

<p>Commissioners: Julie Kimble Michelle Kruzell Tammy McGehee Michelle Pribyl Karen Schaffhausen Erik Bjorum <i>Vacant</i></p>	 <p>Planning Commission Agenda Wednesday, September 7, 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:

[JULY 6, 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

Documents:

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

7. Adjourn



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Draft Minutes – Wednesday, July 6, 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, Tammy
9 McGehee, Karen Schaffhausen and Erik Bjorum.
10
- 11 **Members Absent:** Commissioner Michelle Kruzel.
12
- 13 **Staff Present:** City Planner Thomas Paschke and Community Development
14 Director Janice Gundlach.
15
- 16 **3. Approve Agenda**
17
18 Member Schaffhausen arrived at 6:32 p.m.
19
- 20 **MOTION**
21 **Member Pribyl moved, seconded by Member McGehee, to approve the agenda as**
22 **presented.**
23
- 24 **Ayes: 5**
25 **Nays: 0**
26 **Motion carried.**
27
- 28 **4. Review of Minutes**
29
- 30 **a. June 1, 2022 Planning Commission Regular Meeting**
31
32 Member Pribyl noted on line 362, “gregarious” should be changed to “precarious”.
33
- 34 **MOTION**
35 **Member Schaffhausen moved, seconded by Member McGehee, to approve the**
36 **June 1, 2022 meeting minutes.**
37
- 38 **Ayes: 5**
39 **Nays: 0**
40 **Motion carried.**
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5. Communications and Recognitions:

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

None.

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

None.

6. Public Hearing

a. Request for Preliminary Approval of a Major Plat to Subdivide Two Residential Parcels into Six Lots for Two-Family, Attached Homes (Twin Homes), One Lot for Retention of an Existing One-Family Detached Home, and One Outlot (PF22-005)

Chair Kimble opened the public hearing for PF22-005 at approximately 6:35 p.m. and reported on the purpose and process of a public hearing. She noted this will be before the City Council at their July 25th meeting.

City Planner Paschke summarized the request as detailed in the staff report dated July 6, 2022.

Member Pribyl thanked Mr. Paschke for the presentation and for addressing some of the neighbors’ concerns raised in the emails sent. She indicated one email that is not directly related to the plat but one she remembered seeing as a comment was the possibility of lighting from this parcel onto other parcels. She asked Mr. Paschke to review the City policy regarding lighting.

Mr. Paschke did not know if there would be a restriction and did not know of any street lights that would end up going in on a private street. He noted he has not seen any plans for that. As it relates to the units themselves, the owners would be able to light their yard the same as any other owner on their property. Typically the lighting is shielded so it does not shine outside of the property.

Mr. Tom Brama, 3009 Troseth Road, owner, addressed the Commission. He indicated his concern is this is a very desirable area to live and it is hard for people to move into the area. They felt that by offering Twinhomes the cost would be lowered to people of getting into a desirable neighborhood where there is a mix of properties. He explained this is not an out of the ordinary use of the property and is not changing the character of the immediate neighborhood.

Member McGehee wondered what would the size of the home pads be.

89 Mr. Brama indicated the pads would be approximately twenty-one hundred square
90 feet with an unfinished basement.

91
92 **Public Comment**

93
94 Ms. Laurie Stark, 2999 Troseth Road, wanted to reiterate what the other plat maps do
95 not show and that is the block bounded by Old 8, Troseth Road and C2 are all single-
96 family homes. Surrounding that, there are all different kinds of housing. She sees
97 people wanting single family homes and she did not think the water management plan
98 addresses the whole neighborhood, it just addresses Mr. Brama's two plats of land.
99 She did not think there was much green space in that little area of Roseville and green
100 space is very important for the wildlife in the area. She thought that by developing
101 those two plots of land into this type of housing is going to reduce the green space
102 even more and the community already lost so much green space to the Edison
103 Complex. She noted she did not know any neighbors in favor of this project.

104
105 Ms. Jane Bates, 2980 Old Highway 8, stated she was overwhelmed when she hears
106 about not changing the character of a neighborhood and proposing to put in where
107 currently two families can live to adding six additional onto those two lots. She
108 indicated since 2003 she has supported a family, paid taxes, and done everything they
109 could to support a single-family home. Apparently the 2040 plan that Roseville
110 approved did incorporate a change from single family home to low density housing in
111 which she did not think the information was adequately provided to the residents that
112 live in a community. She indicated this could happen to anyone and any
113 neighborhood and breaking up single family homes and neighborhoods for
114 somebody's financial gain is unacceptable.

115
116 Mr. Roger Pascal, 2999 Troseth Road, indicated he has been in the neighborhood for
117 sixty-eight years and there has been eighteen splits so far and in the southwest corner
118 there are actually three houses where cattail ponds were filled in to provide more
119 splits. He indicated the neighborhood is already getting split up. He explained this is a
120 legacy neighborhood and pretty soon there will not be any nice lots because they will
121 all be broken up.

122
123 Mr. Brandon Kowal, 2960 Old Highway 8, added the way the private drainage system
124 was explained for this plat is that it will flow north and based on the report he
125 submitted from 2017, there is still a choke point at County Road D going north so the
126 old infrastructure does not support and has to change for this to work. He noted this
127 will not change overnight and a private system flowing north will not solve drainage
128 issues.

129
130 Mr. Michael Cassel, 3002 Troseth Road, explained he is the direct recipient of
131 stormwater runoff from the block that is being considered for new platting. He asked
132 what the current square footage in that area that is currently paved and impervious to
133 stormwater capture and how much of that area is going to be occupied by square
134 footage building, new drive. He noted on page eight of the packet there is material
135 that talks about the bio-filtration basin. Mention has been made tonight of some sort

136 of water neutral capture of drain on that area. He did not know what it was talking
137 about but when it rains heavy the water comes coursing next to his and his neighbors'
138 homes. This is not an insignificant problem and aside from the fact that there is
139 something to be said about a legacy neighborhood and he understood something in
140 the Comprehensive Plan about a missing middle but he wondered if this development
141 and five hundred-thousand-dollar twinhomes going to make a response of what is
142 needed. They have been under assault and he understood Edison is seeking a third
143 building off County Road D as well. He thought if the City took all factors under
144 consideration this project is not really in character with this neighborhood. He
145 thought there was something to be said for the character that is low density housing.
146 He wondered if this is the place for this type of development. He indicated he likes
147 the character of the neighborhood and is concerned about the character of the
148 neighborhood could be changing over time. He also wanted to understand better what
149 a bio-filtration BMP plan is because he did not have any confidence that the City has
150 adequately addressed the drainage problems that directly impact their home.

151
152 Chair Kimble closed the public hearing at 7:11 p.m. with no one else wanting to
153 address the Commission.

154
155 **Commission Deliberation**

156
157 Chair Kimble asked if staff had anyone that could explain what the bio-filtration
158 BMP plan was.

159
160 Mr. Paschke indicated he cannot speak to this directly but indicated he could answer
161 questions related to the stormwater management plan. He indicated this proposal, site
162 development that is required to create stormwater management is not something that
163 is supposed to assist in resolving the issues that are ongoing in this neighborhood.
164 That is a bigger, broader issue that needs to be addressed by this general area.

165
166 Chair Kimble explained this is a preliminary plat and the Commission is looking at
167 the plat against a relatively limited number of requirements.

168
169 Mr. Paschke indicated that was correct and there are somethings that are out of the
170 control of the Planning Commission to address or add conditions to.

171
172 Member McGehee thought there are rights of the citizens and should be represented
173 and she did not think there was much point to the Commission's activity if all the
174 Commission does is look at what the planning staff has combed through very
175 carefully and manicured so that it matches City Code and then give a rubber stamp to
176 that and send it the City Council. She indicated she was not sure that is the best way
177 the Commission can advise the Council or bring things forward because she feels
178 strongly and is very familiar with this neighborhood and she agreed with the people,
179 they are bounded by what she would call a multi-family effort or both New Brighton
180 and St. Anthony Village, which have put all of their stuff right up against the edge.
181 She noted she was on the City Council at the time the Edison project went through
182 and there was a lot of density and a lot of trees were removed and lost along with

183 green space in the neighborhood. She thought Sand Castle Park is a very tiny area and
184 is not like the other City parks that grace the area on the other side and she thought
185 this area on the other side of Old Highway 8 is in many ways a legacy neighborhood
186 and is under assault and also under viewed by Roseville because it is on the other side
187 of 35W. She also spoke about the water issues going on in Roseville as a whole.

188
189 Ms. Gundlach reviewed her discussion with the City Engineer regarding some of the
190 drainage issues in the area.

191
192 Member McGehee indicated she did not particularly have an objection to the
193 subdivision of this lot. She noted she did have an objection regarding the initial split
194 of the lots at the City Council because it was envisioned them having twin homes but
195 not six of them and particularly not in the back yards. She considered seven twin
196 homes on the two parcels to raise the bar to multi-family.

197
198 Member Bjorum understood Member McGehee's point but he would disagree simply
199 based on the fact that the LDR allows for the lot widths and square footages that the
200 developer is proposing so regardless of how large the existing lots are, what is being
201 set in front of them is clearly within the limits of the Zoning Code and
202 Comprehensive Plan.

203
204 Member McGehee agreed and reviewed what the Council envisioned the lots to be at
205 the time the lot was split. She noted she only raised these issues because they are
206 issues the City Council should think about because it was the Council that put these
207 things in place. She thought there was a lack of green space and she thought these
208 water issues are serious and she did not think these twin homes are affordable. She
209 noted these are issues that she would like carried forward to the City Council. She
210 would like, if at all possible, some kind of stipulation that these townhomes would be
211 sold as single, individual homes.

212
213 Ms. Gundlach did not think it was within the land use authority to dictate whether or
214 not something is owner occupied or rental. She explained relating housing type and
215 affordability and missing middle, the reason the City opened up the two family or
216 duplex housing type or LDR District was because the Comprehensive Plan calls for a
217 need for missing middle housing and that does not necessarily mean the same thing as
218 affordable housing. Affordability is a function of supply and demand and income and
219 missing middle is two, three, four family dwelling units. Nobody disputes the
220 \$450,000 or \$500,000 that is not affordable, but when comparing that to the Enclave
221 Townhomes that are listed for \$650,000 or the single-family homes at Midland
222 Legacy Estates that are listed for \$850,000, those are one family dwellings that are
223 owner occupied. \$450,000 is a little more in the middle for what people could expect
224 to pay for a single-family home. She explained affordability is a function of supply
225 and demand and the City has a system where of all the City's residentially zoned land
226 for one hundred years, eighty some percent of it has been zoned only for single family
227 homes of lot sizes of eleven thousand square feet. That has caused affordability issues
228 coupled with land price, materials, costs and now interest rates. Owning a single-
229 family home, certainly new construction is unattainable for many so the idea behind

230 opening up the City’s Zoning Code and allowing different housing types, specifically
231 missing middle housing types into their single-family neighborhoods would, over
232 time, to peel back what the City can actually have for affordable ownership units like
233 a duplex. That was the intention behind opening up two family dwelling units in the
234 LDR District and to be honest, it was going to be an even larger challenge to try and
235 take existing LDR District and rezone it to medium density to achieve a similar
236 density type. She explained this is going to happen with infill projects. The City was
237 very upfront with that. Where there are larger lots, that is an infill project and she
238 does understand and sympathizes with the neighbors who live next to these infill
239 projects because that is where it will be felt most.

240
241 Member McGehee indicated because the City is always talking about different
242 housing types, there are large lot areas in Roseville and she did not particularly like
243 them referred to as infill projects, that it is the goal to chop up all of the large lots in
244 Roseville because there are people who like large lots and she was one of them and
245 she explained she has one but she thought those areas and large lots should also be
246 available in Roseville unless it is the plan to have Roseville consist of all missing
247 middle and affordable rental housing. She thought the City did have to careful not to
248 chop up all of what the City has because there are some areas in Roseville that are
249 very desirable and carry a lot of the tax weight from the housing standpoint.

250
251 Ms. Gundlach explained the City is not the developer and not developing any land or
252 chopping up any parcels. The City is responding to developers, property owners who
253 wish to develop their land in accordance with Zoning Code requirements. The City is
254 just applying the code. If there is a large lot neighborhood that wants to maintain their
255 large lots and nobody wants to sell or subdivide, the City is not going to force that
256 upon anybody.

257
258 **MOTION**

259 **Member Bjorum moved, seconded by Member Pribyl, to recommend to the City**
260 **Council approval of the Proposed Brama Vistas Preliminary Plat, based on the**
261 **content of the RPCA, public input, and Planning Commission deliberation with**
262 **the three conditions listed in the RPCA (PF22-005).**

263
264 Member Bjorum indicated he was recommending approval because it is based on all
265 of the required criteria as set forth by the City’s Zoning Code and Comprehensive
266 Plan. He noted he did not like the plan either but there is no reason to deny it because
267 it meets all of the requirements and the issues that were brought up by Member
268 McGehee are very important and he hoped the City Council does consider those as
269 well.

270
271 Member McGehee indicated for the sake of the Council; she will be opposing this.
272 She agreed this meets all of the conditions but she was going to oppose it so that it
273 stands out when it goes to the Council so that it is not a unanimous things and is not
274 put on the Consent Agenda and does get the review that the Commission would like it
275 to have.

276

277 Member Pribyl agreed and noted she does not necessarily like the layout of this but
278 also do not feel that having twinhomes in the neighborhood with large lots ruins the
279 character of the neighborhood automatically.
280

281 **Ayes: 4 ayes**

282 **Nays: 1 nay (McGehee)**

283 **Motion carried.**
284

285 **7. Other Business**
286

287 **a. Discuss Phase Two Zoning Code Update Amendments**

288 Mr. Jeff Miller of HKGi, summarized the information as detailed in the staff report
289 dated July 6, 2022. She asked for feedback regarding the four identified areas for
290 sustainability requirements.
291

292 Mr. Miller made a presentation on Phase Two of the Zoning Code Update.
293

294 Staff and the Commission discussed EV charging station requirements for different
295 size businesses.
296

297 Ms. Gundlach indicated staff is looking for specific feedback from the Commission.
298 Staff is looking to see if the Commission is ok with the EV ready versus the EV
299 charging, the percentage and the overall number of parking that should trigger that
300 requirement.
301

302 Chair Kimble indicated given this is new she would err on the conservative side and
303 say minimum of thirty parking stalls versus twenty and include if it is burdensome.
304 The City can always see how it goes and increase this if needed rather than imposing
305 something that is a little stricter.
306

307 Member Pribyl agreed. She noted there are more and more electric vehicles out there
308 so there will be more demand from residents living in multi-family or people
309 shopping looking for EV charging stations. Getting something in the Zoning Code is
310 helpful and important and making this intermediate step makes sense.
311

312 Member Bjorum thought it was also ok to say there needs to be some on day one but
313 to have additional down the road may be needed. He has found that some developers
314 will go more than EV ready just because they know it is coming down the line and
315 forcing the minimum really tells them to just do the whole setup. He knew that with a
316 lot of these things it demands a much bigger electrical feed to do these projects when
317 done but he thought that was anticipated on the front end and a lot less damaging to
318 anybody doing development work. He thought having the split is probably very
319 important.
320

321 Member Pribyl indicated for new construction it is not as much as a cost and easier to
322 get them ready and to have electric service.
323

324 Member Bjorum understood there are varying stages of charging and all dependent on
325 the speed in which the vehicle is charged. He wondered if that was something the
326 City would add into that requirement.

327
328 Mr. Miller explained if this is of interest his team will look at that further and what
329 the best practice is right now.

330
331 Member McGehee thought it might be easier for the older buildings that do not have
332 the service to have the option to provide EV charging at the lower end of service.

333
334 Mr. Paschke indicated he was not opposed to that requirement but most of the
335 charging stations that have been approved for the City of Roseville is a separate fee
336 that goes right to the unit that then feeds the charging station. It is not coming directly
337 from the building itself and feeding it out. It is a separate line brought in by Xcel that
338 goes to a transformer tool that brings it to the station so that would not necessarily be
339 a concern or issue. He thought the issue was when reconstructing a parking lot the
340 requirement to install the EV stations which would be an extra expense to the
341 building owner.

342
343 Member Schaffhausen indicated she was not opposed to any of this but she knew
344 from a small business perspective, that cash flow their businesses and can barely
345 afford to survive. She thought this is something to consider and what the Commission
346 is talking about is not creating a lot. She wondered if a small business would be
347 forced to put in EV stations if they could not afford to install them.

348
349 Member Bjorum thought that is where the five percent kicks in. If the EV station
350 were to cost more than five percent of the entire project than there is an allowance in
351 there that the states the business would not have to do as many or something like that.

352
353 Chair Kimble asked what the definition is of reconstructing for a parking lot. She
354 asked if it would just be repaving or something more because that makes a different
355 as well.

356
357 Ms. Gundlach explained maintenance of existing stalls like repaving them would not
358 trigger this in staff's mind of implementing it. If there is an existing business doing an
359 expansion or adding parking and at the thirty stalls then at that point it would.

360
361 Chair Kimble thought staff should define what reconstructed means.

362
363 Ms. Gundlach reviewed the discussion and what he Commission would like to be
364 changed.

365
366 The Commission was in consensus with the changes to the Zoning Code with what
367 was discussed.

368
369 Ms. Gundlach noted all of the solar in the City is on a map on the website and she
370 noted the requirement for EV charging stations does not go into effect on residential

371 homes until it hits the apartment building level. The requirement is only for apartment
372 buildings and non-residential buildings and will be up to the owners whether or not to
373 install them.

374
375 Mr. Miller continued with his presentation on screening of solar energy systems. He
376 noted it is being recommended not to add a screening requirement.

377
378 Staff reviewed with the Commission why screening of solar energy systems is not
379 recommended.

380
381 Mr. Miller reviewed the proposed Minimum Tree Requirement for Multi-Family
382 Residential Development.

383
384 The Commission discussed the minimum tree requirement proposal with staff.

385
386 Ms. Gundlach summarized the Commission was ok with going with the one per
387 thousand of open space for multi-family but staff will go back and look at the model
388 standard, which does not impose differing standards for residential, commercial or
389 industrial.

390
391 Mr. Miller continued his presentation on Drought-Tolerant or Native Landscaping
392 recommendations.

393
394 Staff reviewed some reasons why having a Drought-tolerant or Native landscaping
395 list makes sense for the City for developers.

396
397 The Commission and staff discussed enforcement, rules and regulations and other
398 processes in the City regarding irrigation, lawn mowing and other landscaping and
399 sustainability.

400
401 Mr. Miller reviewed next steps with the Commission.

402
403 **8. Adjourn**

404
405 **MOTION**

406 **Member Pribyl, seconded by Member Schaffhausen, to adjourn the meeting at**
407 **8:41 p.m.**

408
409 **Ayes: 5**
410 **Nays: 0**
411 **Motion carried.**

412



REQUEST FOR PLANNING COMMISSION ACTION

Date: 9/7/2022
Item No.: 6A

Department Approval

Agenda Section

Janice Gundlach

Other Business

Item Description: Discuss phase two Zoning Code amendments

1 BACKGROUND

2 The legislative history surrounding the second phase of amendments to the Zonign Code is as follows:

- 3 • November 8, 2021: City Council adopted an ordinance approving phase one amendments to
- 4 the Zoning Code to ensure compliance with the City’s 2040 Comprehensive Plan. The
- 5 Planning Commission held numerous meetings in 2021 reviewing these amendments and
- 6 forwarding a recommendation to the City Council.
- 7 • September 1, 2021: Planning Commission held a preliminary discussion to prioritize the
- 8 second phase of updates to the Zoning Code. At that time, consensus was built around two
- 9 topics: 1) shoreland and 2) sustainability.
- 10 • January 31, 2022: Planning Commission held a joint meeting with the City Council to
- 11 determine if Commission and Council interests were aligned regarding the second phase of
- 12 updates to the Zoning Code. That discussion revealed consensus to focus on updating the
- 13 City’s Shoreland Ordinance to comply with the DNR’s current model ordinance and to pursue
- 14 other Zoning Code amendments surrounding sustainability.
- 15 • February 28, 2022: City Council authorized additional budget to ensure phase two topics could
- 16 be fully examined.
- 17 • June 1, 2022: The Planning Commission held a discussion on the phase two updates, including
- 18 reviewing the DNR’s model ordinance and potential modifications to the model ordinance to
- 19 accommodate the implementation of such rules in Roseville. A preliminary discussion was
- 20 also held regarding other sustainability topics, including requirements and incentives.
- 21 • July 6, 2022: The Planning Commission held a discussion on the phase two updates, including
- 22 recommendations for certain requirements surrounding EV ready/charging, minimum tree
- 23 requirements for multi-family development, and native landscaping. A discussion was also
- 24 had about solar and whether screening reuquirements should be imposed, but a determination
- 25 was made to leave the City’s existing solar rules in place and not implement a screening
- 26 requirement. A broader, more conceptual discussion occurred regarding incentives to promote
- 27 more sustainable building practices.

28 The purpose of this discussion is to begin to finalize the Shoreland ordinance and Zoning Code
29 language relating to the sustainability requirements. Additionally, HKGi and staff have begun to

30 narrow focus on the incentives discussion and is looking for feedback from the Commission before
31 continuing.

32 HKGi has provided a memo to guide the next round of discussions (see Attachment A). Also attached
33 is the updated draft Shoreland ordinance (Attachment B) and the code language for the new sustainable
34 requirements surrounding EV charging and landscaping (Attachment C).

35 **STAFF RECOMMENDATION**

36 Provide feedback regarding the Shoreland ordinance, code language for new sustainable requirements
37 surrounding EV charging and landscaping, and the sustainable building features through incentives.

38
39 Prepared by: Janice Gundlach, Community Development Director

40
41 Attachments: A: HKGi memo
42 B: Shoreland Ordinance
43 C: Proposed Zoning Code changes (EV charging & landscaping)



MEMORANDUM

TO: Roseville Planning Commission
FROM: Jeff Miller and Rita Trapp, HKGi
DATE: August 31, 2022
SUBJECT: Update on Sustainability Related Ordinances & Incentives

Overview

HKGi will present to the Planning Commission our proposed sustainability-related ordinances and incentives for the City to consider as potential amendments to the Zoning Code. These ordinances involve the following Zoning Code chapters:

- Chapter 1001 – Introduction (Definitions section)
- Chapter 1011 – Property Performance Standards (Landscaping section and new Sustainable Building Features section)
- Chapter 1017 - Shoreland, Wetland and Storm Water Management (replacement of existing Shoreland ordinance)
- Chapter 1019 – Parking and Loading Areas (new Electric Vehicle Charging section)

The new Shoreland ordinance also involves the relocation of some wetland and storm water management ordinances outside of the Zoning Code to the Public Works Code (Title 8 of the City Code).

Shoreland Ordinance

Over the last few months Staff and the consultant team have been working to revise the draft shoreland regulations to reflect the direction from the Planning Commission. The Planning Commission is being asked to review the proposed revisions and provide input prior to formal consideration of the proposed revisions. Attached is a revised draft of the shoreland regulations with notations of where the regulations have been modified since the Planning Commission's initial review. Please note that the draft still is in the format of the model regulations. Prior to formal consideration, the regulations will be reformatted to match City Code.

As part of the most recent MnDNR review of the draft shoreland regulations, the MnDNR notified City staff that if the City does not have planned unit development regulations within its shoreland chapter, the MnDNR would need to approve any proposed planned unit developments. City staff and the consultant team are therefore recommending that the City retain most of Section 10.0. At the time of the Planning Commission packet, Staff was still working with the MnDNR to clarify whether revisions related to the process and application materials could be made to reflect City regulations and practice. Additional information related to Section 10.0 will be presented to the Planning Commission at its meeting.

In addition to the PUD section, the following are key parts of the regulations that the Planning Commission may want to review:

- Section 1.3 Purpose – A new purpose statement has been drafted

- Section 2.5 Definitions – Definitions which are already in City Code have been identified for removal from the shoreland regulations. The definitions for planned unit development that were previously proposed to be removed have been shown as being retained given the need to retain planned unit development regulations in the shoreland district.
As part of the update process, the consultant team compared the definitions in the shoreland regulations with those in the existing City Code. Two definitions in the existing City Code were flagged as being different from the shoreland regulations. The following is Staff's recommendation relative to the two definitions.
 - Ordinary high water level – Staff is proposing to replace the existing definition with the shoreland regulation definition
 - *Existing City Code* - The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.
 - *Proposed definition based on the shoreland regulations* - 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.

 - Lot width – Staff is proposing to replace the existing definition with a modified version of the City Code. This change will need to be confirmed with the MnDNR if deemed appropriate.
 - *Existing City Code* - The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required structure setback line.
 - *Existing shoreland regulations* – The minimum distance between:
 - Side lot lines measured at the midpoint of the front yard building setback line; and
 - Side lot lines at the ordinary high water level, if applicable.
 - *Proposed definition* - The minimum distance between:
 - Side lot lines measured at the midpoint of the front yard building setback line; and
 - Side lot lines at the ordinary high water level, if applicable. Otherwise side lot lines at the rear yard building setback line.

- Section 3.5 Variances – Potential conditions for variances have been drafted. The intent is that these would only apply to variances related to structure setback from the ordinary high water level or impervious surface coverage.
- Section 6.41 Regulations for attached, courtyard cottage, and multifamily housing – Regulations for these housing types are being proposed to provide the ability for these types of housing to be constructed without the need for a planned unit development. These regulations are based on regulations in the planned unit development section.
- Section 7.1 Performance standards for public and private facilities – A statement was inserted which clarifies that the City Engineer can determine whether no alternative placement exists.

Electric Vehicle Charging Ordinance

The proposed electric vehicle (EV) charging ordinance would be located in Chapter 1019 – Parking and Loading Areas. The existing Minimum Parking Requirements (Sec. 1019.04) would be amended to become the Minimum Parking Spaces and Electric Charging Requirements, sub-section D. See attached **Proposed Sustainability-Related Zoning Code Changes**. The proposed ordinance is based primarily on St. Louis Park’s EV ordinance. Other ordinances researched and used in developing the proposed Roseville EV ordinance include Minneapolis, Richfield, Bloomington, Lakeville, Golden Valley, St. Paul, and Duluth. The proposed ordinance incorporates the Planning Commission’s input at the July 6th meeting related to reductions in the requirements for small businesses and reconstruction of existing parking lots.

Electric Vehicle Charging Definitions

To support the proposed electric vehicle charging ordinance, 11 definitions are proposed that would be located in the Definitions section of the Zoning Code (Sec. 1001.10). See attached **Proposed Sustainability-Related Zoning Code Changes**.

Landscaping and Screening Ordinance

The proposed sustainability-related changes to the existing Landscaping and Screening Ordinance would be located in Chapter 1011.03. The three changes include the following:

1. The minimum tree requirement for multi-family residential dwellings would change from one canopy or evergreen tree per dwelling unit to “1 canopy tree and 1 evergreen tree per two thousand (2,000) square feet of the site not occupied by buildings”. This standard was confirmed appropriate by the City’s consultant forester.
2. Additional plant material standards:
 - a. All plant materials shall be selected based on zone tolerance in accordance with the USDA Plant Hardiness Zone Map.

- b. No new landscaping shall contain plant materials that are listed on the MN Dept. of Agriculture Noxious Weed List or the MN DNR Invasive Terrestrial Plants List.

See attached **Proposed Sustainability-Related Zoning Code Changes** for where these three changes would be located within the existing Landscaping Ordinance.

Sustainable Building Features through Incentives

In addition to the proposed sustainability-related ordinance changes above, which would be required standards, we are also proposing an incentives system for increasing the incorporation of sustainability features in new development projects. A key resource is the **MINNESOTA MUNICIPAL SUSTAINABLE BUILDING POLICIES GUIDE: POLICY FRAMEWORK AND IMPLEMENTATION RECOMMENDATIONS** prepared by the Center for Energy and Environment in collaboration with Hennepin County in 2021. We have also researched precedents for sustainable building ordinances and policies in the following cities:

- St. Paul, Minneapolis, Duluth, Rochester, St. Louis Park, Maplewood, Edina, Northfield

Three of these cities have incorporated sustainable building features into their ordinances:

- Duluth – Sustainability Standards as a section of the Zoning Code / Unified Development Code
- St. Paul – Sustainable Building Ordinance as a separate chapter of the City Code but not within the Zoning Code
- Maplewood – Green Building Ordinance as a section in the Building Code but not within the Zoning Code

The other five cities have adopted sustainable building policies rather than ordinances:

- Minneapolis – Sustainable Building Policy
- Rochester – Sustainable Building Guidelines
- St. Louis Park – Green Building Policy
- Edina – Sustainable Building Policy
- Northfield – Sustainable Building Policy

All of the policies noted above only apply to projects that receive public finance assistance. While the City's Public Finance Assistance policy is outside the Planning Commission's purview, City staff does intend to bring this forward to the Roseville Economic Development Authority for direction on whether our policy should be revised to incorporate requirements for certain sustainable building practices on any project receiving public finance assistance.

Based on this research, the recommendations made in the Minnesota Municipal Sustainable Building Policies Guide, and the desire to create an environment where all projects consider more sustainable building practices, we are proposing that the City consider establishing a sustainable building incentives point system whereby a developer can receive some type of zoning incentive by incorporating sustainable building features into a new development project. The incentive could be a density or height bonus, PUD approval, or other deviation from a zoning standard. As part of the process of exploring the

potential for a sustainable building incentives point system in Roseville, we have identified a list of potential sustainable building features as well as a list of potential zoning incentives below.

We propose that the use of this sustainable building incentives point system would be established as a new section in the Zoning Code’s Property Performance Standards (Chapter 1011). The intent and procedure of the sustainable building incentives point system would be located in Chapter 1011 but the details/worksheet for the sustainable building incentives point system would be located outside of the Zoning Code. Locating the details/worksheet outside the code will provide more flexibility to amend and adapt it over time as its implemented and as sustainability efforts evolve and become more mainstream. While located outside the code, any revisions to the worksheet would still be subject to Planning Commission review.

In order to ensure long-term compliance with the commitments made via this sustainable building incentives point system, the property owner would have to agree to attach the worksheet of sustainability building features and zoning incentives to a property covenant that gets recorded against the property title. The concept and language of the covenant, assuming the Planning Commission and City Council wish to advance this effort, would have to be drafted by the City Attorney.

At the September 7th PC meeting, we would like to get the commissioners’ input on the following potential sustainable building features and their relative value as part of a point system. To start this discussion, we have suggested the quantity of points that could be earned for each feature from high to medium to low. Once the document gets more refined, an actual point value would have to be assigned to each item, but for the purposes of this conceptual conversation, the actual point value isn’t needed and could hinder discussion surrounding the actual topics.

Potential Sustainability Building Features	Potential Points Earned
LEED (silver, gold or platinum), B3, MN Green Communities (MN overlay), GreenStar (silver or greater)	high
Exceeding EV charging & ready requirements <ul style="list-style-type: none"> • 10% • 20% 	high
Utilization of DC/Level 3 EV charging station(s)	medium
Utilization of pervious pavements <ul style="list-style-type: none"> • 50% of hard surfaces • 100% of hard surfaces 	high
Non-traditional storm water systems <ul style="list-style-type: none"> • Bioretention area/rain garden • Stormwater reuse 	medium
Within the Shoreland overlay – shoreline restoration and/or buffer implementation	low
On-site renewable energy implementation (wind, solar, geothermal)	high

Green roof	medium
At least 50% of the site’s open space utilizes natural landscaping or non-turf methods	medium
Publicly accessible community garden compassing at least 5% of the site area	low
Participate in City’s Building Energy Benchmarking Program	low
Bird-safe glazing - meet the Whole Building Threat Factor (WBTF) of less than or equal to 15	low
Building electrification readiness	medium
Total	

At the September 7th PC meeting, we would like to get the commissioners’ input on the following potential zoning incentives and their relative value as part of a point system. To start this discussion, we have suggested the quantity of points needed for each incentive from high to medium to low. In light of the incentives regarding relief from certain Design Standards, attached to this memo is the full complement of Design Standards from the Zoning Code to better understand that these potential deviations are relatively minor. Like the sustainable building features discussion above, an actual point value would be determined later. But, it’s important to remember that the points *earned* under the sustainable building features will relate to the points *needed* to unlock certain incentives.

Potential Zoning Incentives	Potential Points Needed
20% density bonus (residential uses) <ul style="list-style-type: none"> • Minimum bonus of 2 units • Maximum bonus of 20 units 	high
10% density bonus (residential uses) <ul style="list-style-type: none"> • Minimum bonus of 1 unit • Maximum bonus of 10 units 	medium
10% maximum improvement area bonus (non-residential uses)	high
5% maximum Improvement area bonus (non-residential uses)	medium
20’ of building height bonus (except in LDR & LMDR zoning district)	high
10’ of building height bonus (except in LDR & LMDR zoning district)	medium
Front or corner or rear yard setback reduction not to exceed 20% of requirement (except in LDR & LMDR zoning district)	low
Deviation from Design Standards – vertical or horizontal articulation	low

Deviation from Design Standards – materials (reduction in brick/stone and/or increase in metal)	low
Deviation from Design Standards – reduced windows and doors percentage requirement	low
Total	

ATTACHMENTS

- A: MN Municipal Sustainable Building Polices Guide (CEE)
- B: Zoning Code excerpts – Design Standards

MINNESOTA MUNICIPAL SUSTAINABLE BUILDING POLICIES GUIDE

Policy Framework and Implementation Recommendations

Updated February, 2022

Originally published January, 2021

Prepared by
Katie Jones, Marisa Bayer
Center for Energy and Environment

In collaboration with
Hennepin County

OVERVIEW

Cities throughout Minnesota seek to improve public health, environmental justice, and environmental and economic sustainability. As cities set targets to reduce carbon emissions, reduce waste, protect natural areas, and mitigate stormwater runoff, many are turning to building-related strategies to help achieve these goals.

Generally, cities have three main levers to create change: mandatory requirements, process incentives, and financial incentives. Because the State of Minnesota sets the building code, cities are unable to establish building requirements that are more strict than existing code; however, with financial levers and authority over land use, cities have tremendous potential to use sustainable building policies as a tool to make progress toward sustainability goals.

To date, Minnesota cities have taken three approaches in the application of sustainable building policies, listed below in order of impact:

1. **Mandatory approach (Recommended).** This policy approach identifies default sustainability requirements for funding programs and land use variances above certain thresholds. These requirements are in addition to other program and land use requirements.
2. **Scoring approach.** Buildings are scored on a set of criteria and those with the highest scores qualify for city program funding and approval.
3. **Suggestion approach.** Developers are strongly encouraged to consider sustainability in construction through a sustainability questionnaire.

Based on research of existing policies and interviews with Minnesota cities, we identified best practices and recommendations for creating a framework and implementing a mandatory sustainable building policy.

The intent of this guide is to provide a resource for cities considering sustainable building policies and to encourage standardization across cities. Standardization has many benefits including improving efficiency and cost-effectiveness across the region, facilitating the adoption of sustainable building practices, and reducing competition among cities for development.

Sustainable Building Policy Defined

Sustainable building policies establish minimum sustainability criteria that go beyond existing state code for new construction or significantly renovated developments. Included criteria typically target areas for pollution reduction and resource conservation. Also known as green building policies.

Existing Policies

As of 2022, eight Minnesota cities have some type of formal sustainable building approach: Duluth, Edina, Maplewood, Minneapolis, Northfield, Rochester, St. Louis Park, and Saint Paul.

The affected building types, triggers, and criteria vary by policy, although some standardization is taking shape. See the *Appendix* for detailed comparison of the policies.

POLICY FRAMEWORK GUIDE

A policy framework addresses the fundamental questions of “what” and “who” — what does the policy cover, who does this apply to, who manages the policy, and what happens with non-compliance.

Identify City Overlay and Applicable Rating Systems

The first step is to understand the universe of existing third-party green building rating systems.¹ Such rating systems provide processes for developers to achieve the city’s aims. Rating systems are often similar but not identical. For that reason, the city should note the strengths and weaknesses of the rating systems relative to one another and make a list of priority impacts the city wants to target. That list, along with considerations of other city goals, becomes a city overlay — a set of specific measurable minimum requirements that go beyond the base construction code and may exceed a standard’s requirements.

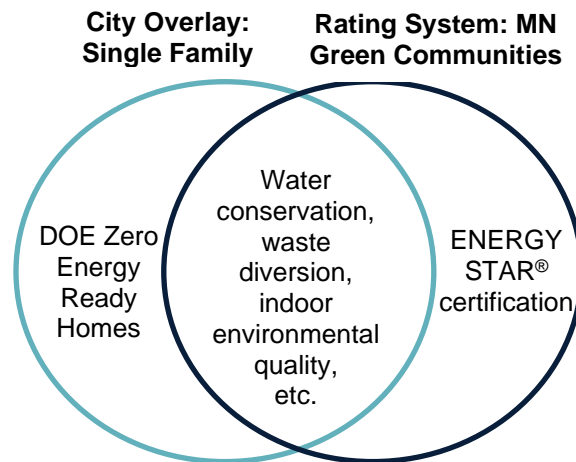


Figure 1: Example relationship between the city overlay and an existing rating system for a single-family home new construction. A development must comply with everything in the city overlay. For many components, the MN Green Communities rating system meets the city’s criteria. However, as this example shows the city is specifically targeting higher building performance with DOE Zero Energy Ready certification.

Applicable rating systems and the overlay should both be included in a policy. The two work in tandem, giving the city high-level policy customization, while giving developers flexibility in how to meet the targets. One benefit for the city is that using such rating systems lessens the need for specialized staff. In addition, leveraging existing rating systems that are well known in today’s construction industry allows for ease of communication and cost-effectiveness of implementation.

¹ Green building rating systems — sets of sustainability criteria with detailed and prescriptive pathways for meeting the criteria. They are generally broad covering many sustainability areas (e.g., water, energy, waste, materials) and can include topic focused standards (e.g., Sustainable Buildings 2030 energy standard).

Leverage existing third-party rating systems

Cities with existing sustainable building policies recognize the value of standardization across the region — the more ubiquitous the rules, the more practiced the industry becomes at complying with them and the more cost-effective implementation becomes. Because of the unique characteristics of different building types, policy requirements should specify the appropriate rating system for each building type. The table below shows the most common and recommended minimum rating systems and their associated levels by building type.

Municipal, Commercial, Mixed-Use, Industrial	<ul style="list-style-type: none"> • LEED for New Construction and Major Renovations; Certified Silver or higher • B3 Guidelines
Multifamily	<ul style="list-style-type: none"> • LEED for New Construction and Major Renovations; Certified Silver or higher • B3 Guidelines • GreenStar Homes; Certified Silver or higher • Green Communities *
Single-family	<ul style="list-style-type: none"> • LEED for Homes; Certified Silver or higher • MN GreenStar; Certified Silver or higher • Green Communities*
Parking	<ul style="list-style-type: none"> • Park Smart Silver

*For projects with MHFA funding, it is recommended that the MN Overlay version be used.

Establish City Overlay Criteria

Below we lay out the most common overlay criteria. Where possible, criteria are performance-based, which gives developers flexibility, and drives innovation and cost efficiencies. Cities should prioritize criteria for adoption that balance needs for implementation with city goals to ensure policy success.

It is also important to note that as environmental and economic conditions change, flexibility within each criterium is valuable. For that reason, it is recommended that a department director be charged with promulgating the detailed overlay requirements. It is also critical to include a third-party verification component in the policy. Verifiers should be proposed by the developer and acceptable to the city.

Recommended Overlay Criteria	Recommended Rule
Predicted and actual energy use	Meet SB 2030 Energy Standard through design and operation; for 1-3-unit buildings, meet DOE's Zero Energy Ready Homes standard.
Predicted greenhouse gas emissions	Calculate and report.
Predicted and actual use of potable water	Achieve 30% below the water efficiency standards of the Energy Policy Act of 1992.
Predicted use of water for landscaping	Achieve 50% reduction from consumption of traditionally irrigated site.
Utilization of renewable energy	Evaluate 2% of on-site renewables; install if cost-effective using SB 2030 guidance.
Electric vehicle charging capability (if parking is included)	Install conduit that allows charging stations to be installed at a future date.
Diversion of construction waste from landfills and incinerators	Achieve 75% diversion rate
Indoor environmental quality	Use low-VOC (volatile organic compounds) materials including paints, adhesives, sealants, flooring, carpet, as well as ASHRAE thermal and ventilation minimums.
Stormwater management	Adhere to quantity and quality requirements, including infiltration rate, suspended solid, and phosphorous reductions.
Resilient design	Document a design response to several identified potential shocks and stressors such as utility interruption, extreme rainfall and transportation interruption. Design Team shall integrate the identified strategies into the design of the project.
Ongoing monitoring of actual energy and water use	Benchmark using ENERGY STAR® Portfolio Manager annually.

Policy Triggers

Given the regional competition for development, cities often balance priorities of encouraging development while achieving community-wide goals, such as sustainability targets. For this reason, we 1) encourage the greatest number of cities to adopt similar sustainable building policies to standardize the practice across a region, and 2) recommend cities consider their unique leverage points for the greatest impact. Cities can use the following triggers to activate a sustainable building policy:

1. **Funding incentives.** The most straightforward trigger is a developer's request for public funding. To date, several cities have successfully used a minimum trigger of \$200,000 in cumulative public funding. The types of qualifying funding sources vary. We recommend maximizing public funding sources for the greatest impact. (See examples below.)
2. **Land use incentives.** Though there is little track record of this approach for sustainability in Minnesota, it is used in other areas of the country. For cities with established zoning rules, we recommend cities consider three types of land use triggers:
 - a. Planned unit development (PUD). Where a city has a large tract of land for development, it can set high-level density and other rules, such as a sustainable building policy, for the site, while giving the developer flexibility in how that is accomplished.
 - b. Premiums. Setting clear expectations for developers can reduce costs and encourage specific types of development. We recommend cities consider codifying sustainability premiums as an incentive for density and height bonuses.
 - c. Variance. Where not codified as premiums, cities should consider applying a policy when more intense variances are requested.
3. **Process incentives.** Cities can create faster approval processes and higher prioritization in permit and inspection reviews for developments that adhere to the sustainable building policy. This has not yet been tried in Minnesota but has been done elsewhere.
4. **Building size.** Because larger building developments have the greatest environmental impact and more sophisticated design teams, we recommend that a policy apply to buildings that meet the following size thresholds. This trigger is only activated when a project receives a funding, land use, or process incentive.
 - a. New construction of 10,000 square feet and greater.
 - b. Significant renovation of buildings 10,000 square feet and greater that include a new heating, ventilation, and air conditioning (HVAC) system.

Funding Sources

Comprehensive policies count all public dollars toward the threshold that triggers compliance including:

1. Community Development Block Grants (CDBG)
2. Bonds
3. Tax Increment Financing (TIF)
4. HOME Investment Partnership Program
5. Housing Redevelopment Authority funds
6. Land write-downs
7. Low-Income Housing Tax Credits (LIHTC)
8. A dedicated Sustainable Building Policy fund
9. Any other Federal, State, Regional (e.g., Met Council), or City funding source

Enforcement

Enforcement can be approached from two angles — either for financially incentivized projects or for those triggered by land use and process incentives.

The financial incentive is often needed to encourage and make such developments viable in the first place, making a financial penalty for non-compliance challenging to employ. For that reason, the best practice is to be proactive on the front end, providing sufficient resources and check-ins during the design development process to ensure compliance along the way.

For projects triggered by land use and process incentives, the city could enact a fine for violation, which has been done in other American cities with some as high as \$500 per day for non-compliance. In either case, compliance with the sustainable building policy should be included in the development agreement and loan documents.

Evaluation

Cities should evaluate a policy's impact and adjust over time in order to meet stated goals. A best practice is to build a framework for these components within the policy itself by requiring an annual progress and impact report and setting a reassessment timeline (e.g., every 3-5 years) for overlay criteria and the approved third-party rating systems.

Codify the Policy

After the city council or board adopts the sustainability building policy, it is important to codify the policy within or near zoning- and planning-related chapters in city code because a sustainable building policy concerns land development.

IMPLEMENTATION GUIDE

Before approval, it is important to have a plan to address questions of “how” — namely, how to operationalize the policy. Policy adoption alone will not ensure a sustainable building policy will be successful. Additional steps are needed to create structure, ownership, and awareness of the policy.

Identify Leaders and Collaborators

Policies are often managed by departments that are responsible for education, awareness, and enforcement. In some cases, these responsibilities may fall across departments, so it is important early on to identify the department and individual who will take primary ownership for the policy. Below is a list of key stakeholders to involve:

Sustainability Staff

As topic specialists, sustainability staff should either lead or play a significant part in policy development and assist in policy implementation. Such staff can advocate for the policy internally and educate external stakeholders. In addition, any initial meetings with

a project's development team should include sustainability staff or other designated, qualified individuals who can speak to the technical nature of sustainability requirements.

Planning Department

City planning departments should be involved in the management of the sustainable building policy. City planners are responsible for reviewing project applications, engaging with developers, and ultimately drafting the developer's agreement, which is the document holding a project developer accountable for following policies and codes.

External Collaborators

External partners can provide technical assistance to project teams to meet policy rating systems. These generally fall into two categories:

- **Specific:** A partner that develops and manages an individual rating system is best equipped to answer questions regarding pathways for compliance for their rating system (e.g., USGBC for LEED).
- **Broad:** A partner that can answer questions across multiple rating systems.

Community Highlight: St. Louis Park, MN

Because the City's Community Development Department oversees project and land use applications as well as financial incentives for development, it is a natural fit for the sustainable building policy to be managed by that department. Sustainability staff, who are in a different department, remain engaged by attending project meetings with developers to educate them about the City's climate goals and aspects of the policy. The City also keeps an architecture and engineering firm on retainer for more detailed review beyond sustainability staff's abilities and to help developers meet the goals of the policy.

Increase Awareness of the Policy

A key question to ask is: how do developers, architects, and contractors know the policy exists?

If the policy is new, or if major changes have been made to an existing policy, cities should take proactive steps to inform their development community about how this policy will impact future projects. At minimum, cities should post the policy clearly on the city's website for easy access. Additional engagement would build support and acceptance of the policy. We recommend cities offer trainings, networking events, and building tours, as well as engage building associations to spread the word about the policies. Cities could also partner on outreach initiatives to increase reach and minimize cost.

Community Highlight: Rochester, MN

The City of Rochester hosts green building tours to showcase successful implementation of their policy in new development. Developers and architects can tour new buildings, ask questions, and learn how their peers are following Rochester's sustainable building policy.

Identify Projects Subject to the Policy

Although a policy itself specifies minimum requirements for subject developments, the city must create a process to easily identify incoming projects that meet those requirements. This is accomplished by leveraging existing development review processes. Planners also often use checklists and review guides to ensure projects meet required development policies and codes.

For that reason, we recommend cities use this process to integrate a review for the sustainable building policy. Cities should make sure someone with sustainability expertise, either sustainability staff or other designated reviewers, attend development review meetings.

Educate Project Teams

Once the city has identified an eligible project, the policy should be reviewed with the project's development team to ensure they understand all the components of the policy. This is a great opportunity for development teams to ask questions and for city staff to champion their policy.

Community Highlight: Saint Paul, MN

The City of Saint Paul uses funding and size minimums to determine the projects subject to their sustainable building policy. After public project funding is requested and before it is approved, the staff member responsible for managing the policy is notified of the project. Staff send a letter to the project team detailing compliance requirements for the project, and soon after they hold a meeting involving the project team to review these requirements. Sustainability staff leverage this opportunity to walk through the policy step by step to make sure there are no surprises for the project team.

This meeting should be scheduled after a project application or funding application is received to ensure policy criteria can be incorporated as early as possible in the design process. Having the right people at the meeting will ensure that the policy expectations are clearly communicated, and any questions are addressed. On the city's side, this meeting should include those involved in managing the policy, such as sustainability and planning staff. If the city is working with an external collaborator to help with technical assistance, including them in this meeting would be advantageous. From the project team, the architect and owner's representative should be invited so that the team responsible for designing and funding the project understand the expectations.

Ensure Compliance

A best practice for compliance is for cities to connect project teams with external collaborators who are technical experts in both the development process and sustainability requirements. Cities then track compliance with the list of requirements. Because most projects that have been subject to sustainable building policies in Minnesota have been commercial, mixed use, or large multifamily, city staff have relied on the B3 Tracking Tool to monitor compliance for most recommended overlay criteria and then have separate manual tracking mechanisms to track any remaining criteria.

Another best practice is to leverage other existing processes for front end-confirmation of sustainable design, such as Xcel Energy's Energy Design Assistance program and other similar utility programs that incentivize energy modeling to meet building performance criteria.

Enforce the Policy

Enforcement comes into play once a project receives the necessary approvals to start construction. In most cases, following the previous steps will ensure that a project adheres to the policy; however, if the project does not meet minimum standards, enforcement may be necessary. Formal enforcement should be codified in the policy, so developers understand the implications of not complying. Informally, city staff can communicate with project teams about the negative impact to their relationship and concerns over future projects following city policies.

Community Highlight: Rochester, MN

The City of Rochester structures their Tax Increment Financing (TIF) agreements as pay-as-you-go disbursements, giving the city the opportunity to withhold future disbursements if a project does not adhere to certain policies or codes. The city has used this approach for projects in the Destination Medical Center and throughout the municipality.

Evaluate Impact

Evaluating the policy's impact helps city staff and city decision-makers understand if the policy achieved the intended goals. Project reports should detail the size, cost, and anticipated savings compared to actual performance. A summary of these along with the collective environmental benefits (e.g., gallons of water and greenhouse gas emissions saved compared to code) should be shared with city council, staff, and the public. In addition, annual or biennial reviews with project teams, city staff, and external collaborators give valuable input into the effectiveness of the policy. Cities should talk to project teams about what worked and what could be improved about the sustainable building policy's implementation process. They should also talk to external collaborators and sustainability experts about the latest trends and best practices for sustainable buildings. Having both quantitative and qualitative data on the policy's success will be useful during future policy updates to strengthen its impact.

FUTURE CONSIDERATIONS

Going forward, these policies should evolve as new sustainability standards become available and as city goals around reducing structural racism and ensuring equity become clearer and more focused. As cities find alignment on these issues, they should continue to exchange best practices and evolve together. We recommend cities check in on at least a biannual if not quarterly basis. This could be led by cities themselves or by an external coordinator.

Areas that may warrant further exploration include:

- **Compliance tracking tool.** Cities currently lack a holistic method for tracking compliance for all property types and may benefit from the development of one.

- **Additional compliance strategies.** Another possible route to ensure compliance is by leveraging permitting and inspections processes. However, because construction code is prescriptive and most sustainability criteria is performance-based, there has been no attempt in Minnesota thus far to take either of these two routes:
 - **During permit approval.** Because cities approve permits that give the green light for construction, they could explore issuing permits only once design models adequately indicate that sustainability requirements will be met. Incorporating permit approvals that are based on modeled designs of performance would necessitate thorough consideration of expertise and permitting staff needs.
 - **During inspections.** Building inspectors could take a bigger role in ensuring sustainability criteria are incorporated during construction. Similar to design review for permits, inspectors evaluate a building based on prescriptive code. For that reason, inspector scope would need to expand to include evaluation against a performance-based model design.
- **A one-stop-shop for expertise on sustainable building policies.** An external collaborator would not only consult on multiple rating systems, but also serve as a single point of communication for technical questions and compliance monitoring for project teams and cities, respectively. This type of group has not yet been established to serve Minnesota cities. However, such a partner with broad expertise, design review experience, and implementation support ability could serve multiple cities while reducing sustainability staff needs.

Although sustainable building policies have been around more than a decade in Minnesota, there remain great opportunities for more cities to leverage such policy tools and for better standardization among cities to ease implementation. As cities actively invest in new developments or receive developer requests outside existing zoning rules, they can use these policies to achieve sustainability goals. In the end, the built environment has strong impacts on environmental health and livability, and sustainable building policies are an important tool to build the physical environment that cities want and need.

APPENDIX

See a table summary of current Minnesota municipal sustainable building policies here:
<https://www.mncee.org/minnesota-municipal-sustainable-building-policies-guide>

1005.02: A: DESIGN STANDARDS – NON-RESIDENTIAL AND MIXED-USE PROJECTS

The following standards apply to new buildings and major expansions of existing buildings (i.e., expansions that constitute 50% or more of building floor area), and changes in use in all mixed-use districts. Design standards apply only to the portion of the building or site that is undergoing alteration.

- A. Corner Building Placement: At intersections, buildings shall have front and side facades aligned at or near the front property line.
- B. Entrance Orientation: Where appropriate and applicable, primary building entrances shall be oriented to the primary abutting public street. Additional entrances may be oriented to a secondary street or parking area. Entrances shall be clearly visible and identifiable from the street and delineated with elements such as roof overhangs, recessed entries, landscaping, or similar design features. (Ord. 1415, 9-12-2011)
- C. Vertical Facade Articulation: Buildings shall be designed with a base, a middle, and a top, created by variations in detailing, color, and materials. A single-story building need not include a middle.
 1. The base of the building should include elements that relate to the human scale, including doors and windows, texture, projections, awnings, and canopies.
 2. Articulated building tops may include varied rooflines, cornice detailing, dormers, gable ends, stepbacks of upper stories, and similar methods.
- D. Horizontal Facade Articulation: Facades greater than 40 feet in length shall be visually articulated into smaller intervals of 20 to 40 feet by one or a combination of the following techniques:
 1. Stepping back or extending forward a portion of the facade;
 2. Variations in texture, materials or details;
 3. Division into storefronts;
 4. Stepbacks of upper stories; or
 5. Placement of doors, windows and balconies.
- E. Window and Door Openings:
 1. For nonresidential uses, windows, doors, or other openings shall comprise at least 60% of the length and at least 40% of the area of any ground floor facade fronting a public street. At least 50% of the windows shall have the lower sill within three feet of grade.
 2. For nonresidential uses, windows, doors, or other openings shall comprise at least 20% of side and rear ground floor facades not fronting a public street. On upper stories, windows or balconies shall comprise at least 20% of the facade area.
 3. On residential facades, windows, doors, balconies, or other openings shall comprise at least 20% of the facade area.
 4. Glass on windows and doors shall be clear or slightly tinted to allow views in and out of the interior. Spandrel (translucent) glass may be used on service areas.
 5. Window shape, size, and patterns shall emphasize the intended organization and articulation of the building facade.
 6. Displays may be placed within windows. Equipment within buildings shall be placed at least 5 feet behind windows.

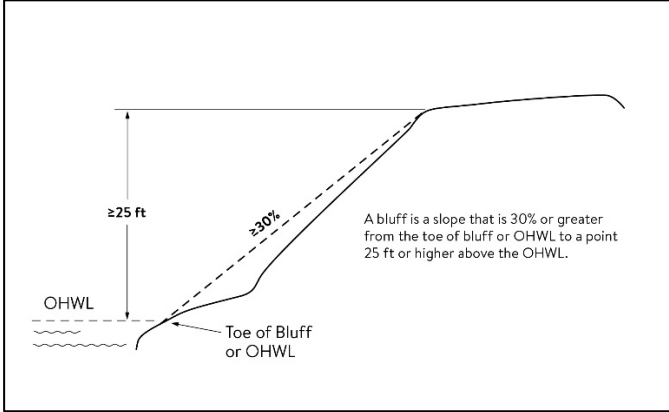
- F. **Materials:** All exterior wall finishes on any building must be a combination of the following materials: No less than 60% face brick; natural or cultured stone; pre-colored or factory stained or stained on site textured pre-cast concrete panels; textured concrete block; stucco; glass; fiberglass; or similar materials and no more than 40% pre-finished metal, cor-ten steel, copper, premium grade wood with mitered outside corners (e.g., cedar redwood, and fir), or fiber cement board. Under no circumstances shall sheet metal aluminum, corrugated aluminum, asbestos, iron plain or painted, or plain concrete block be acceptable as an exterior wall material on buildings within the city. Other materials of equal quality to those listed, may be approved by the Community Development Department.
- G. **Four-sided Design:** Building design shall provide consistent architectural treatment on all building walls. All sides of a building must display compatible materials, although decorative elements and materials may be concentrated on street-facing facades. All facades shall contain window openings. This standard may be waived by the Community Development Department for uses that include elements such as service bays on one or more facades.
- H. **Maximum Building Length:** Building length parallel to the primary abutting street shall not exceed 200 feet without a visual break such as a courtyard or recessed entry, except where a more restrictive standard is specified for a specific district.
- I. **Garages Doors and Loading Docks:** Overhead doors, refuse, recyclables, and/or compactors shall be located, and to the extent feasible, on rear or side facades that do not front a public street, to the extent feasible, residential garage doors should be similarly located. Overhead doors of attached residential garages on a building front shall not exceed 50% of the total length of the building front. Where overhead doors, refuse, recyclables, and/or compactors abut a public street frontage, a masonry screen wall comprised of materials similar to the building, or as approved by the Community Development Department, shall be installed to a minimum height to screen all activities. (Ord. 1415, 9-12-2011) (Ord. 1443 & 1444, 06-17-2013)
- J. **Rooftop Equipment:** Rooftop equipment, including rooftop structures related to elevators, shall be completely screened from eye level view from contiguous properties and adjacent streets. Such equipment shall be screened with parapets or other materials similar to and compatible with exterior materials and architectural treatment on the structure being served. Horizontal or vertical slats of wood material shall not be utilized for this purpose. Solar and wind energy equipment is exempt from this provision if screening would interfere with system operations.

(Ord. 1435, 4-08-2013) (Ord. 1494A, 2/22/2016)

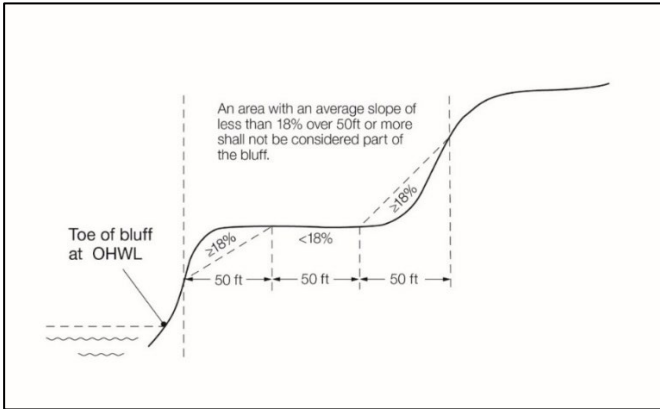
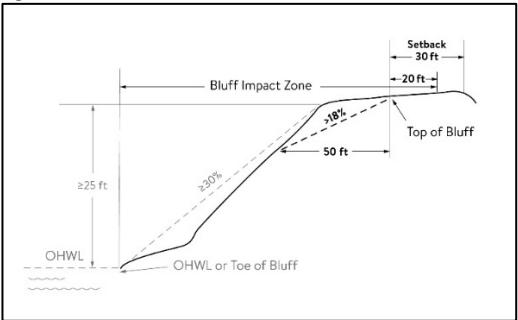
Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

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>1.3 The following new purpose section is proposed:</p> <p>The purpose of the shoreland district is to recognize, preserve, protect and enhance the environmental, recreational and hydrologic resources and functions of the city's lakes by regulating the use of land adjacent to public waters. In order to promote the general health, safety and welfare, certain protected waters in the city have been given a shoreland management classification by the Minnesota Department of Natural Resources and the City of Roseville. The intent of the shoreland district is to apply the regulations and standards found in this chapter to public waters and adjacent land as an overlay zone, further regulating the use of land as allowed by other districts of this ordinance.</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 or in Section 1001.10, 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> <ol 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>2.511 This will be removed as Accessory is already defined in Section 1001.10 of the City Code.</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 style="text-align: center;">An area with an average slope of less than 18% over 50 ft or more shall not be considered part of the bluff.</p> <p style="text-align: center;">Toe of bluff at OHWL</p> <p style="text-align: center;">50 ft 50 ft 50 ft</p> <p style="text-align: center;">>=18% <18% >=18%</p>	<p style="text-align: center; font-weight: bold;">Comments</p> <p>2.5414 The City is planning to retain its 30 foot bluff impact zone.</p> <p style="text-align: center;">Figure 3</p>  <p style="text-align: center;">Bluff Impact Zone</p> <p style="text-align: center;">Setback 30 ft</p> <p style="text-align: center;">20 ft</p> <p style="text-align: center;">Top of Bluff</p> <p style="text-align: center;">50 ft</p> <p style="text-align: center;">>=30%</p> <p style="text-align: center;">>=18%</p> <p style="text-align: center;">OHWL</p> <p style="text-align: center;">OHWL or Toe of Bluff</p> <p style="text-align: center;">>=25 ft</p>
<p>2.514 Bluff impact zone. A bluff and land located within 20 <u>30</u> 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>2.521 PUDs have not been created in the City since 2011. If a commercial one were to occur it is not expected that it would just be related to transient, short-term lodging so this definition is proposed to be removed. It is expected that if it is not a residential PUD then it will be considered a commercial PUD.</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>2.526 The City already has definitions of these in its primary definitions chapter.</p> <p>2.528 This will be removed as Dwelling Unit is already defined in Section 1001.10 of the City Code.</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>
<p>Figure 3. Height of Building</p>	

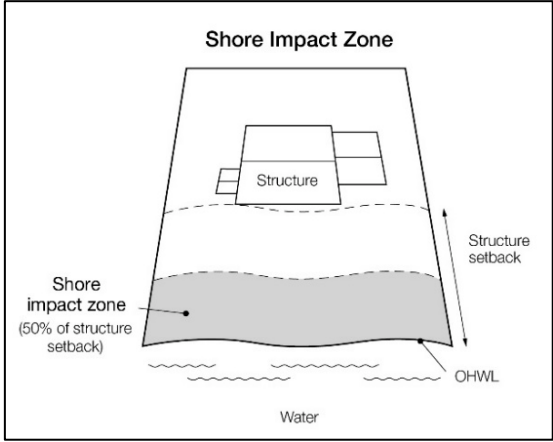
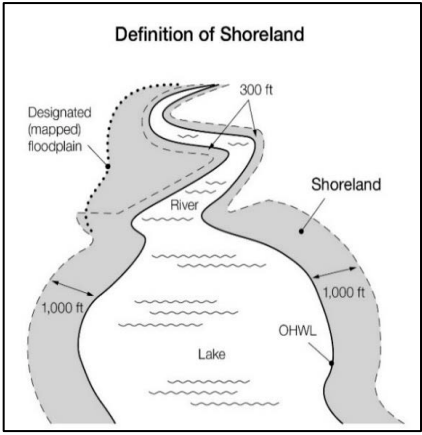
Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

Ordinance Language	Comments
<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="text-align: center;">Figure 4. Lot Width</p> <div style="text-align: center;"> </div>	<p>2.535 This will be removed as Lot is already defined in Section 1001.10 of the City Code.</p>
<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>2.537 This term is proposed to be excluded as there are no metallic minerals so Roseville</p>

Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

Ordinance Language	Comments
<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 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>2.543 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>2.546 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>	

Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

Ordinance Language	Comments
<p>Figure 5. Shore Impact Zone</p> <div style="text-align: center; margin: 10px 0;">  </div> <p>2.549 Shoreland. "Shoreland" means land located within the following distances from public waters:</p> <ul style="list-style-type: none"> A. 1,000 feet from the ordinary high water level of a MnDNR designated lake, pond, or flowage; and B. 300 feet from a city designated water body; and C. 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 style="text-align: center; margin-top: 20px;">Figure 6. Definition of Shoreland</p> <div style="text-align: center; margin: 10px 0;">  </div>	

Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

Ordinance Language	Comments
<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, at grade driveways and patios, 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>2.553. This will be removed as Structure is already defined in Section 1001.10 of the City Code.</p>

Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

Ordinance Language	Comments
<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>3.22 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>3.5 Variances. Variances may only be granted in accordance with Minnesota Statutes, Section 462.357 and are subject to the following:</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>3.21/3.22 As the City does not have ISTS, this language is proposed to be excluded</p> <p>3.4 The City does not have a certificate of zoning compliance so this language is proposed to be excluded</p> <p>3.52 As the City does not have ISTS, this language is proposed to be excluded</p>

Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

Ordinance Language	Comments
<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>	

Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

Ordinance Language	Comments
<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>	<p>3.11 Planned Unit Development. A planned unit development (PUD) may be permitted within the Shoreland Overlay District as long as it follows the requirements of Chapter 1024 Planned Unit Developments and Section 10.0 below.</p>

Roseville MnDNR Shoreland Ordinance with Proposed Revisions and Commentary

Ordinance Language	Comments																
<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: #c6e0b4;"> <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 <i>(insert name of county)</i>, 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. Add to table the following City designated lakes - Oasis Pond, Zimmerman Lake, Walsh Lake, and Willow Pond</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. #																
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<p data-bbox="226 272 1121 298">4.22 Shoreland district land uses listed in Sections 4.23 and 4.24 are regulated as:</p> <ul style="list-style-type: none"><li data-bbox="298 326 1394 352">A. Permitted uses (P). These uses are allowed, provided all standards in this ordinance are followed;<li data-bbox="298 378 1381 472">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<li data-bbox="298 498 894 524">C. Not permitted uses (N). These uses are prohibited. <p data-bbox="96 566 606 592">5.0 SPECIAL LAND USE PROVISIONS</p> <p data-bbox="142 626 884 652">5.1 Commercial, Industrial, Public, and Semipublic Use Standards.</p> <p data-bbox="214 678 1394 704">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"><li data-bbox="285 730 848 756">A. The use complies with provisions of Section 7.0;<li data-bbox="285 802 1339 860">B. The use is designed to incorporate topographic and vegetative screening of parking areas and structures;<li data-bbox="285 886 1394 980">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<li data-bbox="285 1006 1423 1425">D. Uses that depend on patrons arriving by watercraft may use signs and lighting, provided that:<ul style="list-style-type: none"><li data-bbox="348 1058 1423 1117">(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<li data-bbox="348 1143 1402 1305">(2) Signs placed within the shore impact zone are:<ul style="list-style-type: none"><li data-bbox="394 1195 1402 1221">(a) No higher than ten feet above the ground, and no greater than 32 square feet in size; and<li data-bbox="394 1247 1318 1305">(b) If illuminated by artificial lights, the lights must be shielded or directed to prevent illumination across public waters; and<li data-bbox="348 1331 1423 1425">(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 Section 6.25 , 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>6.3 Impervious Surface Coverage. <u>Lot development in LDR and LMDR shall have no more than 25% impervious surface coverage 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. Development in all other districts shall meet the storm water management requirements in Title 8 Public Works.</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 for riparian developments:</u></p> <p style="margin-left: 60px;"><u>(1) Must be centralized and located in areas suitable for them based on a suitability analysis.</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 These standards follow the model ordinance, except that the lot width for one-family (single) housing (lot type) has been increased from 75 feet to 85 feet for consistency with the underlying zoning districts.</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.</p>
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<p>(2) <u>Docking, mooring, or over-water storage of more than six (6) watercraft on the centralized facility for the development will only be allowed if the width of the development is greater than the minimum lot width for a riparian single-family residential lot on the respective lake type. For each watercraft greater than six, the width of the development must be increased consistent with the following table:</u></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>(3) <u>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>(4) <u>A legal instrument must be developed that:</u></p> <ul style="list-style-type: none"> <u>(a) Specifies which tenants and/or lot owners have authority to use the facilities;</u> <u>(b) Identifies what activities are allowed. The activities may include watercraft launching, loading, storage, beaching, mooring, docking, swimming, sunbathing, or picnicking;</u> <u>(c) Limits the total number of vehicles allowed to be parked in any parking area specifically dedicated to the centralized facilities and the total number of watercraft allowed to be continuously moored, docked, or stored over water;</u> <u>(d) Requires centralization of all common facilities and activities in the most suitable locations on the lot to minimize topographic and vegetation alterations; and</u> <u>(e) Requires 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.</u> 	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>E. <u>Accessory structures and facilities, except water oriented accessory structures, must meet the required structure setback and must be centralized.</u></p> <p>F. <u>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>6.412 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 1011.12. 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>G. 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>H. 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>6.43 Controlled access lots are permissible if created as part of a subdivision and in compliance with the following standards:</p> <p>I. 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>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>

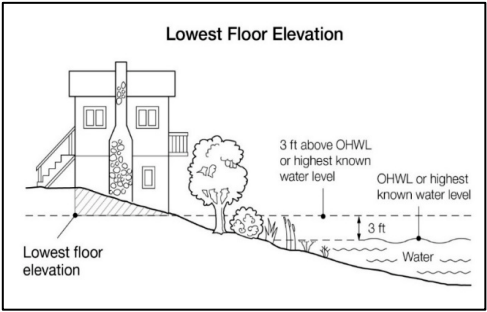
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<p>B. If docking, mooring, or over-water storage of more than six (6) watercraft is to be allowed at a controlled access lot, then the width of the lot (keeping the same lot depth) must be increased by a percentage of the requirements for riparian 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: #e0e0e0;"> <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. <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>	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>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>E. <i>Setbacks of decks.</i></p> <p style="margin-left: 20px;">(1) <u>Decks of 42 inches or less in height are allowed between a distance of 25 and 50 feet.</u></p> <p style="margin-left: 20px;">(2) Deck additions may be allowed without a variance to a structure not meeting the required setback from the ordinary high water level if all of the following criteria are met:</p> <p style="margin-left: 40px;">(a) The structure existed on the date the structure setbacks were established;</p> <p style="margin-left: 40px;">(b) A thorough evaluation of the property and structure reveals no reasonable location for a deck meeting or exceeding the existing ordinary high water level setback of the structure;</p> <p style="margin-left: 40px;">(c) The deck encroachment toward the ordinary high water level does not exceed 15 percent of the existing setback of the structure from the ordinary high water level or is no closer than 30 feet from the OHWL, whichever is more restrictive; and</p> <p style="margin-left: 40px;">(d) <u>The deck is constructed primarily of wood or composite materials having the appearance of wood, and is not roofed or screened (see Figure 8).</u></p> <p>F. <i>Additional structure setbacks.</i> Structures must also meet the following setbacks, regardless of the waterbody classification:</p>	<p style="text-align: center;">Figure. 7 Structure Setback Averaging</p> <div style="text-align: center; border: 1px solid black; padding: 10px; margin: 10px auto; width: fit-content;"> <p style="text-align: center; font-size: small;">Structure Setback Averaging</p> </div> <p>6.51.E (1). This wording is added from the City's existing code.</p> <p style="text-align: center;">Figure 8. Deck Encroachment</p> <div style="text-align: center; border: 1px solid black; padding: 10px; margin: 10px auto; width: fit-content;"> <p style="text-align: center; font-size: small;">Deck Encroachment</p> </div> <p>6.51.F. Roseville has other standards for different types of right-of-way so these standards will be excluded from the shoreland regulations.</p>										
<table border="1" style="width: 100%; border-collapse: collapse; margin-top: 20px;"> <thead> <tr style="background-color: #d3d3d3;"> <th style="text-align: left; padding: 5px;">Setback from:</th> <th style="text-align: center; padding: 5px;">Setback (ft)</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Top of bluff</td> <td style="text-align: center; padding: 5px;">30</td> </tr> <tr> <td style="padding: 5px;">Unplatted cemetery</td> <td style="text-align: center; padding: 5px;">50</td> </tr> <tr style="background-color: #d3d3d3;"> <td style="padding: 5px;">Right of way line of federal, state, or county highway</td> <td style="text-align: center; padding: 5px;">50</td> </tr> <tr> <td style="padding: 5px;">Right of way line of town road, public street, or other roads not classified</td> <td style="text-align: center; padding: 5px;">20</td> </tr> </tbody> </table>	Setback from:	Setback (ft)	Top of bluff	30	Unplatted cemetery	50	Right of way line of federal, state, or county highway	50	Right of way line of town road, public street, or other roads not classified	20	
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<p>G. <i>Bluff Impact Zones</i>. Structures, impervious surfaces, and accessory facilities, except stairways and landings, must not be placed within bluff impact zones.</p> <p>6.52 <u>Height of Structures</u>. 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> <ol style="list-style-type: none"> (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); (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>B. Methods for placement.</p> <ol style="list-style-type: none"> (1) In addition to the lowest floor, all service utilities must be elevated or water-tight to the elevation determined in part A. (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; (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 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 <u>Roads</u>, 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 <u>the City Engineer determines that</u> 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>7.11 Clarifying language added about who can determine if no alternatives exist</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>	

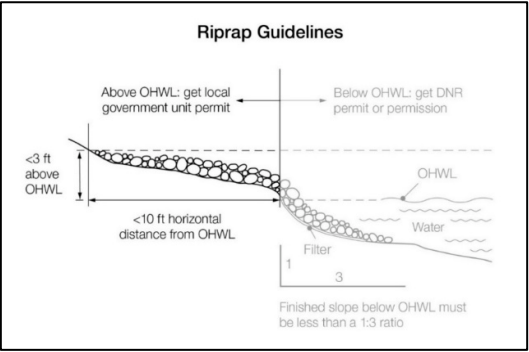
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<p>and, if long duration flooding is anticipated, the structure is built to withstand ice action and wind-driven waves and debris.</p> <p>8.0 VEGETATION AND LAND ALTERATIONS</p> <p>8.1 Purpose. Alterations of vegetation and topography are regulated 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> <p style="margin-left: 20px;">A. Vegetation alteration necessary for the construction of structures and sewage treatment systems under validly issued permits for these facilities; and</p> <p style="margin-left: 20px;">B. The construction of public roads and parking areas if consistent with Section 7.1 of this ordinance;</p> <p style="margin-left: 20px;">C. Forest management uses consistent with Section 5.3 of this ordinance; and</p> <p style="margin-left: 20px;">D. Agricultural uses consistent with Section 5.2 of this ordinance.</p> <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> <p style="margin-left: 20px;">A. The screening of structures, vehicles, or other facilities as viewed from the water, assuming summer, leaf-on conditions, is not substantially reduced;</p> <p style="margin-left: 20px;">B. Existing shading of water surfaces along rivers is preserved;</p> <p style="margin-left: 20px;">C. Cutting debris or slash shall be scattered and not mounded on the ground; and</p> <p style="margin-left: 20px;">D. Perennial ground cover is retained.</p> <p style="margin-left: 20px;">E. Picnic areas, access paths, livestock watering areas, beaches and watercraft access areas are prohibited in bluff impact zones.</p> <p>8.24 Removal of trees, limbs, or branches that are dead, diseased, dying, or pose safety hazards is allowed without a permit.</p>	<p>8.21 and 8.22 Roseville does not have any of these uses so this is proposed to be excluded</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: 40px;">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: 40px;">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: 40px;">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: 40px;">A. Impervious surfaces of lots must not exceed 25 percent of the lot area.</p> <p style="padding-left: 40px;">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: 40px;">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.</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>

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<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. In addition to the application materials required by Chapter 1023 Planned Unit Developments, the applicant for a PUD must submit the following documents prior to final action on the application request:</p> <p>10.41 Site plan and/or plat showing:</p> <ul style="list-style-type: none"> A. Locations of property boundaries; B. Surface water features; C. Existing and proposed structures and other facilities; D. Land alterations; E. Sewage treatment and water supply systems (where public systems will not be provided); F. Topographic contours at ten-foot intervals or less; and 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>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>10.43 Deed restrictions, covenants, permanent easements or other instruments that:</p> <ul style="list-style-type: none"> A. Address future vegetative and topographic alterations, construction of additional buildings, beaching of watercraft, and construction of commercial buildings in residential PUDs; and 	

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<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>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>B. For commercial PUDs:</p> <p>(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: 40px;">(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: 40px;">(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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<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: left; padding: 5px;">Inside Living Floor Area or Dwelling Site Area (sf)</th> <th style="text-align: center; padding: 5px;">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; padding: 5px;">General Development Lakes <u>w/no sewer</u> – all other tiers Recreational Development Lakes Forested and Transition Rivers</th> <th style="text-align: center; padding: 5px;">Natural Environment Lakes Remote Rivers</th> </tr> </thead> <tbody> <tr><td style="text-align: left; padding: 2px 5px;">< 200</td><td style="text-align: center; padding: 2px 5px;">.040</td><td style="text-align: center; padding: 2px 5px;">.020</td><td style="text-align: center; padding: 2px 5px;">.010</td></tr> <tr><td style="text-align: left; padding: 2px 5px;">300</td><td style="text-align: center; padding: 2px 5px;">.048</td><td style="text-align: center; padding: 2px 5px;">.024</td><td style="text-align: center; padding: 2px 5px;">.012</td></tr> <tr><td style="text-align: left; padding: 2px 5px;">400</td><td style="text-align: center; padding: 2px 5px;">.056</td><td style="text-align: center; padding: 2px 5px;">.028</td><td style="text-align: center; padding: 2px 5px;">.014</td></tr> <tr><td style="text-align: left; padding: 2px 5px;">500</td><td style="text-align: center; padding: 2px 5px;">.065</td><td style="text-align: center; padding: 2px 5px;">.032</td><td style="text-align: center; padding: 2px 5px;">.016</td></tr> <tr><td style="text-align: left; padding: 2px 5px;">600</td><td style="text-align: center; padding: 2px 5px;">.072</td><td style="text-align: center; padding: 2px 5px;">.038</td><td style="text-align: center; padding: 2px 5px;">.019</td></tr> <tr><td style="text-align: left; padding: 2px 5px;">700</td><td style="text-align: center; padding: 2px 5px;">.082</td><td style="text-align: center; padding: 2px 5px;">.042</td><td style="text-align: center; padding: 2px 5px;">.021</td></tr> <tr><td style="text-align: left; padding: 2px 5px;">800</td><td style="text-align: center; padding: 2px 5px;">.091</td><td style="text-align: center; padding: 2px 5px;">.046</td><td style="text-align: center; padding: 2px 5px;">.023</td></tr> <tr><td style="text-align: left; padding: 2px 5px;">900</td><td style="text-align: center; padding: 2px 5px;">.099</td><td style="text-align: center; padding: 2px 5px;">.050</td><td style="text-align: center; padding: 2px 5px;">.025</td></tr> <tr><td style="text-align: left; padding: 2px 5px;">1,000</td><td style="text-align: center; padding: 2px 5px;">.108</td><td style="text-align: center; padding: 2px 5px;">.054</td><td style="text-align: center; padding: 2px 5px;">.027</td></tr> <tr><td style="text-align: left; padding: 2px 5px;">1,100</td><td style="text-align: center; padding: 2px 5px;">.116</td><td style="text-align: center; padding: 2px 5px;">.058</td><td style="text-align: center; padding: 2px 5px;">.029</td></tr> <tr><td style="text-align: left; padding: 2px 5px;">1,200</td><td style="text-align: center; padding: 2px 5px;">.125</td><td style="text-align: center; padding: 2px 5px;">.064</td><td style="text-align: center; padding: 2px 5px;">.032</td></tr> <tr><td style="text-align: left; padding: 2px 5px;">1,300</td><td style="text-align: center; padding: 2px 5px;">.133</td><td style="text-align: center; padding: 2px 5px;">.068</td><td style="text-align: center; padding: 2px 5px;">.034</td></tr> <tr><td style="text-align: left; padding: 2px 5px;">1,400</td><td style="text-align: center; padding: 2px 5px;">.142</td><td style="text-align: center; padding: 2px 5px;">.072</td><td style="text-align: center; padding: 2px 5px;">.036</td></tr> <tr><td style="text-align: left; padding: 2px 5px;">≥ 1,500</td><td style="text-align: center; padding: 2px 5px;">.150</td><td style="text-align: center; padding: 2px 5px;">.075</td><td style="text-align: center; padding: 2px 5px;">.038</td></tr> </tbody> </table>	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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<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>																																																													

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<p>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>D. All PUDs with densities at or below the base density must meet the design standards in Section 10.6</p> <p>10.54 <u>Step 4. Determine if the Site can Accommodate Increased Density:</u></p> <p>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: 40px; 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>B. Structure setbacks from the ordinary high water level:</p> <p style="margin-left: 20px;">(1) Are increased to at least 50 percent greater than the minimum setback; or</p> <p style="margin-left: 20px;">(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>A. All residential planned unit developments must contain at least five dwelling units or sites.</p> <p>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>C. Dwelling units or dwelling sites must be clustered into one or more groups and located on suitable areas of the development.</p> <p>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	<p>10.6.B. Proposed to be removed because the City would not allow on site water or sewage treatment systems.</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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<p>C. Open space shall not include:</p> <ol 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> <ol 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> <ol 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>	<p>10.62.C (1) Optional language from MnDNR removed to provide flexibility for different types of development.</p>

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<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>(12) 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>	<p>10.64.B (1). Optional language removed to provide flexibility for different types of residential development.</p> <p>10.7 This section is proposed to be removed as the City does not have resorts or other land uses anticipated to be converted into a PUD.</p>

**Proposed Sustainability-Related Zoning Code Changes
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1019.04 Minimum Parking Spaces & Electric Vehicle Charging Requirements

NEW SECTION

D. Electric Vehicle Charging Standards

1. The intent of this section is to facilitate and encourage the use of electric vehicles, to expedite the establishment of a convenient, cost-effective electric vehicle infrastructure, and establish minimum requirements for such infrastructure to serve both short and long-term parking needs.
2. Minimum Number of Required Electric Vehicle Charging Stations
 - a. All new parking areas and existing parking areas expanding by 25% or more parking spaces are subject to the standards of Table 1019-2.

Table 1019-2- Minimum Number of Required Electric Vehicle Charging Stations

Number of spaces	EVSE required spaces for new parking areas	EVSE required spaces for expansion or improvement of existing parking areas
29 or fewer	<ul style="list-style-type: none"> • Optional 	<ul style="list-style-type: none"> • Optional
30- 49	<ul style="list-style-type: none"> • Multiple family residential (5 or more units)- 5% of required parking as Level 1 • Non-residential land uses- One Level 2 station • One handicapped space required to have access to an EVCS 	<ul style="list-style-type: none"> • In the event that a parking area is expanded or improved (per Section 1019.03), EVSE are required only when the expansion consists of more than 25% additional parking spaces or more than 25% of the parking area is improved
50+	<ul style="list-style-type: none"> • Multiple family residential (5 or more units)- 10% of required parking as Level 1, one Level 2 station required for guest parking • Non-residential land uses- At least 1% of required parking as Level 2 stations. DC charging stations may be installed to satisfy the EVCS requirements on a one-for-one basis. 	<ul style="list-style-type: none"> • In the event that a parking area is expanded or improved (per Section 1019.03), EVSE are required only when the expansion consists of more than 25% additional parking spaces or more than 25% of the parking area is improved

- b. Notwithstanding the requirements of subsections above, all new motor fuel sales (gas station) as defined in Chapter 1001.01 Section 1 shall be required to install at least one additional Level 2 charging station. A DC charging station may be installed to meet this requirement.
- c. In addition to the number of required EVCSs, the following accommodations shall be required for the anticipated future growth in market demand for electric vehicles:
 - i. Multiple-Family Residential Land Uses (5 or more units per building): all new and expanded parking areas shall provide the electrical capacity

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- necessary to accommodate the future hardwire installation of Level 2 EVCSs for a minimum of 10% of required parking spaces.
 - ii. Non-Residential Land Uses: all new and expanded parking areas shall provide the electrical capacity necessary to accommodate the future hardwire installation of Level 2 or DC EVCSs for a minimum of 10% of required parking spaces.
 - d. These requirements may be revised upward or downward by the City Council as part of an application for a conditional use permit or planned unit development based on verifiable information pertaining to parking.
3. Reductions to EVSE requirements. When the cost of installing EVSE required by this Chapter would exceed five percent of the total project cost, the property owner or applicant may request a reduction in the EVSE requirements and submit cost estimates for city consideration. When City Council approval of the project is not required, the Community Development Department may administratively approve a reduction to the required amount of EVSE in order to limit the EVSE installation costs to not more than five percent of the total project cost.
4. Permitted Locations.
- a. Level 1, Level 2, and DC EVCSs are permitted in every zoning district, when accessory to the primary permitted use. Such stations located at residential uses shall be designated as private restricted use only.
 - b. If the primary use of the parcel is the retail electric charging of vehicles, then the use shall be considered a motor fuel sales use for zoning purposes. Installation shall be located in zoning districts which permit a motor fuel sales use.
5. General Requirements for One- to Four-Family Dwellings.
- a. EVSE shall be located in a garage, or on the exterior wall of the home or garage adjacent to a parking space.
 - b. EVSE shall comply with all relevant design criteria as outlined in section (F)4, unless specifically exempted.
6. General Requirements for Multi-Family Dwellings (5 or more units per building) and Non-Residential Development.
- a. Accessible Spaces. A charging station will be considered accessible if it is located adjacent to, and can serve, an accessible parking space as defined and required by the ADA. It is not necessary to designate the EVSE exclusively for the use of vehicles parked in the accessible space.
 - b. EVSE – public use shall be subject to the following requirements:
 - i. The EVCSs shall be located in a manner that will be easily seen by the public for informational and security purposes.
 - ii. The EVCSs shall be located in desirable and convenient parking locations that will serve as an incentive for the use of electric vehicles.
 - iii. The EVCS must be operational during the normal business hours of the use(s) that it serves. EVCS may be de-energized or otherwise restricted after normal business hours of the use(s) it serves.
 - c. Lighting. Site lighting shall be provided where EVSE is installed, unless charging is for daytime purposes only.
 - d. Equipment Design Standards.

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- i. Battery charging station outlets and connector devices shall be mounted to comply with state code and must comply with all relevant Americans with Disabilities Act (ADA) requirements. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designed and located as to not impede pedestrian travel or create trip hazards on sidewalks.
- ii. Electric vehicle charging devices may be located adjacent to designated parking spaces in a garage or parking lot as long as the devices do not encroach into the required dimensions of the parking space (length, width, and height clearances).
- iii. The design should be appropriate to the location and use. Facilities should be able to be readily identified by electric vehicle users and blend into the surrounding landscape/architecture for compatibility with the character and use of the site.
- iv. EVCS pedestals shall be designed to minimize potential damage by accidents, vandalism and to be safe for use in inclement weather.
- e. Usage Fees. The property owner may collect a service fee for the use of EVSE.
- f. Maintenance. EVSE shall be maintained in all respects, including the functioning of the equipment. A phone number or other contact information shall be provided on the equipment for reporting problems with the equipment or access to it.

1001.10 Definitions

NEW DEFINITIONS

ACCESSIBLE ELECTRIC VEHICLE CHARGING STATION: electric vehicle charging station where the battery charging station is located within accessible reach of a barrier-free access aisle and the electric vehicle.

BATTERY CHARGING STATION: means an electrical component, assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles.

BATTERY ELECTRIC VEHICLE: any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries and produces zero tailpipe emissions or pollution when stationary or operating.

CHARGING LEVELS: standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged. The terms 1, 2, and DC are the most common charging levels, and include the following specifications:

1. Level 1 is considered slow charging with 120v outlets.
2. Level 2 is considered medium charging with 240v outlets, charging head and cord hard-wired to the circuit.
3. DC is considered fast or rapid charging. Voltage is greater than 240.

ELECTRIC VEHICLE: a vehicle that operates, either partially or exclusively, on electrical

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energy from the electrical grid, or an off-grid source, that is stored on board for motive purposes. “Electric vehicle” includes:

1. Battery electric vehicle
2. Plug-in hybrid electric vehicle

ELECTRIC VEHICLE CHARGING STATION (EVCS): a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

ELECTRIC VEHICLE INFRASTRUCTURE: conduit/wiring, structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations and rapid charging stations.

ELECTRIC VEHICLE PARKING SPACE: any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE): any equipment or electrical component used in charging electric vehicles at a specific location. EVSE does not include equipment located on the electric vehicles themselves.

ELECTRICAL CAPACITY shall mean, at minimum:

1. Panel capacity to accommodate a dedicated branch circuit and service capacity to install a 208/240V outlet per charger;
2. Conduit from an electric panel to future EVCS location(s).

PLUG IN HYBRID ELECTRIC VEHICLE: an electric vehicle that:

1. Contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor;
2. Charges its battery primarily by connecting to the grid or other off-board electrical source;
3. May additionally be able to sustain battery charge using an on-board internal-combustion-driven generator; and
4. Has the ability to travel powered by electricity.

1011.03 Landscaping and Screening in All Districts

- A.3.e. The following minimum number of plant materials shall be provided:
- i. One and two-family dwellings constructed after January 1, 2011 shall plant 1 tree per lot in the boulevard. The boulevard tree shall be of a species identified in the City of Roseville Street Tree Master Plan for streets and boulevards and shall be planted according to City requirements.
 - ii. Multi-family residential dwellings shall require the following:

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--1 canopy tree and 1 evergreen tree per two thousand (2,000) square feet of the site not occupied by buildings.

- iii. Non-Residential uses shall require the greater of:
 - 1 canopy or evergreen tree per 1,000 square feet of gross building floor area; or
 - 1 canopy or evergreen tree per 50 lineal feet of site perimeter;
- iv. Up to 25% of the required number of canopy or evergreen trees may be substituted with ornamental trees at a ratio of 2 ornamental trees to 1 canopy or evergreen tree.
- v. Except for one- and two-family dwellings, shrubs shall be required at the greater of the following:
 - 6 shrubs per 1,000 square feet of gross building floor area; or
 - 6 shrubs per 50 lineal feet of site perimeter.
- vi. In a mixed-use building or development, each use shall be calculated separately to determine minimum landscape requirements.

A.4. Plant Material Standards:

- a. The complement of trees required shall be at least 25% deciduous and at least 25% coniferous. Not more than 30% of the required number of trees shall be composed of a single species.
- b. Minimum Size of Plantings: Caliper inches to be measured 6 inches off the ground.
 - i. Canopy tree: 3-inch caliper
 - ii. Ornamental tree: 1.5-inch caliper
 - iii. Evergreen tree: 6-foot height
 - iv. Deciduous or evergreen shrub: 5-gallon pot
- c. All plant materials shall be selected based on zone tolerance in accordance with the USDA Plant Hardiness Zone Map.
- d. No new landscaping shall contain plant materials that are listed on the MN Dept. of Agriculture Noxious Weed List or the MN DNR Invasive Terrestrial Plants List.