equally effective legal instruments must be developed that:</p> <ol style="list-style-type: none"> (1) Specify which lot owners have authority to use the access lot; (2) Identify what activities are allowed. The activities may include watercraft launching, loading, storage, beaching, mooring, docking, swimming, sunbathing, or picnicking; (3) Limit the total number of vehicles allowed to be parked and the total number of watercraft allowed to be continuously moored, docked, or stored over water; (4) Require centralization of all common facilities and activities in the most suitable locations on the lot to minimize topographic and vegetation alterations; and (5) Require all parking areas, storage buildings, and other facilities to be screened by vegetation or topography as much as practical from view from the public water, assuming summer, leaf-on conditions. 	Ratio of lake size to shore length (acres/mile)	Required percent increase in frontage	Less than 100	25%	100 – 200	20%	201 – 300	15%	301 – 400	10%	Greater than 400	5%	
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<p>6.5 Placement, Height, and Design of Structures.</p> <p>6.51 OHWL Setback for Structures and Sewage Treatment Systems. When more than one setback applies to a site, structures and facilities must be located to meet all setbacks, and comply with the following OHWL setback provisions.</p> <p>A. General Development Lake – 50 feet</p> <p>B. Natural Environment Lake – 150 feet</p> <p>C. <i>OHWL Setbacks.</i> Structures and impervious surfaces and sewage treatment systems must meet setbacks from the Ordinary High Water Level (OHWL), except that one water-oriented accessory structure or facility, designed in accordance with Section 7.3 of this ordinance, may be set back a minimum distance of ten (10) feet from the OHWL.</p> <p>D. <i>Setback averaging.</i> Where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered without a variance to conform to the adjoining setbacks from the OHWL, provided the proposed structure is not located in a shore impact zone or in a bluff impact zone (see Figure 7);</p> <p>Figure. 7 Structure Setback Averaging</p> <div style="text-align: center; margin-top: 10px;">  <p>The diagram, titled 'Structure Setback Averaging', shows a cross-section of a shoreline. A wavy line at the bottom represents the Ordinary High Water Level (OHWL). A shaded area between the OHWL and the structures is labeled 'Shore impact zone'. Three structures are shown: an 'Existing structure' on the left, a 'Proposed structure' in the middle, and another 'Existing structure' on the right. The setback from the OHWL to the left existing structure is labeled 'X'. The setback from the OHWL to the proposed structure is labeled 'X + Y ÷ 2'. The setback from the OHWL to the right existing structure is labeled 'Y'. A dashed line indicates the 'Structure setback' for the proposed structure, which is the average of the setbacks of the two existing structures.</p> </div>	

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<p>6.52 Height of Structures. All structures in residential districts in cities, except churches and nonresidential agricultural structures, must not exceed 25 feet in height. <u>must meet the height limitations of the underlying zoning district.</u></p> <p>6.53 <u>Lowest Floor Elevation.</u></p> <p>A. Determining elevations. Structures must be placed at an elevation consistent with the applicable floodplain regulatory elevations. Where these controls do not exist, the elevation to which the lowest floor, including basement, is placed or flood-proofed must be determined as follows:</p> <p>(1) For lakes, by placing the lowest floor at a level at least three feet above the highest known water level, or three feet above the ordinary high water level, whichever is higher (see Figure 9);</p> <p>(2) For rivers and streams, by placing the lowest floor at least three feet above the highest known flood elevation. If highest known flood elevation is not available, by placing the lowest floor at least three feet above the ordinary high water level (see Figure 9), or by conducting a technical evaluation to establish a flood protection elevation. Technical evaluations must be done by a qualified engineer or hydrologist consistent with Minnesota Rules, parts 6120.5000 to 6120.6200.</p> <p>B. Methods for placement.</p> <p>(1) In addition to the lowest floor, all service utilities must be elevated or water-tight to the elevation determined in part A.</p> <p>(2) If elevation methods involving fill would result in filling in the SIZ, then structures must instead be elevated through floodproofing methods in accordance with 6.43(B)(3) below;</p> <p>(3) If the structure is floodproofed, then it must be built to resist hydrostatic pressure through elevation methods such as blocks, pilings, filled stem walls, elevated concrete pad, internally flooded enclosed areas, or through other accepted engineering practices consistent with FEMA technical bulletins 1, 2 and 3.</p> <p style="text-align: center;">Figure 9. Lowest Floor Elevation</p>	<p>6.52 The City will be referring to the underlying zoning district.</p> <p>6.53.A.2. Roseville does not have any rivers or streams so this is proposed to be excluded</p> <div style="text-align: center;">  </div>

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<p>6.54 <u>Significant Historic Sites</u>. No structure may be placed on a significant historic site in a manner that affects the values of the site unless adequate information about the site has been removed and documented in a public repository.</p> <p>6.6 Water Supply and Sewage Treatment.</p> <p>6.61 <u>Water supply</u>. Any public or private supply of water for domestic purposes must meet or exceed standards for water quality of the Minnesota Department of Health and the Minnesota Pollution Control Agency.</p> <p>6.62 <u>Sewage treatment</u>. Any premises used for human occupancy must be connected to a publicly-owned sewer system, where available or comply with Minnesota Rules, Chapters 7080 – 7081.</p> <p>7.0 PERFORMANCE STANDARDS FOR PUBLIC AND PRIVATE FACILITIES</p> <p>7.1 Placement and Design of Roads, Driveways, and Parking Areas. Public and private roads and parking areas must be designed to take advantage of natural vegetation and topography to achieve maximum screening as viewed from public waters and comply with the following standards:</p> <p>7.11 Roads, driveways, and parking areas must meet structure setbacks and must not be placed within bluff and shore impact zones, when other reasonable and feasible placement alternatives exist. If no alternatives exist, they may be placed within these areas, and must be designed to minimize adverse impacts;</p> <p>7.12 Watercraft access ramps, approach roads, and access-related parking areas may be placed within shore impact zones provided the vegetative screening and erosion control conditions of this subpart are met;</p> <p>7.13 Private facilities must comply with the grading and filling provisions of Section 8.3 of this ordinance; and</p> <p>7.14 For public roads, driveways and parking areas, documentation must be provided by a qualified individual that they are designed and constructed to minimize and control erosion to public waters consistent with the field office technical guides of the local soil and water conservation district, or other applicable technical materials.</p> <p>7.2 Stairways, Lifts, and Landings. Stairways and lifts are the preferred alternative to major topographic alterations for achieving access up and down bluffs and steep slopes to shore areas. Stairways, lifts, and landings must meet the following design requirements:</p> <p>7.21 Stairways and lifts must not exceed four feet in width on residential lots. Wider stairways may be used for commercial properties, public recreational uses, and planned unit developments;</p> <p>7.22 Landings for stairways and lifts on residential lots must not exceed 32 square feet in area. Landings larger than 32 square feet may be used for commercial properties, public-space recreational uses, and planned unit developments;</p>	<p>7.22 Note that the 32 square feet is a reduction from your current allowance of 48 square feet.</p>

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<p>7.23 Canopies or roofs are not allowed on stairways, lifts, or landings;</p> <p>7.24 Stairways, lifts, and landings may be either constructed above the ground on posts or pilings, or placed into the ground, provided they are designed and built in a manner that ensures control of soil erosion;</p> <p>7.25 Stairways, lifts, and landings must be located in the most visually inconspicuous portions of lots, as viewed from the surface of the public water assuming summer, leaf-on conditions, whenever practical; and</p> <p>7.26 Facilities such as ramps, lifts, or mobility paths for physically handicapped persons are also allowed for achieving access to shore areas, if they are consistent with the dimensional and performance standards of sub items 7.21 to 7.25 and the requirements of Minnesota Rules, Chapter 1341.</p> <p>7.3 Water-oriented Accessory Structures or Facilities. Each residential lot may have one water-oriented accessory structure or facility if it complies with the following provisions:</p> <p>7.31 The structure or facility must not exceed ten feet in height, exclusive of safety rails, and cannot occupy an area greater than 250 square feet. The structure or facility may include detached decks not exceeding eight feet above grade at any point or at-grade patios;</p> <p>7.32 The structure or facility is not in the Bluff Impact Zone;</p> <p>7.33 The setback of the structure or facility from the ordinary high water level must be at least ten feet;</p> <p>7.34 The structure is not a boathouse or boat storage structure as defined under Minnesota Statutes, Section 103G.245;</p> <p>7.35 The structure or facility must be treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks or color, assuming summer, leaf-on conditions;</p> <p>7.36 The roof may be used as an open-air deck with safety rails, but must not be enclosed with a roof or sidewalls or used as a storage area;</p> <p>7.37 The structure or facility must not be designed or used for human habitation and must not contain water supply or sewage treatment facilities;</p> <p>7.38 As an alternative for general development and recreational development waterbodies, water-oriented accessory structures used solely for storage of watercraft and boating-related equipment may occupy an area up to 400 square feet provided the maximum width of the structure is 20 feet as measured parallel to the shoreline; and</p> <p>7.39 Water-oriented accessory structures may have the lowest floor placed lower than the elevation specified in Section 6.43 if the structure is designed to accommodate internal flooding, constructed of flood-resistant materials to the elevation, electrical and mechanical equipment is placed above the elevation</p>	

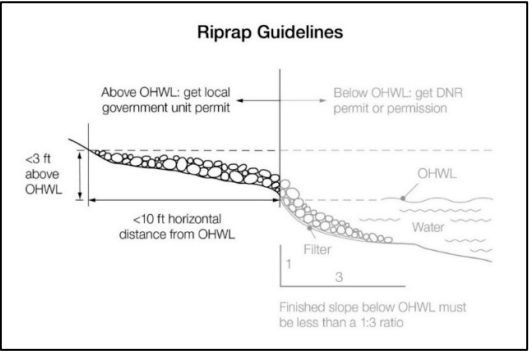
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<p>and, if long duration flooding is anticipated, the structure is built to withstand ice action and wind-driven waves and debris.</p> <p>8.0 VEGETATION AND LAND ALTERATIONS</p> <p>8.1 Purpose. Alterations of vegetation and topography are regulated to prevent erosion into public waters, fix nutrients, preserve shoreland aesthetics, preserve historic values, prevent bank slumping, sustain water quality, and protect fish and wildlife habitat.</p> <p>8.2 Vegetation Management.</p> <p>8.21 Removal or alteration of vegetation must comply with the provisions of this subsection except for:</p> <ul style="list-style-type: none"> A. Vegetation alteration necessary for the construction of structures and sewage treatment systems under validly issued permits for these facilities; B. The construction of public roads and parking areas if consistent with Section 7.1 of this ordinance; C. Forest management uses consistent with Section 5.3 of this ordinance; and D. Agricultural uses consistent with Section 5.2 of this ordinance. <p>8.22 Intensive vegetation clearing in the shore and bluff impact zones and on steep slopes is prohibited. Intensive clearing outside of these areas is allowed if consistent with the forest management standards in Section 5.3 of this ordinance.</p> <p>8.23 Limited clearing and trimming of trees and shrubs in the shore and bluff impact zones and on steep slopes, is allowed to provide a view to the water from the principal dwelling and to accommodate the placement of stairways and landings, picnic areas, access paths, livestock watering areas, beach and watercraft access areas, and permitted water-oriented accessory structures or facilities, provided that:</p> <ul style="list-style-type: none"> A. The screening of structures, vehicles, or other facilities as viewed from the water, assuming summer, leaf-on conditions, is not substantially reduced; B. Existing shading of water surfaces along rivers is preserved; C. Cutting debris or slash shall be scattered and not mounded on the ground; and D. Perennial ground cover is retained. E. Picnic areas, access paths, livestock watering areas, beaches and watercraft access areas are prohibited in bluff impact zones. <p>8.24 Removal of trees, limbs, or branches that are dead, diseased, dying, or pose safety hazards is allowed without a permit.</p>	

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<p>8.25 Fertilizer and pesticide runoff into surface waters must be minimized through use of vegetation, topography or both.</p> <p>8.3 Grading and Filling.</p> <p>8.31 Grading and filling activities must comply with the provisions of this subsection except for the construction of public roads and parking areas if consistent with Section 7.1 of this ordinance.</p> <p>8.32 Permit Requirements.</p> <p>A. Grading, filling and excavations necessary for the construction of structures, sewage treatment systems, and driveways, if part of an approved permit, do not require a separate grading and filling permit. However, the standards in Section 8.33 of this ordinance must be incorporated into the permit.</p> <p>B. For all other work, including driveways not part of another permit, a grading and filling permit is required for:</p> <p style="padding-left: 20px;">(1) the movement of more than 10 cubic yards of material on steep slopes or within shore or bluff impact zones; and</p> <p style="padding-left: 20px;">(2) the movement of more than 50 cubic yards of material outside of steep slopes and shore and bluff impact zones.</p> <p>8.33 Grading, filling and excavation activities must meet the following standards:</p> <p>A. Grading or filling of any wetland must meet or exceed the wetland protection standards under Minnesota Rules, Chapter 8420 and any other permits, reviews, or approvals by other local state, or federal agencies such as watershed districts, the DNR or US Army Corps of Engineers;</p> <p>B. Land alterations must be designed and implemented to minimize the amount of erosion and sediment from entering surface waters during and after construction consistently by:</p> <p style="padding-left: 20px;">(1) Limiting the amount and time of bare ground exposure;</p> <p style="padding-left: 20px;">(2) Using temporary ground covers such as mulches or similar materials;</p> <p style="padding-left: 20px;">(3) Establishing permanent, deep-rooted and dense vegetation cover as soon as possible;</p> <p style="padding-left: 20px;">(4) Using sediment traps, vegetated buffer strips or other appropriate techniques;</p> <p style="padding-left: 20px;">(5) Stabilizing altered areas to acceptable erosion control standards consistent with the field office technical guides of the soil and water conservation district;</p>	

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<p>(6) Not placing fill or excavated material in a manner that creates unstable slopes. Plans to place fill or excavated material on steep slopes must be reviewed by qualified professionals for continued slope stability and must not create finished slopes of 30 percent or greater;</p> <p>(7) Fill or excavated material must not be placed in bluff impact zones;</p> <p>(8) Any alterations below the ordinary high water level of public waters must first be authorized by the commissioner under Minnesota Statutes, Section 103G;</p> <p>(9) Alterations of topography are only allowed if they are accessory to permitted or conditional uses and do not adversely affect adjacent or nearby properties; and</p> <p>(10) Placement of natural rock riprap, including associated grading of the shoreline and placement of a filter blanket, is permitted if:</p> <ul style="list-style-type: none"> (a) the finished slope does not exceed three feet horizontal to one-foot vertical; (b) the landward extent of the riprap is within ten feet of the ordinary high water level; and (c) the height of the riprap above the ordinary high water level does not exceed three feet (see Figure 10). <p>Figure 10. Riprap Guidelines</p>	
<p>8.34 Connections to public waters. Excavations to connect boat slips, canals, lagoons, and harbors to public waters require a public waters permit and must comply with Minnesota Rules, Chapter 6115.</p>	

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<p>8.4 Stormwater Management.</p> <p>8.41 General Standards:</p> <p style="padding-left: 20px;">A. When possible, existing natural drainageways, and vegetated soil surfaces must be used to convey, store, filter, and retain stormwater runoff before discharge to public waters.</p> <p style="padding-left: 20px;">B. Development must be planned and conducted in a manner that will minimize the extent of disturbed areas, runoff velocities, erosion potential, and reduce and delay runoff volumes. Disturbed areas must be stabilized as soon as possible and appropriate facilities or methods used to retain sediment on the site.</p> <p style="padding-left: 20px;">C. When development density, topography, soils, and vegetation are not sufficient to adequately handle stormwater runoff, constructed facilities such as settling basins, skimming devices, dikes, waterways, ponds and infiltration may be used. Preference must be given to surface drainage, vegetation, and infiltration rather than buried pipes and man-made materials and facilities.</p> <p>8.42 Specific Standards:</p> <p style="padding-left: 20px;">A. Impervious surfaces of lots must not exceed 25 percent of the lot area.</p> <p style="padding-left: 20px;">B. When constructed facilities are used for stormwater management, documentation must be provided by a qualified individual that they are designed and installed consistent with the field office technical guide of the local soil and water conservation district or the Minnesota Stormwater Manual, as applicable.</p> <p style="padding-left: 20px;">C. New constructed stormwater outfalls to public waters must be consistent with Minnesota Rules, part 6115.0231.</p> <p>9.0 SUBDIVISION/PLATTING PROVISIONS</p> <p>9.1 Purpose. To ensure that new development minimizes impacts to shoreland resources and is safe and functional.</p> <p>9.2 Land suitability. Each lot created through subdivision, including planned unit developments authorized under Section 10.0 of this ordinance, must be suitable in its natural state for the proposed use with minimal alteration A suitability analysis must be conducted for each proposed subdivision, including planned unit developments, to determine if the subdivision is suitable in its natural state for the proposed use with minimal alteration and whether any feature of the land is likely to be harmful to the health, safety, or welfare of future residents of the proposed subdivision or of the community.</p> <p>9.3 Consistency with other controls. Subdivisions and each lot in a subdivision shall meet all official controls so that a variance is not needed later to use the lots for their intended purpose.</p>	<p>8.4. It is proposed that these provisions be omitted so they can be part of the City's Public Works chapter. The separate attachment of changes to Title 8 Public Works includes these provisions.</p> <p>9.2 As part of the update it is recommended that clarification be provided about how this suitability analysis is shown as being met. This may not be specifically in the ordinance but should be established as part of the City's review practice.</p>

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<p>9.4 Water and Sewer Design Standards.</p> <p>9.41 A potable water supply and a sewage treatment system consistent with Minnesota Rules, Chapters 7080-7081 must be provided for every lot.</p> <p>9.42 Each lot must include at least two soil treatment and dispersal areas that support systems described in Minnesota Rules, parts 7080.2200 to 7080.223 or site conditions described in part 7081.0270, subparts 3 to 7, as applicable.</p> <p>9.43 Lots that would require use of holding tanks are prohibited.</p> <p>9.5 Information requirements.</p> <p>9.51 Topographic contours at ten-foot intervals or less from United States Geological Survey maps or more current sources, showing limiting site characteristics;</p> <p>9.52 The surface water features required in Minnesota Statutes, section 505.021, Subd. 1, to be shown on plats, obtained from United States Geological Survey quadrangle topographic maps or more current sources;</p> <p>9.53 Adequate soils information to determine suitability for building and sewage treatment capabilities for every lot from the most current existing sources or from field investigations such as soil borings, percolation tests, or other methods;</p> <p>9.54 Information regarding adequacy of domestic water supply; extent of anticipated vegetation and topographic alterations; near-shore aquatic conditions, including depths, types of bottom sediments, and aquatic vegetation; and proposed methods for controlling stormwater runoff and erosion, both during and after construction activities;</p> <p>9.55 Location of 100-year flood plain areas and floodway districts from existing adopted maps or data; and</p> <p>9.56 A line or contour representing the ordinary high water level, the “toe” and the “top” of bluffs, and the minimum building setback distances from the top of the bluff and the lake or stream.</p> <p>9.6 Dedications. When a land or easement dedication is a condition of subdivision approval, the approval must provide easements over natural drainage or ponding areas for management of stormwater and significant wetlands.</p> <p>9.7 Platting. All subdivisions that cumulatively create five or more lots or parcels that are 2-1/2 acres or less in size shall be processed as a plat in accordance with Minnesota Statutes, Chapters 462.358 Subd. 3a (<i>cities</i>) and 505. No permit for construction of buildings or sewage treatment systems shall be issued for lots created after the adoption of this ordinance unless the lot was previously approved as part of a formal subdivision.</p> <p>9.8 Controlled Access Lots. Controlled access lots within a subdivision must meet or exceed the lot size criteria in Section 6.33 of this ordinance.</p>	<p>9.4 This is not needed as the City would not allow a well and individual sewage treatment system to be used.</p> <p>9.5 As the City already has a list of application materials required this is not needed. A comparison will be done with these lists and any item on this list missing will be added.</p>

Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

Ordinance Language	Comments
<p>10.0 PLANNED UNIT DEVELOPMENTS (PUDs)</p> <p>10.1 Purpose. To protect and enhance the natural and scenic qualities of shoreland areas during and after development and redevelopment of high density residential and commercial uses.</p> <p>10.2 Types of PUDs Permissible. Planned unit developments (PUDs) are allowed for new projects on undeveloped land, redevelopment of previously built sites, or conversions of existing buildings and land. Deviation from the minimum lot size standards of Section 6.2 of this ordinance is allowed if the standards in this Section are met.</p> <p>10.3 Processing of PUDs. Planned unit developments in the shoreland district must be processed as a conditional use and comply with the provisions of this section in addition to those standards outlined elsewhere in the zoning and subdivision regulations. When there is a conflict in requirements, the more stringent of the requirements shall be applied. An expansion to an existing commercial PUD involving 6 or less new dwelling units or sites since the date this ordinance was adopted is permissible as a permitted use provided the total project density does not exceed the allowable densities calculated in the project density evaluation procedures in Section 10.5. Approval cannot occur until all applicable environmental reviews are complete.</p> <p>10.4 Application for a PUD. The applicant for a PUD must submit the following documents prior to final action on the application request:</p> <p style="padding-left: 20px;">10.41 Site plan and/or plat showing:</p> <p style="padding-left: 40px;">A. Locations of property boundaries;</p> <p style="padding-left: 40px;">B. Surface water features;</p> <p style="padding-left: 40px;">C. Existing and proposed structures and other facilities;</p> <p style="padding-left: 40px;">D. Land alterations;</p> <p style="padding-left: 40px;">E. Sewage treatment and water supply systems (where public systems will not be provided);</p> <p style="padding-left: 40px;">F. Topographic contours at ten-foot intervals or less; and</p> <p style="padding-left: 40px;">G. Identification of buildings and portions of the project that are residential, commercial, or a combination of the two (if project combines commercial and residential elements).</p> <p style="padding-left: 20px;">10.42 A property owner's association agreement (for residential PUD's) with mandatory membership, and consistent with Section 10.6 of this ordinance.</p> <p style="padding-left: 20px;">10.43 Deed restrictions, covenants, permanent easements or other instruments that:</p> <p style="padding-left: 40px;">A. Address future vegetative and topographic alterations, construction of additional buildings, beaching of watercraft, and construction of commercial buildings in residential PUDs; and</p>	<p>10.0 The City has not created a PUD since 2011. Relevant sections of these provisions have been added to guide any future development of attached, cottage courtyard, and multifamily development.</p>

Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

Ordinance Language	Comments												
<p>B. — Ensure the long-term preservation and maintenance of open space in accordance with the criteria and analysis specified in Section 10.6 of this ordinance.</p> <p>10.44 A master plan/site plan describing the project and showing floor plans for all commercial structures.</p> <p>10.45 Additional documents necessary to explain how the PUD will be designed and will function.</p> <p>10.5 Density Determination. Proposed new or expansions to existing planned unit developments must be evaluated using the following procedures:</p> <p>10.51 <u>Step 1. Identify Density Analysis Tiers.</u> Divide the project parcel into tiers by drawing one or more lines parallel to the ordinary high water level at the following intervals, proceeding landward:</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <thead> <tr style="background-color: #d3d3d3;"> <th style="padding: 5px;">Waterbody Classification</th> <th style="padding: 5px;">No Sewer (ft)</th> <th style="padding: 5px;">Sewer (ft)</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">General Development Lakes – 1st tier</td> <td style="padding: 5px;">200</td> <td style="padding: 5px;">200</td> </tr> <tr> <td style="padding: 5px;">General Development Lakes – all other tiers</td> <td style="padding: 5px;">267</td> <td style="padding: 5px;">200</td> </tr> <tr> <td style="padding: 5px;">Natural Environment Lakes</td> <td style="padding: 5px;">400</td> <td style="padding: 5px;">320</td> </tr> </tbody> </table> <p>10.52 <u>Step 2. Calculate Suitable Area for Development.</u> Calculate the suitable area within each tier by excluding all wetlands, bluffs, or land below the ordinary high water level of public waters.</p> <p>10.53 <u>Step 3. Determine Base Density:</u></p> <p style="margin-left: 20px;">A. — For residential PUDs, divide the suitable area within each tier by the minimum single residential lot area for lakes to determine the allowable number of dwelling units, or base density, for each tier. For rivers, if a minimum lot area is not specified, divide the tier width by the minimum single residential lot width.</p> <p style="margin-left: 20px;">B. — For commercial PUDs:</p> <p style="margin-left: 40px;">(1) Determine the average area for each dwelling unit or dwelling site within each tier. Include both existing and proposed dwelling units and sites in the calculation.</p> <p style="margin-left: 60px;">(a) For dwelling units, determine the average inside living floor area of dwelling units in each tier. Do not include decks, patios, garages, or porches and basements, unless they are habitable space.</p> <p style="margin-left: 60px;">(b) For dwelling sites (campgrounds), determine the area of each dwelling site as follows:</p> <p style="margin-left: 80px;">For manufactured homes, use the area of the manufactured home, if known, otherwise use 1,000 sf. For recreational vehicles, campers or tents, use 400 sf.</p>	Waterbody Classification	No Sewer (ft)	Sewer (ft)	General Development Lakes – 1st tier	200	200	General Development Lakes – all other tiers	267	200	Natural Environment Lakes	400	320	
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Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

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<p>(2) Select the appropriate floor area/dwelling site area ratio from the following table for the floor area or dwelling site area determined in Section 10.53 B. 1.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr style="background-color: #d3d3d3;"> <th style="text-align: center;">Inside Living Floor Area or Dwelling Site Area (sf)</th> <th style="text-align: center;">General Development Lakes <u>w/Sewer</u> – all tiers General Development Lakes <u>w/no sewer</u> – 1st tier Agricultural, Urban and Tributary Rivers</th> <th style="text-align: center;">General Development Lakes <u>w/no sewer</u> – all other tiers Recreational Development Lakes Forested and Transition Rivers</th> <th style="text-align: center;">Natural Environment Lakes Remote Rivers</th> </tr> </thead> <tbody> <tr><td style="text-align: center;">< 200</td><td style="text-align: center;">.040</td><td style="text-align: center;">.020</td><td style="text-align: center;">.010</td></tr> <tr><td style="text-align: center;">300</td><td style="text-align: center;">.048</td><td style="text-align: center;">.024</td><td style="text-align: center;">.012</td></tr> <tr><td style="text-align: center;">400</td><td style="text-align: center;">.056</td><td style="text-align: center;">.028</td><td style="text-align: center;">.014</td></tr> <tr><td style="text-align: center;">500</td><td style="text-align: center;">.065</td><td style="text-align: center;">.032</td><td style="text-align: center;">.016</td></tr> <tr><td style="text-align: center;">600</td><td style="text-align: center;">.072</td><td style="text-align: center;">.038</td><td style="text-align: center;">.019</td></tr> <tr><td style="text-align: center;">700</td><td style="text-align: center;">.082</td><td style="text-align: center;">.042</td><td style="text-align: center;">.021</td></tr> <tr><td style="text-align: center;">800</td><td style="text-align: center;">.091</td><td style="text-align: center;">.046</td><td style="text-align: center;">.023</td></tr> <tr><td style="text-align: center;">900</td><td style="text-align: center;">.099</td><td style="text-align: center;">.050</td><td style="text-align: center;">.025</td></tr> <tr><td style="text-align: center;">1,000</td><td style="text-align: center;">.108</td><td style="text-align: center;">.054</td><td style="text-align: center;">.027</td></tr> <tr><td style="text-align: center;">1,100</td><td style="text-align: center;">.116</td><td style="text-align: center;">.058</td><td style="text-align: center;">.029</td></tr> <tr><td style="text-align: center;">1,200</td><td style="text-align: center;">.125</td><td style="text-align: center;">.064</td><td style="text-align: center;">.032</td></tr> <tr><td style="text-align: center;">1,300</td><td style="text-align: center;">.133</td><td style="text-align: center;">.068</td><td style="text-align: center;">.034</td></tr> <tr><td style="text-align: center;">1,400</td><td style="text-align: center;">.142</td><td style="text-align: center;">.072</td><td style="text-align: center;">.036</td></tr> <tr><td style="text-align: center;">≥ 1,500</td><td style="text-align: center;">.150</td><td style="text-align: center;">.075</td><td style="text-align: center;">.038</td></tr> </tbody> </table> <p>(3) Multiply the suitable area within each tier determined in Section 10.52 by the floor area or dwelling site area ratio to yield the total floor area or dwelling site area for each tier to be used for dwelling units or dwelling sites.</p> <p>(4) Divide the total floor area or dwelling site area for each tier calculated in Section 10.53 B. 3 by the average inside living floor area for dwelling units or dwelling site area determined in 10.53 B 1. This yields the allowable number of dwelling units or dwelling sites, or base density, for each tier.</p>	Inside Living Floor Area or Dwelling Site Area (sf)	General Development Lakes <u>w/Sewer</u> – all tiers General Development Lakes <u>w/no sewer</u> – 1 st tier Agricultural, Urban and Tributary Rivers	General Development Lakes <u>w/no sewer</u> – all other tiers Recreational Development Lakes Forested and Transition Rivers	Natural Environment Lakes Remote Rivers	< 200	.040	.020	.010	300	.048	.024	.012	400	.056	.028	.014	500	.065	.032	.016	600	.072	.038	.019	700	.082	.042	.021	800	.091	.046	.023	900	.099	.050	.025	1,000	.108	.054	.027	1,100	.116	.058	.029	1,200	.125	.064	.032	1,300	.133	.068	.034	1,400	.142	.072	.036	≥ 1,500	.150	.075	.038	
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Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

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<p style="margin-left: 40px;">C. Allowable densities may be transferred from any tier to any other tier further from the waterbody, but must not be transferred to any tier closer to the waterbody.</p> <p style="margin-left: 40px;">D. All PUDs with densities at or below the base density must meet the design standards in Section 10.6</p> <p>10.54 Step 4. Determine if the Site can Accommodate Increased Density:</p> <p style="margin-left: 40px;">A. The following increases to the dwelling unit or dwelling site base densities determined in Section 10.53 are allowed if the design criteria in Section 10.6 of this ordinance are satisfied as well as the standards in Section 10.54, item B:</p> <table border="1" style="margin-left: 80px; margin-bottom: 20px; border-collapse: collapse; text-align: center;"> <thead> <tr style="background-color: #d3d3d3;"> <th style="padding: 5px;">Shoreland Tier</th> <th style="padding: 5px;">Maximum density increase within each tier (percent)</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">1st</td> <td style="padding: 5px;">50</td> </tr> <tr> <td style="padding: 5px;">2nd</td> <td style="padding: 5px;">100</td> </tr> <tr> <td style="padding: 5px;">3rd</td> <td style="padding: 5px;">200</td> </tr> <tr> <td style="padding: 5px;">4th</td> <td style="padding: 5px;">200</td> </tr> <tr> <td style="padding: 5px;">5th</td> <td style="padding: 5px;">200</td> </tr> </tbody> </table> <p style="margin-left: 40px;">B. Structure setbacks from the ordinary high water level:</p> <p style="margin-left: 80px;">(1) Are increased to at least 50 percent greater than the minimum setback; or</p> <p style="margin-left: 80px;">(2) The impact on the waterbody is reduced an equivalent amount through vegetative management, topography, or additional acceptable means and the setback is at least 25 percent greater than the minimum setback.</p> <p>10.6 Design Criteria. All PUDs must meet the following design criteria.</p> <p>10.61 General Design Standards.</p> <p style="margin-left: 40px;">A. All residential planned unit developments must contain at least five dwelling units or sites.</p> <p style="margin-left: 40px;">B. On-site water supply and sewage treatment systems must be centralized and meet the standards in Section 6.5 of this ordinance. Sewage treatment systems must meet the setback standards of Section 6.41, item A of this ordinance.</p> <p style="margin-left: 40px;">C. Dwelling units or dwelling sites must be clustered into one or more groups and located on suitable areas of the development.</p> <p style="margin-left: 40px;">D. Dwelling units or dwelling sites must be designed and located to meet the dimensional standards in Sections 6.41, 6.42, and 6.43:</p>	Shoreland Tier	Maximum density increase within each tier (percent)	1 st	50	2 nd	100	3 rd	200	4 th	200	5 th	200	
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1 st	50												
2 nd	100												
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Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

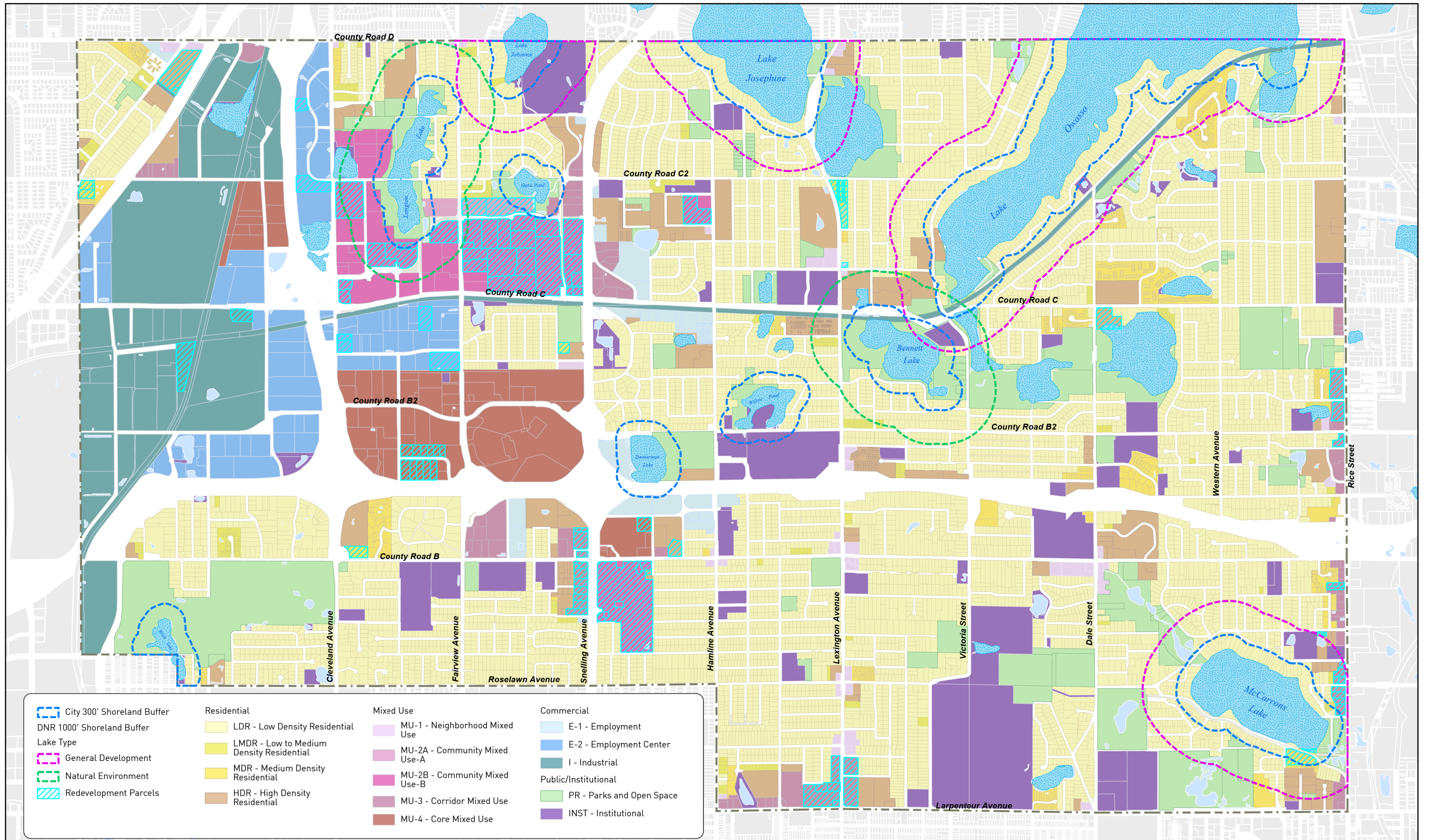
Ordinance Language	Comments
<p>E.— Shore recreation facilities:</p> <p style="padding-left: 40px;">(1) Must be centralized and located in areas suitable for them based on a suitability analysis.</p> <p style="padding-left: 40px;">(2) The number of spaces provided for continuous beaching, mooring, or docking of watercraft must not exceed one for each allowable dwelling unit or site in the first tier (notwithstanding existing mooring sites in an existing commercially used harbor).</p> <p style="padding-left: 40px;">(3) Launching ramp facilities, including a small dock for loading and unloading equipment, may be provided for use by occupants of dwelling units or sites located in other tiers.</p> <p>F.— Structures, parking areas, and other facilities must be treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks, color, or other means acceptable to the local unit of government, assuming summer, leaf-on conditions. Vegetative and topographic screening must be preserved, if existing, or may be required to be provided.</p> <p>G.— Accessory structures and facilities, except water oriented accessory structures, must meet the required structure setback and must be centralized.</p> <p>H.— Water oriented accessory structures and facilities may be allowed if they meet or exceed design standards contained in Section 7.3 of this ordinance and are centralized.</p> <p>10.62 Open Space Requirements:</p> <p>A.— Open space must constitute at least 50 percent of the total project area and must include:</p> <p style="padding-left: 40px;">(1) Areas with physical characteristics unsuitable for development in their natural state;</p> <p style="padding-left: 40px;">(2) Areas containing significant historic sites or unplatted cemeteries;</p> <p style="padding-left: 40px;">(3) Portions of the shore impact zone preserved in its natural or existing state as follows:-</p> <p style="padding-left: 80px;">(a) For existing residential PUD's, at least 50 percent of the shore impact zone</p> <p style="padding-left: 80px;">(b) For new residential PUDs, at least 70 percent of the shore impact zone.</p> <p style="padding-left: 80px;">(c) For all commercial PUD's, at least 50 percent of the shore impact zone.</p> <p>B.— Open space may include:</p> <p style="padding-left: 40px;">(1) Outdoor recreational facilities for use by owners of dwelling units or sites, by guests staying in commercial dwelling units or sites, and by the general public;</p> <p style="padding-left: 40px;">(2) Subsurface sewage treatment systems if the use of the space is restricted to avoid adverse impacts on the systems; and</p> <p style="padding-left: 40px;">(3) Non public water wetlands.</p>	

Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

Ordinance Language	Comments
<p>C. Open space shall not include:</p> <ul style="list-style-type: none"> (1) Dwelling sites or lots, unless owned in common by an owners association; (2) Dwelling units or structures, except water oriented accessory structures or facilities; (3) Road rights of way or land covered by road surfaces and parking areas; (4) Land below the OHWL of public waters; and (5) Commercial facilities or uses. <p>10.63 Open Space Maintenance and Administration Requirements.</p> <p>A. Open space preservation. The appearance of open space areas, including topography, vegetation, and allowable uses, must be preserved and maintained by use of deed restrictions, covenants, permanent easements, public dedication, or other equally effective and permanent means. The instruments must prohibit:</p> <ul style="list-style-type: none"> (1) Commercial uses (for residential PUD's); (2) Vegetation and topographic alterations other than routine maintenance; (3) Construction of additional buildings or storage of vehicles and other materials; and (4) Uncontrolled beaching of watercraft. <p>B. Development organization and functioning. Unless an equally effective alternative community framework is established, all residential planned unit developments must use an owners association with the following features:</p> <ul style="list-style-type: none"> (1) Membership must be mandatory for each dwelling unit or dwelling site owner and any successive owner; (2) Each member must pay a pro rata share of the association's expenses, and unpaid assessments can become liens on units or dwelling sites; (3) Assessments must be adjustable to accommodate changing conditions; and (4) The association must be responsible for insurance, taxes, and maintenance of all commonly owned property and facilities. <p>10.64 Erosion Control and Stormwater Management.</p> <p>A. Erosion control plans must be developed and must be consistent with the provisions of Section 8.3 of this ordinance. Erosion control plans approved by a soil and water conservation district may be required if project size and site physical characteristics warrant.</p>	

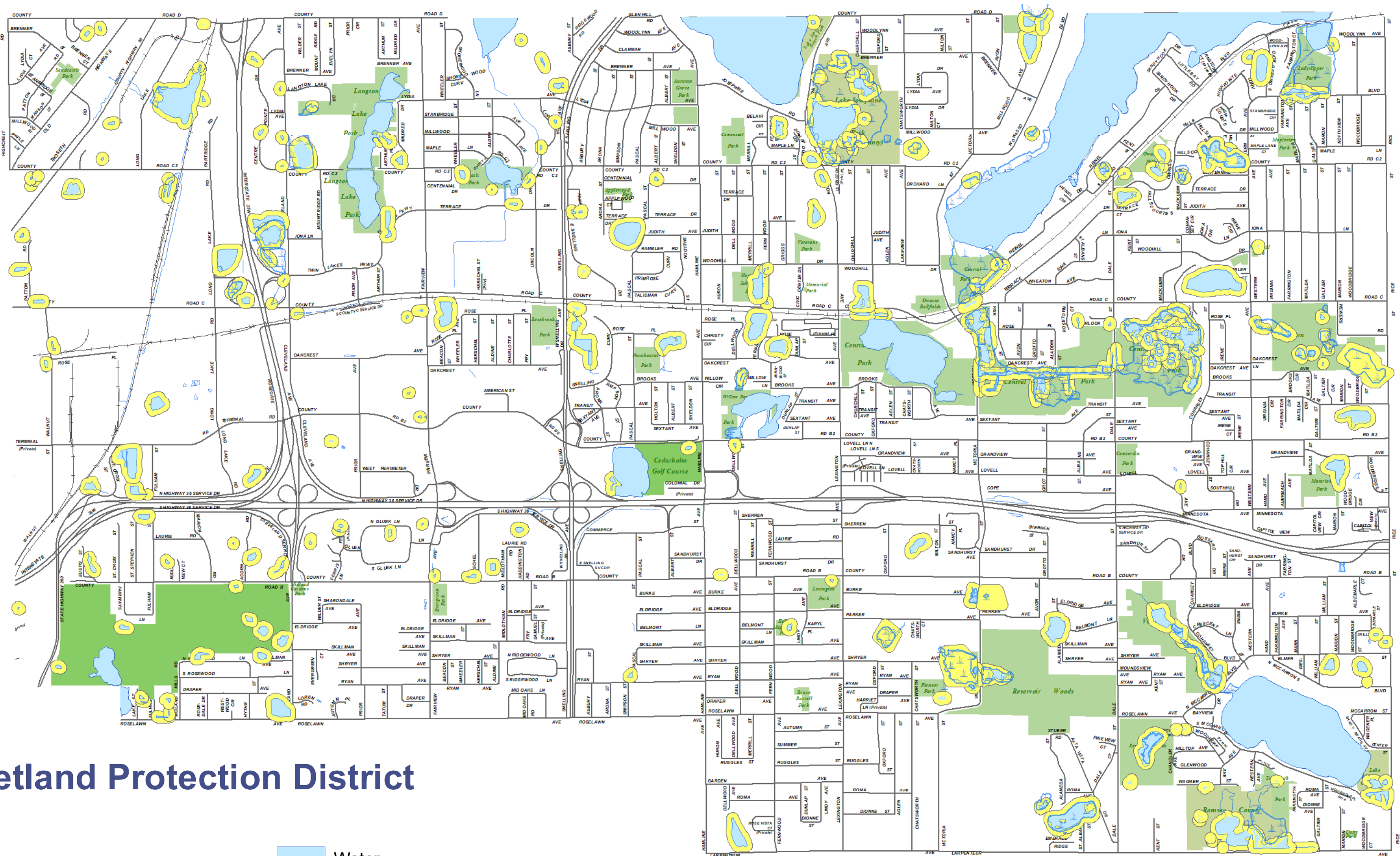
Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

Ordinance Language	Comments
<p>B. Stormwater management facilities must be designed and constructed to manage expected quantities and qualities of stormwater runoff.</p> <p>(1) For residential PUDs, impervious surface for the entire project site must not exceed 25%.</p> <p>(2) For commercial PUDs, impervious surfaces within any tier must not exceed 25 percent of the tier area, except that 35 percent impervious surface coverage may be allowed in the first tier of general development lakes with an approved stormwater management plan and consistency with Section 8.0 of this ordinance.</p> <p>10.7 Conversions. Local governments may allow existing resorts or other land uses and facilities to be converted to residential PUDs if all of the following standards are met:</p> <p>10.71 Proposed conversions must be evaluated using the same procedures for residential PUDs involving new construction. Inconsistencies between existing features of the development and these standards must be identified;</p> <p>10.72 Deficiencies involving water supply and sewage treatment, structure color, impervious coverage, open space, and shore recreation facilities must be corrected as part of the conversion or as specified in the conditional use permit;</p> <p>10.73 Shore and bluff impact zone deficiencies must be evaluated and reasonable improvements made as part of the conversion. These improvements must include, where applicable, the following:</p> <p>A. Removal of extraneous buildings, docks, or other facilities that no longer need to be located in shore or bluff impact zones;</p> <p>B. Remedial measures to correct erosion, improve vegetative cover and improve screening of buildings and other facilities as viewed from the water; and</p> <p>C. Conditions attached to existing dwelling units located in shore or bluff impact zones that preclude exterior expansions in any dimension or substantial alterations. The conditions must also provide for future relocation of dwelling units, where feasible, to other locations, meeting all setback and elevation requirements when they are rebuilt or replaced.</p> <p>10.74 Existing dwelling unit or dwelling site densities that exceed standards in Section 10.5 of this ordinance may be allowed to continue but must not be allowed to be increased, either at the time of conversion or in the future. Efforts must be made during the conversion to limit impacts of high densities by requiring seasonal use, improving vegetative screening, centralizing shore recreation facilities, installing new sewage treatment systems, or other means.</p>	



Shoreland Overlay District

Data:
Ramsey County GIS (4/5/2022)



Wetland Protection District

- Water
- Wetland_Lines
- 100' Wetland Protection District





MEMORANDUM

TO: Roseville Planning Commission
FROM: Jeff Miller and Rita Trapp, HKGi
DATE: May 25, 2022
SUBJECT: Update on Sustainability Related Ordinances & Incentives

Overview

As part of Phase 2 of the Zoning Code Update (ZCU) project, HKGi will present to the Planning Commission our progress on examining the City's existing sustainability related ordinances, as well as policies and programs, and exploring potential ordinances or incentives that the City may want to consider. The City's existing sustainability related ordinances fall into four general categories:

- Trees, landscaping, and screening
- Solar energy systems
- Bike parking facilities
- Impervious surfaces

Through the ZCU project, we are considering three layers of discussion:

1. Potential updates to existing sustainability ordinances;
2. Potential addition of new sustainability requirements in the zoning code;
3. Potential sustainability incentives outside of the zoning code.

Existing Sustainability Related Ordinances

The following ordinances have been identified as sustainability related. We have highlighted the sustainability element in each ordinance and whether the ordinance is requiring, encouraging, or allowing the use/standard.

1011.03 Landscaping and Screening in All Districts

- [Sec. 1011.03.A.3.c] An underground sprinkler system shall be installed in all landscaped areas except areas to be preserved in a natural state or where all proposed plant materials are **drought-tolerant**. Where **drought-tolerant plant materials** are used, irrigation shall be required only for the 2-year period following the installation and may be accomplished using hoses, water trucks, or other nonpermanent means. **(Incentive for installing drought-tolerant plant materials)**
- [Sec. 1011.03.A.3.e.ii] Multi-family residential dwellings shall require 1 canopy or evergreen tree per dwelling unit. **(The City is interested in reducing this requirement since multiple variances have been granted.)**

- [Sec. 1011.03.A.3.f] The City encourages the use of **native plant materials** that provide interest and color in the winter. **(Incentive for installing native plant materials)**
- [Sec. 1011.03.A.6] Alternative Landscape Options: The City encourages the use of special design features such as **xeriscaping, raingardens/bioswales, rooftop gardens, native landscapes**, integrated pedestrian facilities, and public art. To encourage the use of these special design features the city acknowledges a degree of flexibility may be necessary to adjust to unique situations. This subsection provides such flexibility and presents alternative ways to meet the standards set for in this section. The alternatives provided below are discretionary and are subject to approval of the Community Development Department, unless the development application requires approval by the City Council, in which case the City Council shall approve the alternative landscape plan. Landscape requirements may be modified if the proposal meets any of the following:
 - a. It is of exceptional design that includes amenities such as public art, public seating, an outdoor plaza, **green rooftop**, recreational benefit, and/or transit shelter.
 - b. It is deemed equivalent to the minimum requirements of this Section and complies with the purpose and objectives of this Section.
 - c. It will allow a site plan that is more consistent with the character of the area.
 - d. It will result in the retention of more existing significant trees.
 - e. It better accommodates or improves the existing physical conditions of the subject property.
 - f. The topography decreases or eliminates the need for visual screening.
 - g. It does not reduce the effect of required screening.
 - h. Efforts are made to create interest by providing a variety of colors and textures.
- [Sec. 1011.03.D] All perimeter and interior landscaped areas in parking lots shall be equipped with a permanent irrigation system, unless **drought-tolerant plant materials** are used exclusively. Where **drought-tolerant plant materials** are used, irrigation shall be required only for the two-year period following plant installation and may be accomplished using hoses, water trucks, or other nonpermanent means. **(Incentive for installing drought-tolerant plant materials)**

1005.05 Community Mixed Use (MU-2) District

- Urban and Flexible Frontage: 1 tree is required per every 30 linear feet of Urban and/or Flexible Frontage.

1011.10 Solar Energy Systems in All Districts

- Active solar energy systems are allowed as accessory uses in all zoning classifications where structures of any sort are allowed.
- Building- or roof- mounted solar energy systems shall not exceed the maximum allowed building height in any zoning district.
- Ground- or pole-mounted solar energy systems shall not exceed 15 feet in height when oriented at maximum tilt.
- Active solar energy systems must meet the accessory structure setback for the zoning district and primary land use associated with the lot on which the system is located.

- Active solar energy systems shall be designed to blend into the architecture of the building or be screened from routine view from public rights-of-way other than alleys. The color of the solar collector is not required to be consistent with other roofing materials.

1019.13 Bicycle Parking

- Number of Required Bicycle Parking Spaces: Bicycle parking spaces equal to 10% of the automobile parking space requirement, but not less than four bicycle parking spaces.

1004, 1005, 1006 Residential, Mixed Use, Employment Districts

- All districts have maximum improvement areas, ranging from 60% to 85%.
- The LDR and LMDR districts also have maximum impervious surface areas; LDR = 25% within Shoreland and Wetland Management Districts and 30% for all other parcels; LMDR = 25% within Shoreland and Wetland Management Districts and 35% for all other parcels.

Potential Sustainability Standards & Incentives

We will discuss our findings thus far on potential sustainability elements to consider updating or adding in the zoning code. We anticipate opportunities to add sustainability requirements, in addition to incentives, and would entertain feedback surrounding these two approaches. Potential topics to consider include:

- Reduce water usage
 - Drought-tolerant landscaping, native plants, xeriscaping
 - Stormwater reuse for irrigation
- Reduce building energy consumption/greenhouse gas emissions
 - Efficient building benchmarking - building energy use reporting requirements
 - Green building certification (LEED, B3, Minnesota Green Communities, Minnesota GreenStar)
 - New buildings constructed to be net-zero energy
- Reduce vehicle energy consumption/greenhouse gas emissions
 - Electric vehicle charging stations
 - Reduce minimum parking space requirements
 - Provide pedestrian infrastructure
 - Transit-oriented development
- Reduce heat impacts of climate change
 - Increase tree canopy
 - Green roofs
 - Cool roofs
 - Cooling centers/shelters
- Increase renewable energy use
 - Solar energy systems
 - Increase participation in green power purchase programs offered by utility companies
- Reduce solid waste emissions
 - Recycling, diversion from landfills or incineration
 - Reduce packaging

Incentives Approach

The idea behind an incentives approach is to create a sustainability checklist or worksheet whereby certain development incentives (e.g. density bonuses) are made available based upon the number and/or extent of sustainable elements that are made a part of a specific project and/or improvement. For example, provision of sustainability elements could be linked to density bonuses, such as:

- dwelling units/acre
- building height
- floor-area-ratio (FAR)
- lot coverage

A sustainability checklist or worksheet could be referenced in the zoning code but exist outside of the zoning code. This approach would enable more flexibility with maintaining and updating the checklist/worksheet over time as the City learns more about these sustainability elements and new approaches/technologies emerge.

We look forward to discussing these sustainability topics with you as well as any additional ideas from Planning Commissioner members.