#### Mayor:

Dan Roe

#### Councilmembers:

Jason Etten Wayne Groff Robin Schroeder Julie Strahan



#### City Council Agenda Monday, January 30, 2023 6:00 p.m.

Members of the public who wish speak during public comment or an agenda item during this meeting can do so virtually by registering at:

www.cityofroseville.com/attendmeeting

Address:

2660 Civic Center Dr. Roseville, MN 55113

Phone:

651 - 792 - 7000

Website:

www.cityofroseville.com

- 6:00 P.M. Roll Call Voting & Seating Order: Etten, Schroeder, Groff, Strahan, and Roe
- 2. 6:01 P.M. Pledge of Allegiance
- 3. 6:02 P.M. Approve Agenda
- 4. 6:03 P.M. Public Comment
- 5. 6:10 P.M. Recognitions and Donations
- 5.A. Black History Month Proclamation

Documents:

#### PROCLAMATION.PDF

5.B. Proclamation of Optimist Day

Documents:

#### PROCLAMATION.PDF

- 6. 6:15 P.M. Items Removed from Consent Agenda
- 7. Business Items
- 7.A. 6:20 P.M. Receive Presentation from Twin Cities North Chamber President John Connelly

Have the power point first and then the TCN\_MFGX one-pager.

Documents:

PRESENTATION.PDF

7.B. 6:35 P.M. Xcel Energy Painted Pole Project Presentation

Documents:

#### REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF

7.C. 6:50 P.M. Parks and Recreation Commission Meeting with the City Council Regarding the Name of Pocahontas Park and General Updates

Documents:

REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF BENCH HANDOUT.PDF

7.D. 7:30 P.M. Discuss potential Phase II Zoning Code amendments regarding shoreland and sustainability regulations

Documents:

#### REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF

7.E. 8:10 P.M. Consider approval of payoff of interfund loan between PMP and Shopping Center funds with use of Excess Cash Reserve Fund

Documents:

#### REQUEST FOR COUNCIL ACTION AND ATTACHMENT.PDF

- 8. Council Direction on Councilmember Initiated Agenda Items
- 8:25 P.M. Approval of City Council Minutes
   Approve City Council Minutes from January 9, 2023
- 10. 8:30 P.M. Approve Consent Agenda
- 10.A. Approve Payments

Documents:

#### REQUEST FOR COUNCIL ACTION AND ATTACHMENT.PDF

10.B. Approval of Temporary Liquor License and 1 Temporary Gambling License

Documents:

#### REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF

10.C. Approve General Purchases and Sale of Surplus Items in Excess of \$10,000

Documents:

REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF

10.D. Receive Grant Application Update

Documents:

#### REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF

10.E. Approve issuance of a Short-Term Rental License for 1901 Ryan Ave.

Documents:

REQUEST FOR COUNCIL ACTION AND ATACHMENTS.PDF BENCH HANDOUT.PDF

<sup>10.F.</sup> Approve issuance of a Short-Term Rental License for 395 Woodhill Dr.

Documents:

#### REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF

10.G. Approve issuance of a Short-Term Rental License for 770 Heinel Drive Documents:

#### REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF

- 11. 8:35 P.M. Future Agenda Review, Communications, Reports, and Announcements Council and City Manager
- 12. 8:40 P.M. Adjourn



# **Black History Month February 2023**

**Whereas:** The City of Roseville is committed to recognizing and honoring the contributions of all members of our communities; and

**Whereas:** Negro History Week was established in 1926 by Dr. Carter Godwin Woodson as a way to neutralize the deliberate distortion of Black History; and

**Whereas:** This movement grew over the years to Black History Month to give an objective and scholarly balance in American and World History; and

**Whereas:** The Month of February was selected as Black History Month because it marks the birth of Frederick Douglas, W.E.B. DuBois, Langston Hughes, and Abraham Lincoln, leaders whose actions greatly impacted the lives of Black Americans; and

**Whereas:** The contributions African Americans made and continue to make in building our nation's infrastructure and economic strength, as well as to our history, music, arts, national defense from the Revolutionary War to present-Day military operations, written words and discoveries, and inventions often overlooked; and

Whereas: On January 1, 1863, the Emancipation Proclamation set the United States on the path of ending slavery. On August 28, 1963, hundreds of thousands of Americans of all backgrounds joined the March on Washington which was led by Martin Luther King, Jr., Southern Christian Leadership Conference (SCLC), James Framer; Congress of Racial Equality (CORE), John Lewis; Student Nonviolent Coordinating Committee (SNCC), A. Phillip Randolph; Brotherhood of Sleeping Car Porters, Roy Wilkins; National Association for the Advancement of Colored People (NAACP), and Whitney Young, Jr. (National Urban League) in pursuit of jobs, justice and freedom to the Memorial of Abraham Lincoln, the author of the Emancipation Proclamation, in pursuit of freedom and equality for all; and

**Whereas:** Despite all the progress, the legacy of slavery and segregation still persists in our nation in the forms of Mass Incarceration, the school to prison pipeline, racial profiling, educational inequalities, housing and employment discrimination, racism and bias; and

**Whereas:** In 2023, Black History Month honors the theme of "Black Resistance" commemorating a journey to equality we continue to pursue; and

**Whereas:** The City of Roseville invites all members of the Roseville Community to renew their commitment to inclusion, racial equality, justice, creating a community where all belong, and to participate in activities designed to advance the cause of freedom and equality for all.

**Now, Therefore Be It Resolved** that the City Council hereby declare February 2023 to be Black History Month in the City of Roseville, County of Ramsey, State of Minnesota, U.S.A.

**In Witness whereof**, I have hereunto set my hand and caused the Seal of the City of Roseville be affixed this 30<sup>th</sup> day of January, 2023.

Mayor Daniel J. Roe



#### **Optimist Day**

**Whereas:** The Roseville Optimist Club was chartered in January 2017 and has a six year track record; and

**Whereas:** The Roseville Optimist Club's Mission is to bring out the best in our Youth, Community, and Ourselves by providing hope and positive vision; and

**Whereas:** The Roseville Optimist Club has grown to be a highly successful community organization numbering over 100 members and provides a number of programs and projects to fulfill its mission; and

**Whereas:** The Roseville Optimist Club has initiated two important long term programs: The Character Education and Development Initiative and The Civic Education and Engagement Program; and

Whereas: The Roseville Optimist Club's Vision is to continue to grow in size, service, and stature; and

**Whereas:** The first Thursday of February is recognized and celebrated as Optimist Day in the Optimist International Organization of over 2000 Optimist local clubs;.

**NOW THEREFORE BE IT RESOLVED** that the Roseville City Council recognizes February 2, 2023 as Optimist Day in the City of Roseville

**In Witness whereof**, I have hereunto set my hand and caused the Seal of the City of Roseville be affixed this 30th day of January, 2023.

Mayor Daniel J. Roe	-	



VISION: To Promote Business, Develop Leaders and Connect Communities

### Current Situation for TCN Chamber

- Membership= 300 members in 7 cities
- Financial= Healthy fund balance with 5 months reserve. No debt
- Programs and Events
  - Business Councils in each community
  - Annual Events for engagement
  - Public Policy opportunities
  - Promotion of community events, business openings, and career fairs

### Board and Governance

- Current 9-member Board representing various industries and backgrounds
- In good standing with MN Department of Revenue and updated on filings with State and Federal
- Committees
  - Ambassadors
  - Taskforces
  - Marketing
  - Public Policy

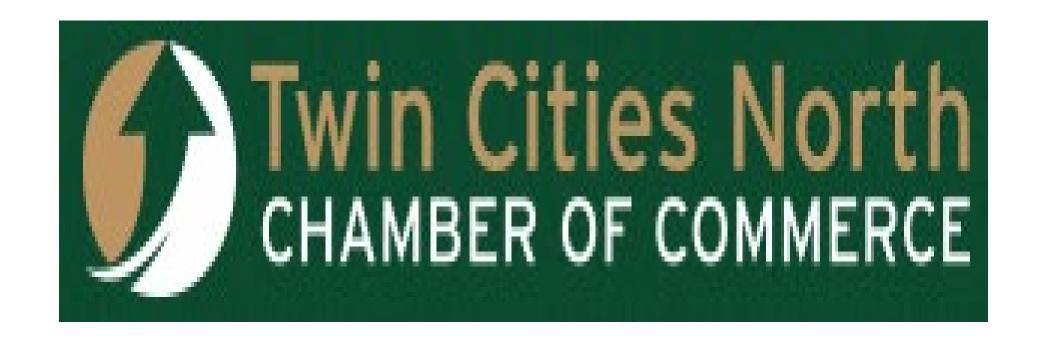
### New Initiatives

- Manufacturing Cohort Group
- Welcome Back to Lexington Avenue
- New Membership Outreach for 2023 in 2nd quarter
- Chamberhealth- through MN Chamber benefit

### Opportunities

- Participate in grand openings and ribbon cuttings to welcome businesses to your community
- Engage in new initiatives to leverage our resources
- Continue to bring important items up related to businesses operating in your community through TCN Chamber communications or at Business Councils
- Share vital news to businesses through TCN Chamber newsletter or special communications

## Thank you for your partnership!





# Manufacture Commitment

#### Who

- Regional Manufacturing
  - Joining local manufacture businesses thru collaboration- benefit the industry and the individual business
- TCN North membership at large
  - Programing supports an extended connection and value for member business
- Members of the workforce in our region
  - Job creation, career pathway, upskilling programs
- Education Community
  - Connecting/working collaboratively with K12, Tech Colleges and next generation students

#### What

- Proposed Mission: Become a catalyst for strengthening community manufacturingaccelerating a transformation into a more efficient and powerful engine of innovation, job creation and economic growth.
- Workforce Acquisition, Incumbent Training, Continuous Improvement

#### When

• Ongoing effort beginning in December of 2022. CoHort interactions expected to be six to eight times a year. For manufacturing, by manufacturing - the CoHort members set the agenda and frequency of meetings.

#### Where

 Regional in proximity, but not necessarily limited by, of the service area of the Twin City North Chamber of Commerce

#### Why

- Position our regional manufactures for tomorrow
- Connecting/working collaboratively with K12, Tech Colleges and next generation students
- Joining local manufacture businesses thru collaboration- benefit the industry and the individual business

SPONSORED BY



### REQUEST FOR COUNCIL ACTION

Date: January 30, 2023 Item No.: 7.b

Department Approval

City Manager Approval

Item Description:

Xcel Energy Painted Pole Project Presentation

#### BACKGROUND

- 2 Xcel Energy has plans to replace some of the large transmission line power poles in Roseville this
- spring. Xcel plans to replace approximately 27 poles between the east side of Bennett Lake in
- 4 Central Park along the railroad tracks to the end of South Owasso Boulevard. The poles are being
- replaced as they have reached the end of their useful life. The project will not directly affect
- residents as power to homes will not be shut down. The public will be impacted by traffic control
- when the poles are being replaced. No road closures are anticipated, but flaggers will be used as
- 8 needed.
- 9 Work is planned for March through early May.
- 10 Representatives from Xcel Energy and their support team will update the Council on the project,
- including schedules and impacts related to the project, and be on hand to answer any questions.
- They will also discuss plans for community engagement on the project.

#### 13 POLICY OBJECTIVE

It is City policy to keep infrastructure in good operating condition and to keep systems operating in a

safe condition.

#### 16 **BUDGET IMPLICATIONS**

17 There are no budget impacts associated with this project.

#### 18 RACIAL EQUITY IMPACT SUMMARY

19 This project should have no equity impacts.

#### 20 STAFF RECOMMENDATION

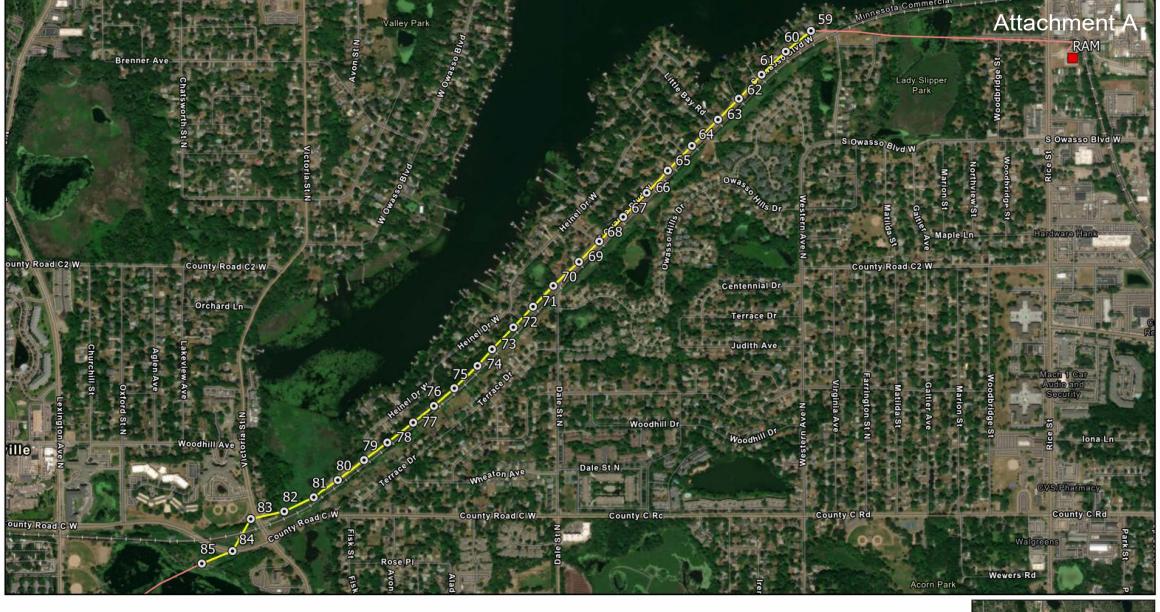
- Staff recommends that the City Council receive a presentation from Xcel Energy about the Pole
- 22 Replacement Project.

#### 23 REQUESTED COUNCIL ACTION

None.

Prepared by: Jesse Freihammer, Public Works Director

Attachments: A: Presentation



#### **Painted Pole Project**

Ramsey County, Minnesota

StructuresSubstationProject extent





DISCLAIMER: This information is believed to be correct but is subject to change and is not warranted.





**Existing Painted Poles** 





Galvanized Replacement Pole

#### 1. Schedule

- a. Public outreach/mailing early Feb
- b. Str 81 foundation installation mid-Feb
- c. March May 2023 pole replacement Str 0802-59 (S Owasso Blvd & Woodlyn Ave W) thru 0802-85 (County Road C & Victoria Bennet Lake).
- d. Str 70-78 may be replaced during road restrictions if conditions allows

#### 2. Project Info

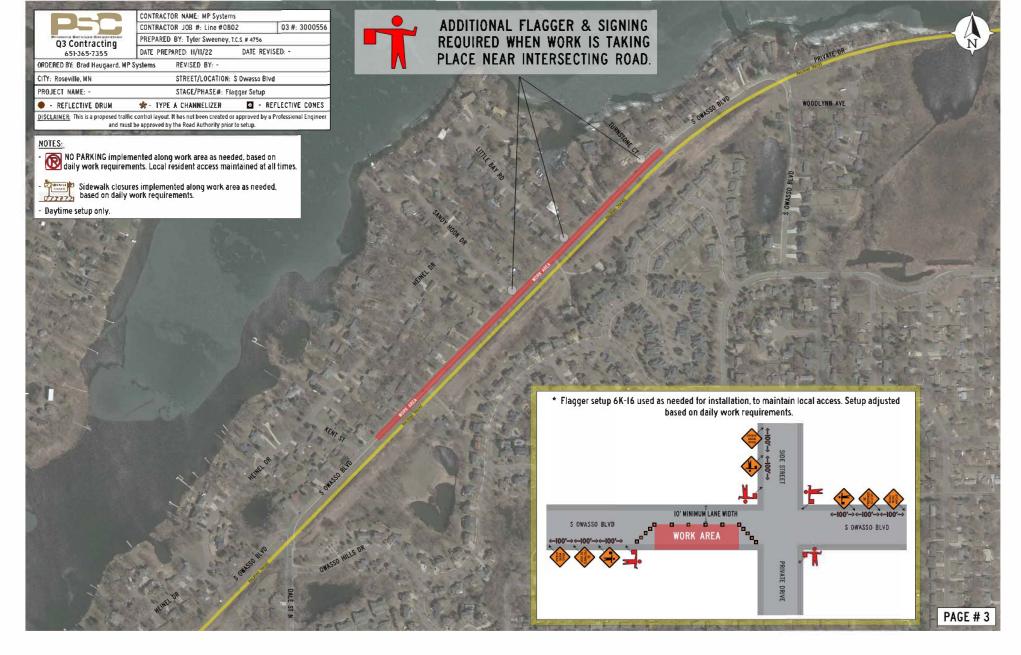
- a. Original poles installed in late 1970/early 1980
- b. Pole Height 75-90 ft
- Setup work area for pole removal ½ -day
- Pole removal/set new pole 1-day
- Remove work area setup ½ day
- c. Work Hours M-F 7AM 7PM (available daylight)
  - i. Weekend work 9AM 7PM (reserved for weather or schedule delays)
- d. No electric service interruptions to Roseville residents and businesses
- a. Project Website will "go-live" in with public outreach early Feb



# **Appendix**

# Existing Guardrail

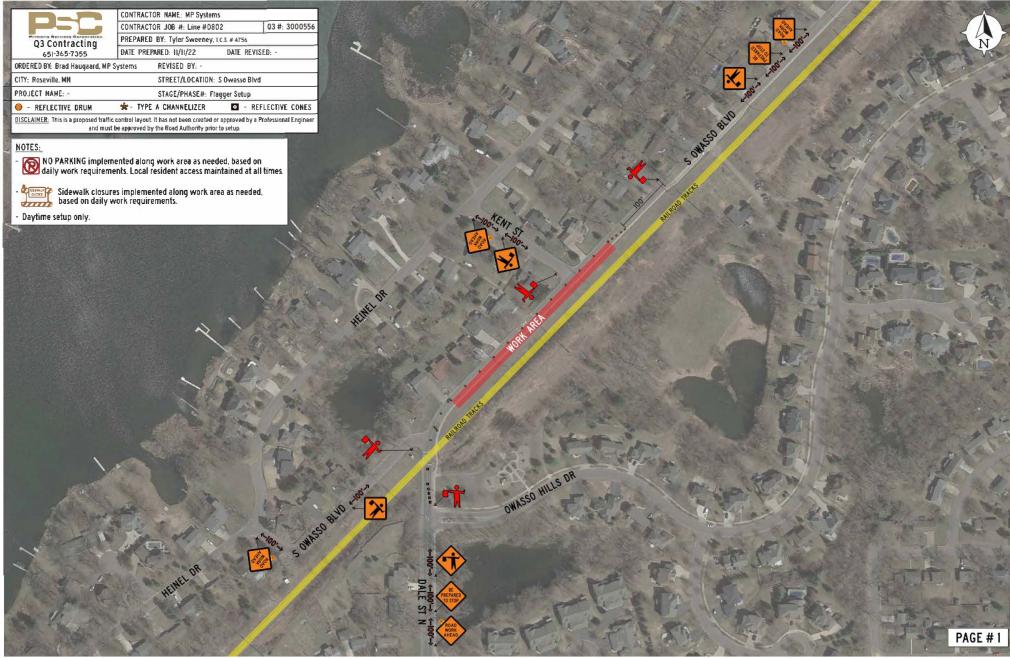




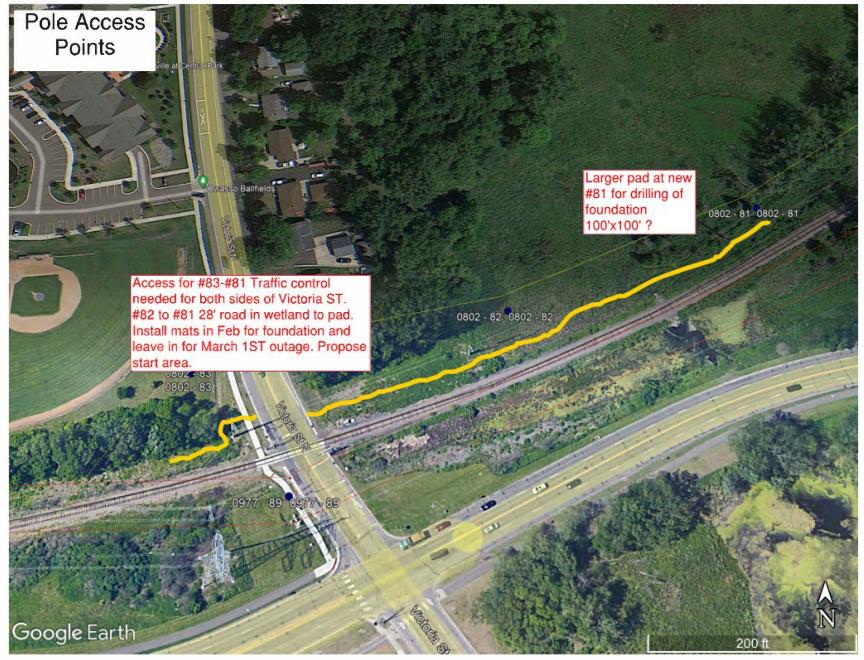




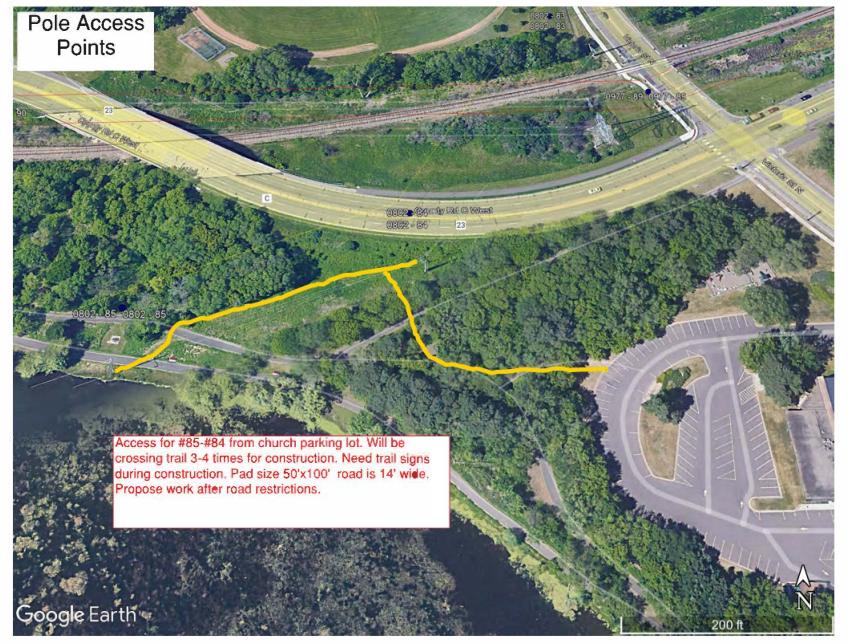






















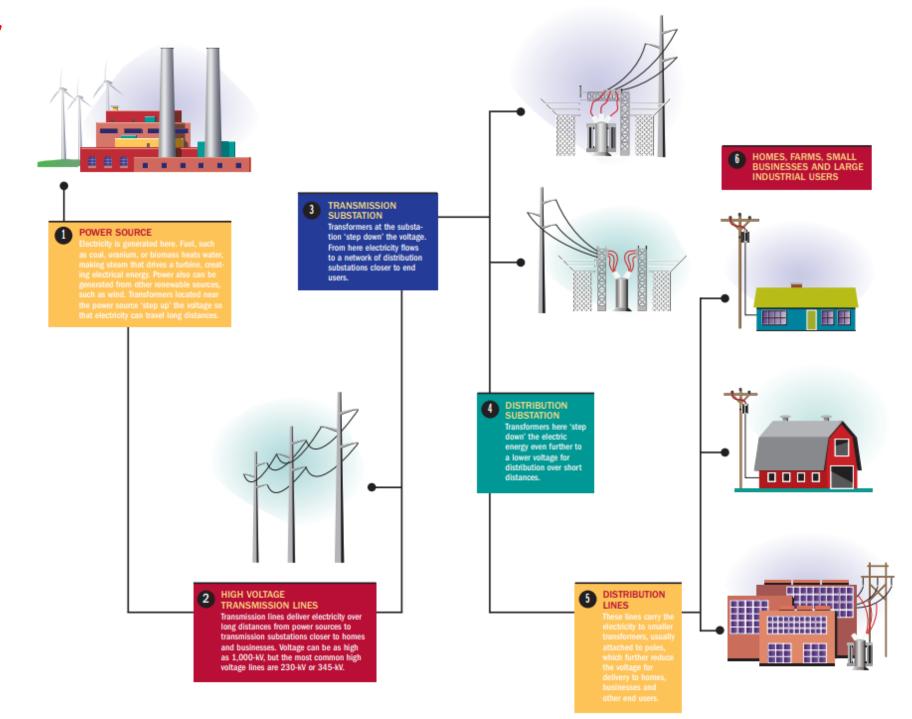








# How Electricity Works



## REQUEST FOR COUNCIL ACTION

Date: January 30, 2023 Item No.: 7.c

Department Approval

City Manager Approval

latth 2. John

Item Description:

Parks and Recreation Commission Meeting with the City Council Regarding

the Name of Pocahontas Park and General Updates

#### BACKGROUND

Periodically, the Parks and Recreation Commission meets with the City Council to review and discuss accomplishments, activities and work items.

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The Commission has participated in and provided input on the following items since the last joint meeting on January 31, 2022:

- Accepted and provided feedback on the Recreation Program review;
- Established Parks and Recreation Commission Goals (Attachment A);
- Reviewed the deer management program and provided recommendation;
- Completed Pickleball Courts at Evergreen Park and renovation of tennis courts at Anpétu Téča Education Center;
- Participated at summer Discover Your Parks events;
- Reviewed and completed recommendations on several park dedication sites;
- Participated in the engagement and community builds for the Owasso Hills and Pioneer Park playgrounds;
- Reviewed the implementation strategy of the Accelerated Emerald Ash Borer plan;
- Reviewed the Guidant John Rose MN OVAL project (substantially complete);
- Accepted two Minnesota Recreation and Parks Association (MRPA) Awards of Excellence:
  - Kite Day in the Park (Category: Excellence in Programs and Events);
  - Central Park Victoria Inclusive Playground Expansion (Category: Partnership and Sponsorship);
- Reviewed and provided feedback for the Parks and Recreation Department's strategic racial equity initiatives and strategies;
- Reviewed and provided guidance on the Cedarholm Community Building Kitchen/Grill vendor Request for Proposal;
- Reviewed and provided feedback on the Central Park Arboretum pathway project;
- Reviewed the 2023 Parks and Facilities work plan.

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One item that the Commission has spent a significant amount of time on is the name of Pocahontas Park. The Commission originally began discussing the topic in late 2020 and has completed a thorough process to analyze the current name and recommend a new name. Specifically, the Commission and staff have:

32 33

- Utilized the Racial Equity Tool Kit to develop an Engagement and Analysis plan;
- Engaged with Native America individuals and groups who have expertise on issues related to Native American names;
- Consulted a variety of academic sources related to issues of Native American naming including the Reclaiming Native Truths documents, discussions hosted by Dr. Kate Bean of the MN Historical Society and others;
- Mailed to residents in the area around Pocahontas Park (more than 500 letters) to inform them about the process and solicit feedback (fall 2021);
- Had countless conversations at 15 Discover Your Parks events, the Wild Rice Festival and other Parks and Recreation events:
- Posted signage soliciting feedback in Pocahontas Park throughout the summer and fall of 2022.

Ultimately, the process yielded more than 70 suggested names from a variety of sources (Attachment C). Once the names were collected, staff continued to engage with Native American individuals and leaders for their feedback. Ultimately, the Commission recommended the name Keya (pronounced Kay – Ah) which is the Dakota word for "turtle."

This suggestion was submitted by a neighbor of the park as an acknowledgement of the Dakota history of the land upon which the park resides, and because of the turtles that find their way into the park from the marsh below.

When the list of names were being considered, staff continued to engage with Native American individuals who participated in earlier parts of the process. One specific contact, Maggie Lorenz, has personal expertise on the subject and connected with others in the Dakota community to solicit their feedback. Keya was one of two final suggestions that Maggie recommended.

Ultimately, the name Keya was supported by the Commission for several reasons:

- It reflects the Dakota history of the land in a respectful way;
- It complies with Parks and Recreation Policy #40: Assigning Names to City Facilities (Attachment B). Specifically, the name is based upon an animal.
- It is in keeping with the playful spirit of a park;
- There is the possibility of utilizing a Keya (turtle) theme in the design process for the replacement playground, which is planned for installation in fall 2023;
- The name is supported by the Native American individuals who participated in the process.

In addition to recommending the name Keya Park, the Commission also recommended the development of a land acknowledgement and consideration of additional signage or other educational opportunities within the park.

#### **POLICY OBJECTIVE**

Advisory Commissions are established to provide a method for citizen input and are advisory to the City Council. Joint meetings are a useful tool for the Commission to provide input to the Council and receive Council feedback.

The Parks and Recreation Commission's work regarding the name of Pocahontas Park is consistent with the city's community aspirations of being welcoming, inclusive and respectful and the city's Racial Equity Narrative.

#### **BUDGET IMPLICATIONS**

The items discussed by Commissioners could have a variety of budgetary implications, which would be raised when individual projects or initiatives are brought to the Council.

A name change to Pocahontas Park could have the following budgetary implications:

- Replacement park sign (\$5,500)
  - Possible interpretive signage (Estimated \$5,000)
  - Additional Keya themed items in the playground (Estimated \$20,000)

As details of the plan emerge, a specific funding source will be identified.

#### RACIAL EQUITY IMPACT SUMMARY

The Commission understands the key role that Parks and Recreation services have in creating equity in our community. Throughout the year, equity considerations are discussed as part of specific projects. An overall equity plan and approach was discussed at the October 2022 Commission meeting.

When considering the Pocahontas Park name conversation, the Commission considered equity impacts throughout the process in a variety of ways. Specific attention was paid to Native Americans who live in Roseville and beyond, based upon the current Native American name of the park. Specifically, the following steps were taken:

- Created and executed an Engagement and Analysis Plan that was guided by the Government Alliance on Racial Equity: Racial Equity Toolkit;
- Researched issues related to Native American name use;
- Made contact with a variety of Native American individuals and organizational leaders, including members of the Dakota and Ojibwe tribes; and
- Continued engagement with Dakota individuals as names were considered.

Although no feedback is completely homogenous, the general consensus was:

- The name Pocahontas is not appropriate for the park, as Pocahontas the person had no ties to Minnesota and the use of her name furthers stereotyping and marginalization of present-day Native Americans;
- A new, more appropriate, Native American name should be considered;
- If a Native American name is selected, it should be Dakota as the park is located on historically Dakota land; and
- General support of the name Keya Park and the recommendations that the Parks and Recreation Commission made.

#### STAFF RECOMMENDATION

Discuss the Commission's work with the Parks and Recreation Commissioners.

122 Consider a motion to change the name of Pocahontas Park to Keya Park.

#### REQUESTED COUNCIL ACTION

- Receive Commission updates and provide feedback on any items. Suggest any items that you would 125
- like the Commission to explore in the coming year. 126
- Consider a motion to change the name of Pocahontas Park to Keya Park. 127

128	Prepared by:	Matthew L	. Johnson,	Parks and	Recrea	tion l	Director

- A: 2022 Parks and Recreation Commission Goals 129 Attachments: 130
  - B: Parks and Recreation Policy #40: Assigning Names to City Facilities
- 131 C: Name Suggestions and Associated Feedback
- D: Presentation 132

### 2022 Parks & Recreation Commission Goals - Final 5/3/22

Goal		Timeframe	<b>Action Steps</b>	Assigned	Progress		
	1. On-going Parks and Recreation Goals						
#1.a	Find ways to be visible in the community	Short Term Goal: Place special emphasis on equity to reach and understand the needs and barriers of underserved communities in Roseville.  Long Term Goal: Track progress via equity analysis.		Matts-Benson			
#1.b	1	Short Term Goal: Review data and demographics, create subcommittee, Check with the Human Rights Inclusion and Engagement Commission on potential collaboration Long Term Goal:		Lenhart Baggenstoss			
#1.c	Recreation staff on already identified	Short Term Goal: Research non-traditional recreation opportunities.  Long Term Goal: Bring new ideas, projects or opportunities to the Commission for discussion and education.		Arneson Boulton			

	2. Equity and Engagement				
#2.a	Pocahontas Park Naming Project	Short Term Goal: Complete engagement process and solicit naming ideas.  Long Term Goal: Complete renaming process.		Lenhart Baggenstoss	
#2.b	Find and support ways to get residents outdoors	Short Term Goal: Long Term Goal:			

	3. Natural Resources				
#3.a	Focus on green spaces.  Specifically, native animal habitat and climate change.	Short Term Goal: Long Term Goal:		Hoag Brown	
#3.b	I Recreation Department (Natural Resource	Short Term Goal: Long Term Goal:.		Hoag Brown	

#### 4. Visioning and Planning

#4.a		Short Term Goal: Help to find ways to ensure the underserved communities in Roseville are engaged with during the City Visioning Project.  Long Term Goal: Track progress via equity analysis.	Dahlstrom Arneson Brown
#4.b	Campus Master Plan Project	Short Term Goal:	Dahlstrom
# <b>4</b> .0	Campus Master Fran Froject	Long Term Goal:	Matts-Benson

#### Roseville Parks and Recreation Department 2660 Civic Center Drive - Roseville, Minnesota 55113 651/792-7006

#### OPERATING POLICY # 40

DATE: October, 1988

**POLICY TITLE:** Assigning Names to City Facilities

**PURPOSE:** From time to time there is a need to name City of Roseville parks and recreation

facilities. The adopted policy contains an orderly process for accomplishing this

need.

#### **DESCRIPTION:**

The following policy adopted by the City Council on October 5, 1988, shall be used for assigning names to city Parks and Recreation facilities:

It shall be the policy of the City of Roseville to refer to the Parks and Recreation Commission, any activity involving the naming or changing of names of any city-owned parks or recreational facilities.

The Commission shall recommend to the City Council for approval, names for new sites, facilities or portions of facilities. This includes any changes in names to existing facilities.

The naming of parks and recreational facilities will be given consideration by the Parks and Recreation Commission based on the following factors:

- natural habitat, i.e., vegetation, terrain, animals, etc.
- geographic location, i.e., street names, directions, etc.
- appropriate non-descript terminology, i.e., acronyms or joining of two words or names or activities, etc.

Only under certain and exceptional circumstances will consideration be given to the names of individuals (alive or deceased) and/or organized groups, associations or businesses. To be considered the individual, group, association or business must have made a significant and exceptional contribution to the site involved or to the community as a whole. Such contributions, (immediate or deferred) should be for recreation purposes and may include:

- substantial financial donations
- substantial property donations

In addition, recognition plaques, memorial plaques or dedications may be placed throughout the Park and Recreation system by the Parks and Recreation director and with the recommendation of the Parks and Recreation Commission.

Suggested New Names for Pocahontas Park			
Name Suggestion	General Feedback/Reason for the Name/Comments		
Friendship Park	You should change the name		
Sacajawea Park	I think the name should be changed		
Hilltop Park	Name should be changed		
Aspen Tree Park			
Hidden Gem	It's off the beaten path and back in a neighborhood		
88 flowers	Because it makes me think of flowers		
Jungle Park	The playground is kinda colored like a jungle		
Emily Park	It is a name of lots ogreat people. It sounds happy. It is fun to say.		
Pollinator Park	Because we need pollinators in our community. We can use it to educate, too!		
Edgewood Park	Edge of the woods		
Raiders	Roseville Raiders		
Gophers	We are close to the UofM in Roseville		
Honeydew Park	Name is not appropriate		
Sacajawea Park			
Sacajawea	Change the name.		
Sacajawea Park	I think it's a good idea to change the name.		
Friendship	Parks bring friendship		
Friendship Park			
Pascal Park	Name of street, Actually sounds really good, right?		
Dakota Field			
Fairy Blue			
Desnoyer Park	After Stephen Desnoyer - first settler family in 1843.		
First Nations			
ROSEPOINT PARK	If you pick a native name PLEASE choose one that is easily to pronounce!		
	You're taking away Veterans Park on Woodhill with your proposed Civic Master Plan. Replace the park in		
	question with a New Veterans Park and maybe add a Veterans Memorial.		
Veterans Park	Just a thought -		

	I think the park should be renamed to Tiwahe (Tih-wah-hay) Park, because Tiwahe is the Dakota word for
	family. The specific definition is "(n) household, members of the family in the household."
	This park is on the ancestral homelands of the Dakota people, so using a Dakota word for the new park name
	would be honoring not only the ancestors who lived here before, but the Dakota people that are still here
Tiwahe	today. In addition, it is a simple name that explains the main use of the park as a family park!
	I live across the street from the Park and beg you to make the name simple, if you choose to change it. If you
	want a Dakota word, try Keya (turtle) as there have been such in the little pond. Hinhan (owl) would also be
	good - I hear them hooting from the neighbors' trees in the night. If an English word, how about All Welcome?
Keya (turtle), Hinhan (owl), All	But please I urge you not to pick a word such as you have given to the former community center. You must not
Welcome	know American speakers if you don't know the word will be soon butchered; it may even morph into
Wildflower Park	For the plantings near the woods.
Twin Birch	
Rose Pointe Park	
Woodland Park	
Woodhaven Park	
Deerwood Park	
Wodaota Park	Dakota word for "peace"
Husby Park	After the builder of many home in the neighborhood of Pocahontas park.
Foxtrot Park	After the fox family that lived down the road.
Green Loaf Park	
Pascal Park	Because it's on Pascal St.
Sunrise Park on Pascal Street	I have lived near the park for 35+ years, my children grew up playing at the park. I walk early, every morning, and have seen some beautiful sunrises coming over the park.
	The "three sisters" here are corn, beans, and squash. A number of Native American tribes interplanted this trio because they thrive together, much like three inseparable sisters. Not only would the name pay homage to a
	historical tradition of homestead/farming which is true to Roseville roots, but it would also encourage others to try
Three Sisters Park	a three sisters garden at home and to learn about our history.
Transmission Line Park	
	Because the Monarch Butterfly was recently put on an endangered species list and the park could be a good
Monarch Park	place to incorporate awareness as well as plants the monarchs need to survive
Mapleview (Maple View)	There is an abundance of maples in the neighborhood! The squirrels love them.
Whitetail Park	
Pascal Park	Name of street it's on, has a nice ring to it, pretty neutral
The Oasis	My favorite park to play tennis with friends, see deer and enjoy the beautiful area!
Hidden Gem	My favorite park to play tennis with friends, see deer and enjoy the beautiful area!

Hidden Hideaway	My favorite park to play tennis with friends, see deer and enjoy the beautiful area!
Shadow Lawn Park	
	Builder of all of the homes in the neighborhoods surrounding the park. Relevant to local city history. I don't think
Husby Park	anyone really knows about him unless you bought a house in this neighborhood.
thaspáŋhu	Means goldenberry in Dakota
Native Park	Or any Native plant nearby. Because of native influence of why it was originally named.
Rose Park	We live in Roseville!
	Oak trees are important for wildlife and it would be good to use the Native American workd to help teach
Dakota word for "Oak" Tree	people about their culture.
Koda	It is the Dakota word for "Friend" and it is easy to spell and remember.
	Go to Fort Snelling, find large map on wall, look, think of names
Skatapi	(pronounced shkaa daabi) It is Dakota for play.
Sierra Belle	Means black beauty
Cloud	
Rosetown Park	Old school city name
Peggy Flanagan Park	
Pocahontas Park	It was named for a reason
Powhatan Park	The name "Powhatan" is the tribe that Pocahontas was from/part of. Her father was the chief of the tribe.
Udyana	Sanscrit word meaning a joyful & pleasant place for a walk
Green Park	
	because its Dakota land. I have visited the site and think that the following names would be appriate.
Dakota Makoce Park	Translation Place/Land
	the Dakota name for bergamot because there is a lot of it at the park. I have visited the site and think that the
Wastemna Park	following names would be appriate.
	Elk Medicine is an English translation of a Dakota name for bergamot which is present at the park. This would
	be in English to avoid people mispronouncing the Dakota word. I have visited the site and think that the
Elk Medicine Park	following names would be appriate.
Rose Petal Park	
Zoogipon Park	Ojibwe word meaning it snows
Manoomin Park	Ojibwe word for Wild Rice
Parkie McPark Park	
Pocket Park	This area is supposedly a pocket neighborhood so the name is descriptive of the location.
	· · · · · · · · · · · · · · · · · · ·

Rose Hill Junction	Each also has a whimsical quality that is appropriate with a children's playground setting. My 4 children play at Pocahontas Park regularly and had a great time coming up with the below submissions. park is on a high part of the neighborhood - junction is a more old timesy term, but could fit the vibe of a children's playground)
Rose Hill Commons	Each also has a whimsical quality that is appropriate with a children's playground setting. My 4 children play at Pocahontas Park regularly and had a great time coming up with the below submissions. park is on a high part of the neighborhood - junction is a more old timesy term, but could fit the vibe of a children's playground)  Rose Hill Commons (see above, commons is another way to discuss the meeting area of a park in a neighborhood)  Rose Hill Park (see above, could always stick with the traditional park)
Rose Hill Park	Each also has a whimsical quality that is appropriate with a children's playground setting. My 4 children play at Pocahontas Park regularly and had a great time coming up with the below submissions.
Praire Rose	Or perhaps that Dakota word for Praire Rose if that exists
Susu's Park	It's the name of my dog and she really loves the park.

# **Parks and Recreation** Commission Reserville **Joint Meeting**



January 30, 2023

#### **Discussion Overview**

- Review of work completed in 2022.
- Deliver recommendation regarding renaming Pocahontas Park.
- Discuss a couple of Commission priorities moving forward.

Established a list of Commission goals and focus areas (included in your packet)

	Goal	Timeframe	Action Steps	Assigned	Progress
		1. On-going Parks and Recreation Goals			
#1.a	Find ways to be visible in the community utilizing an "equity lens"	Short Term Goal: Place special emphasis on equity to reach and understand the needs and barriers of underserved communities in Roseville. Long Term Goal: Track progress via equity analysis.		Matts-Benson	
#1.b <sup>ti</sup>	Understand resident's experiences with neir local parks. Work to find the voice of underrepresented or unheard people or groups. Foster a sense of belonging.	Short Term Goal: Review data and demographics, create subcommittee, Check with the Human Rights Inclusion and Engagement Commission on potential collaboration Long Term Goal:		Lenhart Baggenstoss	
#1.c	Continue to support and advise Parks & Recreation staff on already identified projects and potential opportunities.	Short Term Goal: Research non-traditional recreation opportunities.  Long Term Goal: Bring new ideas, projects or opportunities to the Commission for discussion and education.		Arneson Boulton	
_		2. Equity and Engagement			
#2.a	Pocahontas Park Naming Project	Short Term Goal: Complete engagement process and solicit naming ideas.  Long Term Goal: Complete renaming process.		Lenhart Baggenstoss	
#2.b	Find and support ways to get residents outdoors	Short Term Goal: Long Term Goal:			
		4 N . 1 D			
_	Focus on green spaces.	3. Natural Resources			
#3.a	Specifically, native animal habitat and climate change.	Short Term Goal: Long Term Goal:		Hoag Brown	
	Support and participate in the Natural Resouce initiatives of the Parks and decreation Department (Natural Resource Stewardship Program, Accelerated EAB Project, etc.)	Short Term Goal: Long Term Goal:		Hoag Brown	
_			•		



#### Opened Dedicated Pickleball Courts at Evergreen Park



Reviewed and Provided Feedback on the OVAL Project





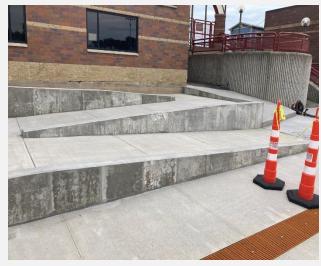




#### Reviewed Parks and Recreation Equity Initiatives and Plan













#### Reviewed and Provided Feedback on the Parks and Recreation Project Plan







Participated and Engaged with the Community at Parks and Recreation Events and Projects



# Pocahontas Park Name Conversation



#### **Engagement Process**

- Developed based on Government Alliance on Race and Equity: Racial Equity Toolkit
- Engaged with:
  - Native American individuals with expertise on the subject
  - Native American residents in Roseville
  - Neighbors of Pocahontas Parks
  - Roseville residents in general
- Reviewed articles and other resources that dealt with the use of Native American names
- A two-year community engagement included community events, posters, mailings, meetings, media and more

#### **Community Engagement Outcomes**











- Received 71 name suggestions that covered a broad crosssection.
- Feedback from Roseville Community as a whole was widespread and varied greatly.
- General feedback from Native American individuals (both Dakota and Ojibwe) was that a Dakota name could be appropriate.
- Reduced list from 66 to five finalists.
- Ultimately recommended one: Keya Park.



#### **Engagement Process**

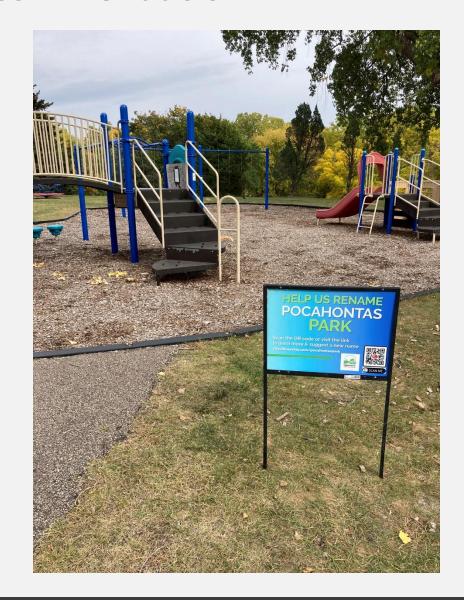
- Developed based on Government Alliance on Race and Equity: Racial Equity Toolkit
- Engaged with:
  - Native American individuals with expertise on the subject
  - Native American residents in Roseville
  - Neighbors of Pocahontas Parks
  - Roseville residents in general
- Reviewed articles and other resources that dealt with the use of Native American names
- A two-year community engagement process included community events, posters, mailings, meetings, media and more



#### **Parks and Recreation Commission Recommendation**

Based on the work and engagement completed over the past year, the parks and recreation commission recommends:

- Change the name of Pocahontas Park to Keya Park;
- Consider the use of additional signage or pieces that educate the community regarding the history of the land and Dakota people;
- Consider developing a land acknowledgement to be used in the park and other important locations.





# Q&A or Discussion

#### **2023 Priorities**

#### City Campus Master Plan and Veterans Park

- Commission has some concern about the loss of parkland but understands that the city has maintenance needs.
- It is important that park amenities lost by the proposed maintenance facility be accounted for in the ongoing master plan.

Continued engagement with Envision Roseville and the use of information learned to determine next steps in the Parks and Recreation system.



# THANKYOU

**Parks & Recreation** 



From: noreply@civicplus.com

To: \*RVCouncil; Rebecca Olson; Pat Trudgeon

Subject: Online Form Submittal: Contact City Council

Date: Thursday, January 26, 2023 4:11:54 PM

**Caution:** This email originated outside our organization; please use caution.

#### **Contact City Council**

Please complete this online form and submit.

Subject	Park Name Change
Contact Informatio	on
Name:	Anne Hamre
Address:	1491 Centennial Dr
City:	Roseville
State:	MN
Zip:	55113
_	the Mayor, all Councilmembers and certain City Staff. Due to ails submitted, a personal reply is not always possible.
How would you p	orefer Email

How would you prefer to be contacted? Remember to fill in the corresponding contact

information.	
Email Address:	
Phone Number:	
Please Share Your	Hello,
Comment, Question or Concern	We support the name change from Pocahontas Park to Keya Park.
	Thanks and regards,
	Anne Hamre/Jerry Hopkins

Unless restricted by law, all correspondence to and from Roseville City

government offices, including information submitted through electronic forms such as this one, may be public data subject to the Minnesota Data Practices Act and/or may be disclosed to third parties.

Email not displaying correctly? View it in your browser.



Date:January 30, 2023 Item No.: 7.d

Department Approval City Manager Approval

Para / Truger

Item Description: Discuss phase II Zoning Code amendments regarding shoreland and

sustainability regulations

#### BACKGROUND

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

- November 8, 2021: City Council adopted an ordinance approving phase one amendments to the Zoning Code to ensure compliance with the City's 2040 Comprehensive Plan. The Planning Commission held numerous meetings in 2021 reviewing these amendments and forwarded a recommendation to the City Council.
- September 1, 2021: Planning Commission held a preliminary discussion to prioritize the second phase of updates to the Zoning Code. At that time, consensus was built around two related topics: 1) shoreland and 2) sustainability.
- January 31, 2022: Planning Commission held a joint meeting with the City Council to determine if Commission and Council interests were aligned regarding the second phase of updates to the Zoning Code. That discussion revealed consensus to focus on updating the City's Shoreland Ordinance to comply with the DNR's current model ordinance and to pursue other Zoning Code amendments surrounding sustainability.
- February 28, 2022: City Council authorized additional budget to ensure phase two topics could be fully examined.
- June 1, 2022: The Planning Commission held a discussion on the phase two updates, including reviewing the DNR's model ordinance and potential modifications to the model ordinance to accommodate the implementation of such rules in Roseville. A preliminary discussion was also held regarding other sustainability topics, including requirements and incentives.
- July 6, 2022: The Planning Commission held a discussion on the phase two updates, including recommendations for certain requirements surrounding EV ready/charging, minimum tree requirements for multi-family development, and native landscaping. A discussion was also had about solar and whether screening requirements should be imposed, but a determination was made to leave the City's existing solar rules in place and not implement a screening requirement. A broader, more conceptual discussion occurred regarding incentives to promote more sustainable building practices. The incentives discussion was in response to existing barriers whereby State law limits the City's ability to impose more restrictive building standards than the Building Code, so development that is more sustainable would have to be incentivized.
- September 7, 2022: The Planning Commission reviewed the latest draft of the Shoreland Ordinance, final drafts of the language related to sustainability requirements (EV ready/charging and landscaping), and began discussion on sustainability incentives. It was determined incentives could best be offered through a worksheet and point system that offers

- a variety of ways to achive sustainability and what incentives would be provided in exchange for sustainable development practices.
- October 5, 2022: The Planning Commission reviewed the latest draft of the sustainability incentives worksheet and provided feedback to staff. The Planning Commission also reviewed a spreadsheet regarding the impact of the incentives offered via the worksheet (Attachment E).
- November 2, 2022: The Planning Commission reviewed the latest revisions to the sustainability incentives worksheet based on feedback obtained during the October meeting. Feedback included confirmation on a limit to the number of incentives a single project could obtain and that a greater number of points should be provided for incorporating bird-safe windows into a project.
- November 17, 2022: An open house regarding the phase II amendments was held at the City Hall Council Chambers from noon 6pm. Based on those who signed the sign-in sheet, approximately 25 households attended the open house. Residents who attended were solely interested in the Shoreland Ordinance updates. Staff also managed a webpage informing the public of the phase II update process, including interactive mapping materials and ways to provide feedback. That webpage is still live at <a href="www.cityofroseville.com/zoningupdate">www.cityofroseville.com/zoningupdate</a>. Aside from interest in the Shoreland Ordinance, the public has not expressed concerns about the other proposed amendments related to EV and landscaping (Attachment D).
- December 7, 2022: The Planning Commission held a public hearing regarding the phase II
  Zoning Code amendments. No persons from the public attended or provided testimony. The
  Planning Commission recommended the City Council approve amendments to five areas of
  the Zoning Code, with no further changes, consistent with the Commission's prior discussions
  and the staff recommendation.

The City's consultant, HKGi, provided a memo summarizing all the areas proposed for amendment (Attachment B). Additionally, they will provide a presentation overviewing the same information (Attachment A). Given the Planning Commission conducted numerous meetings/discussions throughout 2022, which formed much of the proposed amendment language, staff has included the minutes from those meetings should the Council wish to review the content of those discussions (Attachment F).

Lastly, unlike the amendments proposed with the phase one updates, which were adopted in November of 2021, these updates are not required to align the Zoning Map and Comprehensive Plan. Rather, these updates were undertaken based on a desire to achieve more meaningful progress towards sustainability goals outlined within the 2040 Comprehensive Plan. Additionally, the desire to update the Shoreland Ordinance to comply with the Mn DNR's current model ordinance was in response to resident feedback related to the Victoria Shores plat request located on the northwest side of Lake Owasso. Updates to the Shoreland Ordinance must be reveiwed and approved by the Mn DNR, who has signaled acceptance of the current draft (Attachment C). Because the DNR has approval authority over the Shoreland Ordinance update, the City is somewhat limited in what modifications are allowed.

Staff understands these amendments cover a broad range of code regulations and intends for this discussion to be introductory and summarizing. The above legislative summary and attachments attempt to provide the necessary background information that led to the amendment language recommended by the Planning Commission. Adoption of the amendments would occur at a future meeting once the Council has been given the opportunity to provide feedback to staff.

#### 81 POLICY OBJECTIVE

- 82 Ensure compliance and consistency between the City's 2040 Comprehensive Plan and the City's
- 83 Zoning Code.

#### **BUDGET IMPLICATIONS**

- On February 28, 2022 the City Council authorized a First Amendment to the professional services
- agreement with HKGi providing an additional \$15,000 to cover professional service costs related to
- the second phase of Zoning Code amendments. Based on the funds that remained after the first phase
- of amendments, the total cost to complete the second phase of amendments was approximately
- \$25,000. These funds were paid for from Community Development Fund balance.

#### 90 RACIAL EQUITY IMPACT SUMMARY

- Impacts on racial equity were not considered in conjunction with the phase II amendments to the
- 22 Zoning Code. However, such impacts are not anticipated based on the Zoning Code topics proposed
- 93 for amendment.

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#### 94 STAFF RECOMMENDATION

- Receive a presentation summarizing the Phase II Zoning Code amendments. Hold a discussion, and provide feedback to staff surrounding the following five areas recommended for amendment:
  - 1) Shoreland Overlay District: repeal Chapter 1017 and replace into Chapter 1012 (Overlay Districts chapter)
  - 2) Electric vehicle charging standards: new language inserted into Section 1019.04 (Parking & Loading chapter)
    - 3) New & revised definitions: Section 1001.10 (Introduction chapter)
    - 4) Revised landscaping standards: Section 1011.03 (Property Performance Standards chapter)
    - 5) Creation of sustainability incentives: new Section 1011.13 (Property Performance Standards chapter)

#### REQUESTED COUNCIL ACTION

Receive presentation and provide feedback to staff on the five areas of the Zoning Code recommended for amendment.

Prepared by: Janice Gundlach, Community Development Director

Attachments: A: HKGi presentation slides

- B: HKGi memo dated 12/1/2022 summarizing proposed amendments
- C: Proposed Shoreland Ordinance updates (definitions & Overlay District)
- D: Proposed sustainability-related updates (EV, landscaping, sustainability incentives)
- E: Analysis of incentives
- F: Planning Commission meeting minutes

# PHASE TWO Zoning Code Update

# Sustainability Related Zoning Ordinances and Incentives

City Council Meeting January 30, 2023



# PHASE TWO Zoning Code Update

## Sustainability Related Zoning Ordinance Amendments

- Shoreland Overlay District: repeal Chapter 1017 and replace into Chapter 1012 (Overlay Districts chapter)
- Electric Vehicle Charging Standards: new language inserted into Section 1019.04 in Parking chapter
- Landscaping Standards: Section 1011.03 in Landscaping & Screening chapter
- Creation of Sustainable Building Incentives: new Section 1011.13 in Property Performance Standards chapter

# PHASE TWO Zoning Code Update

### Previous Planning Commission Review and Discussion

- June 1 review of DNR's shoreland model ordinance, potential sustainability requirements/incentives
- July 6 determination of sustainability requirements vs. incentives
- September 7 shoreland overlay district, EV charging and landscaping requirements, preliminary sustainable building incentives
- October 5 focus on the sustainable building incentives worksheet
- November 2 finalized the sustainable building incentives worksheet
- December 7 public hearing, PC recommendation to CC for adoption

# PHASE TWO Zoning Code Update

## Shoreland Overlay District Overview

- State shoreland management program dates to 1969 when the Shoreland Management Act was passed
- Purpose of shoreland regulations is to preserve, protect, and enhance the environmental, recreational, and hydrologic resources and functions of the City's lakes through regulating the use of land adjacent to public waters
- Minimum development standards are in Mn Rules (6120.2500 to 6120.3900) but are administered through local ordinances

# PHASE TWO Zoning Code Update

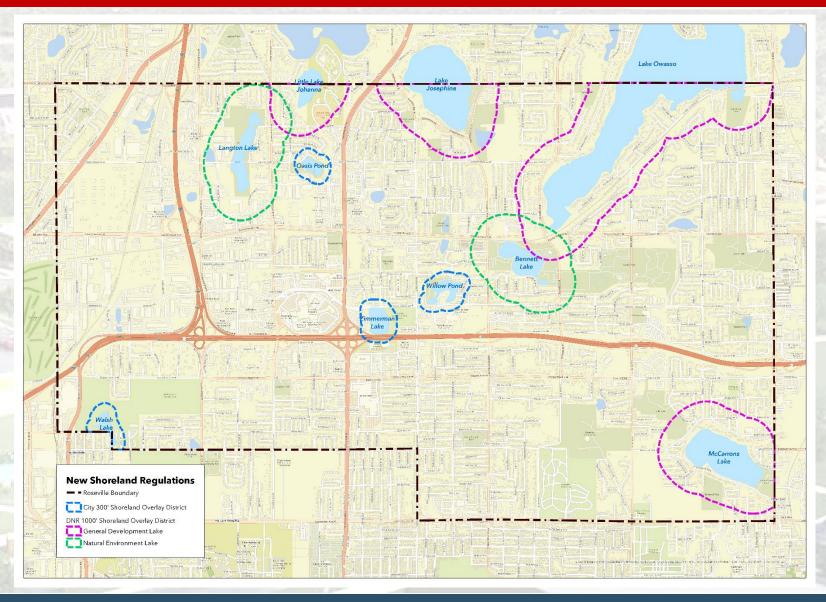
## Public Open House

- Open House for Shoreland Overlay District changes
  - Zoning Code requires an open house for zoning map amendments
- November 17, Noon 6pm, at City Hall
- Approximately 25 attendees (households)
- Generally attendees did not express significant concerns about the changes
- Specific concern from one property owner inability to exceed 25% impervious

# PHASE TWO Zoning Code Update

# Shoreland Overlay District Location

- Extends 1,000 feet from MnDNR designated public waters (this is being increased from 300 feet)
- Extends 300 feet from City designated public waters



# PHASE TWO Zoning Code Update

## Shoreland Overlay District Overview

- City's existing chapter based on historical model ordinances
  - Current chapter dates to 1994
  - Amendments were made in 1998, 2002, 2006, 2008, and 2011
- City Council, in consultation with Planning Commission, directed the update of the City's shoreland regulations in February of 2023
- Generally using the MnDNR model ordinance to craft regulations

# PHASE TWO Zoning Code Update

- Did remove definitions and regulations that do not apply to the City, such as animal feedlot, extractive uses, forest land, metallic mining, etc.
- Retaining bluff impact zone (30 feet) and single family minimum lot width of 85 feet for general development lakes
- Impervious surface limited to 25% instead of 30%
  - Also eliminate the ability of property owners to exceed 25% limit by directing water runoff to city approved facility.

# PHASE TWO Zoning Code Update

- Landings for stairways reduced from 48 square feet to 32 square feet
- Additional regulations for accessory dwelling units
  - Minimum lot size will be 24,000 square feet
  - A new detached ADU will need to be located or designed to reduce its visibility as viewed from public waters and adjacent shoreland by vegetation, topography, increased setbacks or color, assuming summer leaf-on conditions

# PHASE TWO Zoning Code Update

- Property owners seeking a variance to shoreland setbacks from the ordinary high-water level or the maximum impervious surface coverage will need to meet the following conditions:
  - The greater of 20 feet or 20% of contiguous shoreline to a depth of 10 feet will need to be restored with trees, shrubs,
     and low ground covers consisting of native plants which are consistent with the natural cover of the shoreline.
  - A planting plan, which is acceptable to City Staff, will need to be submitted to demonstrate how the restoration will occur.
  - Either a conservation easement for the restored area shall be established and recorded, or signage following City
    policies shall be installed and maintained around the restoration area.

# PHASE TWO Zoning Code Update

- Moving some regulations to Title 8 Public Works Amendments
  - Revisions to Chapter 803 Storm Water Drainage
    - Insert new 803.05 Storm Water Management Overlay District that includes existing language/language from model ordinance - includes lands within 100 feet of storm water ponds or wetlands managed for storm water quantity and quality management purposes
  - Insert new 806.06 Wetland Protection Overlay District
    - Includes lands within 100 feet of the wetland boundary of wetlands and those waters not specifically listed as shoreland
    - Includes provisions from Ramsey Washington Metro Watershed District relative to wetland buffers as proposed by City's Environmental Manager

# PHASE TWO Zoning Code Update

### Electric Vehicle Charging Standards

# Recommend the City establish EV charging standards in the Zoning Code

- Add new sub-section within Section 1019.04 in Parking and Loading Areas Chapter
- Same section as minimum parking spaces requirements



- EV charging stations **required** for:
  - new parking areas with 30 or more parking spaces
  - existing parking areas (with 30 or more parking spaces)
    - > that expand by 25% or more parking spaces
    - > more than 25% of the parking area is improved

- Multi-family dwelling (5+ units) minimum requirements
  - Where minimum number of parking spaces is 30 to 49:
    - > Level 1 stations 5% of required parking spaces
  - Where minimum number of parking spaces is 50+:
    - > Level 1 stations 10% of required parking spaces
    - > Level 2 stations 1 for guest parking

- Non-residential development minimum requirements
  - Where minimum number of parking spaces is 30 to 49:
    - ➤ Level 2 stations 1
  - Where minimum number of parking spaces is 50+:
    - > Level 2 stations 1% of required parking spaces
    - > DC charging stations may be substituted for Level 2 stations

# PHASE TWO Zoning Code Update

- Multi-family dwelling (5+ units) and non-residential development
  - > Handicapped spaces one space with access to a Level 1 station
  - EV ready infrastructure 10% of the required parking spaces must have the electrical capacity installed to accommodate future Level 2 or DC charging stations

- Non-residential development
  - All new motor fuel sales (gas station) development
    - ➤ Level 2 stations 1
    - > DC charging station may be substituted for a Level 2 station

# PHASE TWO Zoning Code Update

- Reductions to EV Charging Requirements when the cost of installing EVSE would exceed 5% of the total project cost
- Equipment cannot impede pedestrian travel or create trip hazards on sidewalks
- Equipment cannot encroach into the required dimensions of the parking space
- EV definitions added to Zoning Code's Definitions section

# PHASE TWO Zoning Code Update

# Landscaping and Screening Ordinance: Minimum Tree Requirement for Multi-family Residential Dwelling

Recommend that the minimum tree requirement for multi-family residential dwellings be changed to:

• I canopy tree and I evergreen tree per two thousand (2,000) square feet of open area.

# PHASE TWO Zoning Code Update

Landscaping and Screening Ordinance: Drought-tolerant or Native Landscaping

#### Recommend two minor additions to the existing landscaping standards:

- All plant materials shall be selected based on zone tolerance in accordance with the USDA Plant Hardiness Zone Map.
- 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.

### PHASE TWO Zoning Code Update



# PHASE TWO Zoning Code Update

### Sustainable Building Zoning Incentives

- Developers can **choose** this development option
- Developers receive a zoning incentive by incorporating sustainable building features into a new development
- Point system provides incentives and options rather than requirements
- Potentially could also be linked to any projects receiving public financial assistance; Staff
  intends to bring this topic forward to the EDA for their direction

# PHASE TWO Zoning Code Update

#### Sustainable Building Zoning Incentives

- Add as a new section (1011.13) in Zoning Code Chapter 1011 (Property Performance Standards)
- Detailed point system worksheet will be located outside the Zoning Code, but referred to in the Zoning Code
- Locating point system outside Zoning Code offers more flexibility for updating over time, code amendments not necessary
- Updates to point system subject to Planning Commission review

# PHASE TWO Zoning Code Update

### **Zoning Incentive/ Bonus Options**

- Density dwelling units per acre, lot area, lot width
- Building intensity building height, improvement area, impervious surface
- Building setbacks front, corner, rear
- Building design horizontal façade articulation, exterior materials, window & door openings

# PHASE TWO Zoning Code Update

#### Sustainable Building Feature Options

- Building energy efficiency
- Electric vehicle charging stations / EV-ready infrastructure
- Stormwater management
- Natural open space / landscaping
- Bird-safe buildings

#### Sustainable Building Incentives Worksheet

Potential Zoning Incentives		
	Needed	
Density Bonus – 20% increase in maximum	8	
Lot Area Bonus – reduction in minimum	8	
Lot Width Bonus – reduction in minimum	8	
Building Height Bonus – increase in maximum	8	
Improvement Area Bonus – increased %	6	
Impervious Surface Area Bonus – increased %	6	
Front Setback Bonus – 20% reduction of minimum	6	
Corner Setback Bonus – 20% reduction of minimum	6	
Rear Setback Bonus – 20% reduction of minimum	6	
Deviation from Horizontal Façade Articulation Design Standard – increase	4	
in minimum distance		
Deviation from Exterior Materials Design Standard – reduction in	4	
minimum % of primary materials required and/or increase in maximum %		
of secondary materials allowed		
Deviation from Façade Transparency Design Standards – reduction in	4	
minimum %		

- Keep the point system as simple as possible
- A zoning incentive will require 23 sustainable building features
- Worksheet options and points can be updated based on experience

#### Sustainable Building Incentives Worksheet

Sustainable Building Features		
Building Energy Efficiency: Certification by an eligible sustainable building rating system:  US Green Building Council's LEED; certified silver, gold or platinum  MN B3 Guidelines; certified compliant	6	
<ul> <li>Enterprise's Green Communities (MN Overlay and Guide); certified</li> <li>MN GreenStar; certified silver or greater</li> </ul>	5 4	
Building Energy Efficiency: Participate in the City's Building Energy Benchmarking Program	1	
On-Site Renewable Energy Generation: Generate no less than 5% of the electricity needed by the development from on-site solar, wind, and/or geothermal energy sources.	11 4 4	
Building Electrification Readiness: The building is designed and built with the electricity technologies to convert the building to full electrification in the future and to discontinue the building's use of fossil fuels for its energy needs.	3	
EV Level 1 or 2 Charging Stations & EV-Ready Infrastructure:  • Exceed EV requirements by 10%  • Exceed EV requirements by 20%	2	
EV DC/Level 3 Charging Stations: Install a DC/Level 3 EV charging station(s)	3	
Stormwater Best Management Practices that Enhance/Improve on Existing Requirements:  Install a bioretention area/rain garden  Install a stormwater harvesting and reuse system  Install pervious pavements on at least 50% of paved surfaces	2	
Other stormwater best management practices – utilization of new technologies as they emerge over time with approval from the City's sustainability staff		
Water Quality: Within the Shoreland Overlay District – implement shoreline restoration and/or buffers  Green Roof: Install a green roof covering a minimum of 25% of the total roof area of a multi-family residential building (5 or more dwelling units) and a non-residential building.	3	
Natural Landscaping: Utilize pre-development natural, non-exotic vegetation on a minimum of 50% of the site's open space area	4	
Community Garden: Provide a community garden comprising a minimum of 5% of the site's total area	2	
Bird-Sale Windows: Meet the Whole Building Threat Factor (WBTF) of less than or equal to 15	2	
Total Points Earned		

# PHASE TWO Zoning Code Update

#### **Staff Recommendation**

- Receive presentation
- Discuss proposed amendments
- Provide feedback and/or direction to City staff surrounding the following five areas recommended for amendment:
  - Shoreland Overlay District: repeal Chapter 1017 & replace into Chapter 1012 (Overlay Districts chapter)
  - Create EV charging standards: new language inserted into Section 1019.04 (Parking & Loading chapter)
  - New & revised definitions: Section 1001.10 (Introduction chapter)
  - Revisions to landscaping standards: Section 1011.03 (Property Performance Standards chapter)
  - Creation of a sustainable incentives point system for new development/redevelopment: new Section 1011.13 (Property Performance Standards chapter)

#### **Requested Council Action**

- Discussion and feedback
- Ordinance adoption to occur at a future meeting date TBD based on Council feedback
- Title 8 changes will come forward as a separate ordinance concurrently with the Shoreland Ordinance



#### **MEMORANDUM**

**TO:** Roseville Planning Commission FROM: Jeff Miller and Rita Trapp, HKGi

**DATE:** December 1, 2022

**SUBJECT:** Final Shoreland and Sustainability Related Zoning Code Ordinances &

Incentives – Recommendation to City Council and Public Hearing

#### Overview

At its December meeting the Planning Commission will hold a public hearing and consider sustainability-related zoning code amendments for recommendation to the City Council. Following the public hearing, Staff recommends that the proposed ordinance amendments be recommended to the City Council for adoption. In conjunction with the required public hearing, HKGi will present to the Planning Commission the final versions of the ordinances and incentives. The ordinances involve amendments to the following zoning code chapters:

- Shoreland Overlay District removal of Chapter 1017 (Shoreland, Wetland and Storm Water Management and addition of an updated Shoreland Overlay District section in Chapter 1012 (Overlay Districts); removal of Chapter 1017 also involves the relocation of some wetland and storm water management ordinances to the Public Works Code (Title 8 of the City Code) which is outside of the Zoning Code
- Electric Vehicle Charging Standards addition of an Electric Vehicle Charging Standards section in Chapter 1019 (Parking and Loading Areas)
- **Definitions** addition of 11 EV definitions in Chapter 1001 (Introduction, Definitions section); three definitions relevant to the new shoreland ordinance will be updated
- **Landscaping Standards** update/addition of tree/native vegetation standards in Chapter 1011 (Property Performance Standards, Landscaping section)
- Sustainability Incentives addition of a Sustainability Incentives section in Chapter 1011 (Property Performance Standards)

#### **Shoreland Overlay District Ordinance**

The shoreland zoning code changes are being proposed to bring the City's regulations, which are decades old, into consistency with the Department of Natural Resources (DNR) model ordinance.

Staff, the consultant team and the Planning Commission have been working to revise the shoreland regulations throughout 2022 (see June and September 2022 Planning Commission meetings). The update process has involved two review meetings with the Planning Commission as well as multiple meetings with the DNR. The City has received conditional approval from the DNR. Conditional approval means that if the City adopts the amendment as proposed, the DNR will approve the City's regulations and allow their implementation.

As required by the City Code, an open house was held on November 17<sup>th</sup> from 12 p.m. to 6 p.m. There were about 25 people who attended the open house. Generally attendees did not express significant concerns about the changes. One property owner did express concern about the impact of the change to the maximum impervious surface limit as he is in the process of a building improvement process and may have to exceed the limit. Staff discussed options with the resident and will continue to work with him as the improvement project is developed.

Since the September Planning Commission meeting, Staff has formatted the proposed revisions into the zoning code. As shown in the attached Exhibit A, the shoreland overlay district is proposed to be created as Section 1012.03 in Chapter 1012 (Overlay Districts).

**Attachment A** shows the proposed Shoreland Overlay District Ordinance.

#### **Electric Vehicle Charging Ordinance**

The new electric vehicle (EV) charging ordinance will be located in Chapter 1019 – Parking and Loading Areas. The existing Minimum Parking Requirements (Sec. 1019.04) will be amended to become the Minimum Parking Spaces and Electric Vehicle Charging Requirements, sub-section D. See the proposed ordinance in **Attachment B**. The new 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 and September PC meetings.

#### **Definitions**

To support the new electric vehicle charging ordinance, 11 definitions will be added in the Definitions section of the Zoning Code (Sec. 1001.10). There are also three definitions related to shoreland that are proposed to be updated in Sec. 1001.10. See the definitions in **Attachment B**.

#### **Landscaping Standards**

The proposed sustainability-related changes to the existing Landscaping and Screening Ordinance will 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 **Attachment B** for where these three changes would be located within the existing Landscaping Ordinance.

#### **Sustainability Incentives**

The proposed sustainable building incentives/bonuses point system is intended to increase developers' incorporation of sustainability building features into new development projects. A developer can request some type of zoning incentive by incorporating sustainable building features into a new development project. The sustainable building incentives/bonuses is proposed as a new section (1011.13) in Zoning Code Chapter 1011 – Property Performance Standards. This new section will establish the sustainable building incentives/bonuses points system as a development option and refer to a more detailed sustainable building incentives/bonuses worksheet that is located outside of the zoning code. Locating the detailed worksheet outside the code will provide more flexibility over time to amend and adapt the details of the incentives as it is 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.

**Attachment C** shows the proposed **Sustainable Building Incentives Point System Worksheet**. The worksheet will have two primary components:

- Zoning Incentives
- Sustainable Building Features.

The worksheet identifies 12 zoning incentive/bonus options, consisting of the following:

- Density dwelling units per acre, lot area, lot width
- Building intensity building height, improvement area, impervious surface
- Building setbacks front, corner, rear
- Building design horizontal façade articulation, exterior materials, window & door openings

The worksheet also identifies 12 sustainable building feature options that developers could incorporate into new development projects in order to gain approval of desired zoning incentives/bonuses, consisting of the following:

- Building energy efficiency
- Electric vehicle charging stations / EV-ready infrastructure
- Stormwater management
- Natural open space / landscaping
- Bird-safe buildings

The worksheet includes proposed points for each zoning incentive/bonus (points needed) and each sustainable building feature (points earned). The intent is to keep the points system method as simple as possible. Some details will be added to the final version of the worksheet, such as use instructions and definition of the components where needed.

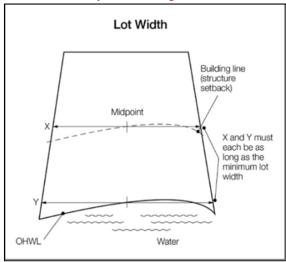
In order to ensure long-term compliance with the commitments made via this sustainable building incentives/bonuses point system, the property owner will have to agree to attach the worksheet of sustainability building features and zoning incentives to a property covenant that gets recorded against the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

#### **ATTACHMENTS**

- A: Shoreland Overlay District Ordinance
- B: Sustainability-Related Ordinances and Incentives
- C: Sustainable Building Incentives Point System Worksheet

- LODGE, PRIVATE: An association of persons who are bona fide members paying annual dues, which
- owns, hires or leases a building, or space within a building, which is restricted to members and their
- guests. The affairs and management of such private club or lodge are conducted by a board of directors,
- executive committee or similar body chosen by the members at their annual meeting.
- 480 LODGING: A building containing rooming units providing temporary sleeping accommodations (less
- than 30 days duration) to the general public, which may include additional facilities for food service,
- 482 meeting space, and/or recreation.
- LOT: A tract of land, designated by metes and bounds, land survey, minor land division or plat, and
- recorded in the office of the county register of deeds.
- LOT, CORNER: A lot of which at least 2 adjacent sides abut for their full lengths upon a street, provided
- that the interior angle at the intersection of such 2 sides is less than 135 degrees. A lot abutting upon a
- curved street or streets shall be considered a corner lot if the tangents to the curve at its point of beginning
- within the lot or at the points of intersection of the side lot lines with the street line intersect at an interior
- angle of less than 135 degrees.
- 490 LOT, KEY: The first interior lot to the rear of a reverse corner lot.
- LOT, NON-CONFORMING PRE-EXISTING: Any lot which does not comply with existing code
- requirements, but which complied with existing regulations at the time the lot was established.
- LOT, REVERSE CORNER: A corner lot the street side lot line of which is substantially a continuation of
- 494 the front lot line of the key lot to its rear.
- 495 LOT, THROUGH: A lot having a pair of opposite lot lines along, and access to, 2 more or less parallel
- 496 public streets, and which is not a corner lot. On a through lot, both street lines shall be deemed front lot
- 497 lines.
- 498 LOT AREA: The area of a horizontal plane bounded by the front, side and rear lot lines.
- 499 LOT DEPTH: The mean horizontal distance between the front lot line and the rear lot line of a lot
- measured within the lot boundaries
- LOT LINE, FRONT: The boundary of a lot which abuts an existing, dedicated or officially mapped street.
- In the case of a lot abutting more than one street, the owner may choose any street lot line as the front lot
- line, with the consent of Community Development Department, based on the effects of such choice on
- development of the lot itself or on adjacent properties.
- LOT LINE, REAR: That lot line which is opposite and most distant from the front lot line.
- LOT LINE, SIDE: Any lot line that is not a front lot line or a rear lot line.
- 507 LOT WIDTH: 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. The
- 509 <u>minimum distance between:</u>
- Side lot lines measured at the midpoint of the building line; and

• Side lot lines at the ordinary high water level, if applicable (see figure below). Otherwise, side lot lines at the rear yard building setback line.



M.

MANUFACTURED HOME: A structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "recreational vehicle."

MANUFACTURING, PRODUCTION AND PROCESSING: Manufacturing, assembly, processing, research, development, or similar uses which may involve raw materials and have the potential to produce objectionable influences on surrounding properties or adverse effects on the environment. Manufacturing, production and processing uses require special measures and careful site selection to ensure compatibility with the surrounding area.

MASSAGE THERAPY: A profession in which the practitioner applies massage techniques, and may apply adjunctive therapies, with the intention of positively affecting the health and well-being of the client. Massage therapy does not include diagnosis, except to the extent of determining whether massage therapy is indicated. Further, "massage" is manual manipulation of the human body, including holding, positioning, causing movement, and applying touch and pressure to the body; "therapy" is action aimed at achieving or increasing health and wellness; "adjunctive therapies" may include

- 1. application of heat, cold, water, mild abrasives, topical preparations not classified as prescription drugs,
- 2. the use of mechanical devices and tools which mimic or enhance manual actions and
- 3. instructed self-care and stress management.

MICROBREWERY: A facility that produces for sale no more than 3,500 barrels annually of cider, mead, beer or other beverages made from malt by fermentation and containing not less than one-half of one percent alcohol by volume. A microbrewery may include a taproom. (Ord. 1566, 10-22-2018)

574	N.
575 576 577	NATURAL GRADE: The grade of a site before it is modified by moving earth, adding or removing fill, or installing a berm, retaining wall or other earthwork feature. Natural grade is determined by reference to a survey, or other information as determined by the zoning administrator.
578 579 580	NONCONFORMING, ILLEGAL: Designates a lot, use, or structure which failed to satisfy all applicable zoning requirements and was, therefore, illegally established when it was created, initiated, or constructed and which currently fails to satisfy all applicable requirements of this Title as amended.
581 582 583	NONCONFORMING, LEGAL: Designates a lot, use, or structure which satisfied all applicable zoning requirements when it was created, initiated, or constructed but which currently fails to satisfy all applicable requirements of this Title as amended.
584 585 586	NON-MOTORIZED PATHWAYS: On-road and off-road pathways which are used for pedestrian, bicycle, and other non-motorized means of transportation, the specifications of which shall be established by the Public Works Director.
587 588 589	NOXIOUS MATTER: Material which is capable of causing injury or malaise to living organisms or is capable of causing detrimental effect upon the health or the psychological, social or economic well-being of human beings.
590 591	NURSERY SCHOOL: A public or private facility, licensed by the state, the principal function of which is to provide an educational experience outside of the family home for children of preschool age.
592 593	NURSING HOME: A state-licensed establishment having accommodations for the continuous care of two or more invalid, infirm, aged convalescent patients, or disabled persons that are not related.
594	O.
595 596 597 598 599	OFFICE: The general use of a building for administrative, executive, professional, research, or similar organizations having only limited contact with the public. Office is characterized by a low proportion of vehicle trips attributable to visitors or clients in relationship to employees. Examples include, but are not limited to, firms providing architectural, computer software consulting, data management, engineering, interior design, graphic design, or legal services. (Ord. 1572, 06-03-2019)
600 601	OFFICE SHOWROOM: A facility in which up to 50% of the total floor area is utilized for the conduct of a business that involves the display and sale of goods or merchandise on the premises.
602	OFFICE MEDICAL, OR DENTAL: Section repealed. (Ord. 1572, 06-03-2019)
603 604 605	OVERLAY DISTRICT: A zoning district that encompasses one or more primary zoning districts or portions thereof and that imposes additional requirements or relaxes one or more standards required by the primary zoning district.
606 607 608 609	ORDINARY HIGH WATER LEVEL: 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. The boundary of public waters and wetlands, and shall be an elevation delineating the
610	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

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- 612 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.
- OUTDOOR DISPLAY: The display of goods for sale or rental outside of an enclosed building on a
- permanent or recurring basis.
- 617 OUTDOOR SALES EVENTS: A seasonal or occasional sale held on the sidewalk or other location
- outside a building.
- 619 OUTDOOR STORAGE, EQUIPMENT AND GOODS: Storage of equipment (e.g., household
- lawn/garden implements, larger construction equipment, trailers, etc.) or salable goods on racks, pallets,
- bundles, etc., outside of an enclosed building. For the purpose of outdoor storage regulation, "equipment"
- does not include snow removal machinery that may be seasonally present on a property for on-site use.
- 623 OUTDOOR STORAGE, FLEET VEHICLES: Storage outside of an enclosed building of fleet vehicles,
- ranging in size from passenger cars to commercial trucks, which are in active use by a rental agency,
- dispatch service, or other similar distribution or transportation service. Inoperable vehicles in need of
- repair or vehicles which are stored for seasonal use (e.g. snow plows in summer months) are defined and
- regulated as inoperable/out of service vehicles or equipment.
- 628 OUTDOOR STORAGE, INOPERABLE/OUT OF SERVICE VEHICLES OR EQUIPMENT: Storage
- outside of an enclosed building of vehicles or equipment which are in need of repair or unused for more
- 630 than 72 hours.
- OUTDOOR STORAGE, LOOSE MATERIALS: Storage outside of an enclosed building of gravel, rock,
- mulch, sand, salt, or other such material stored in piles or bins.
- 633 OVERHEAD DOOR: A door for vehicle access to loading docks, service bays, garages, or other similar
- areas that opens vertically or horizontally.
- OWNER (OF BUILDING OR LAND): Any sole owner, part owner, joint owner, tenant in common, joint
- 636 tenant, or tenant by the entirety.
- 637 P.
- PARKING FACILITY: An area used for parking of customer or employee vehicles; includes parking lots
- and parking structures.
- PARKING LOT: A one-level, surfaced, open-to-the-air area used for parking vehicles.
- PARKING SPACE: A paved surface located in a permanently maintained area, either within or outside of
- a building, of sufficient size to store one automobile.
- PARKING STRUCTURE: A multi-level parking area, wherein one or more levels are supported above
- the lowest level, and is commonly called a parking garage or parking ramp.
- PAWN SHOP: Any business establishment operated by a Pawnbroker as defined in Chapter 311 of the
- Roseville City Code, in which pawn transactions take place.
- PERMITTED: Designates a use or structure which may be lawfully established in a particular district,
- provided it conforms with all requirements and regulations of the district in which it is located.

- only one basement which shall be counted as a story when the front exterior wall of the basement level is
- exposed more than 50%.
- STREET: A public right-of-way which affords a primary means of access to abutting property.
- 842 STRUCTURE: A structure is anything constructed or erected, including paved surfaces, the use of which
- requires more or less permanent location on the ground, or attached to something having permanent
- location on the ground, and in the case of floodplain areas, in the stream bed or lake bed. A structure is
- anything constructed or erected, including paved surfaces, the use of which requires more or less
- permanent location on the ground, or attached to something having permanent location on the ground, and
- in the case of floodplain areas, in the stream bed or lake bed. Structures include, but are not limited to,
- decks, driveways, and at-grade patios. Structures do not include aerial or underground utility lines such as
- sewer, electric, telephone, gas lines, towers, poles, and other supporting structures.
- 850 STUDENT HOUSING: Group living quarters designed for students of an elementary, middle, junior, or
- high school, college, university, or seminary, organized and owned by such institution.
- 852 SWIMMING POOL: Any structure intended for swimming or recreational bathing that contains water
- over 24 inches.
- 854 T.
- TAPROOM: An area for the on-sale consumption of cider, mead, beer or other beverages made from malt
- by fermentation produced for consumption on the premises of a brewery. A taproom may also include
- sale for off-premises consumption of cider, mead, beer or other beverages made from malt by
- fermentation produced at the brewery location and owned by the brewery for off-premises consumption,
- packaged subject to Minnesota Statute 340A.301, subdivision 7(b), or its successor. (Ord. 1566, 10-22-
- 860 2018)
- TELECOMMUNICATION FACILITIES: Any plant or equipment used to carry wireless commercial
- telecommunications services by radio signal or other electromagnetic waves, including towers, antennas,
- equipment buildings, parking area, and other accessory development.
- TELECOMMUNICATIONS TOWER: A mast, pole, monopole, guyed tower, lattice tower, free-standing
- tower, or other structure designed and primarily used to support antennas. A ground or building mounted
- mast greater than 15 feet tall and 6 inches in diameter supporting one or more antennas, dishes, or arrays
- shall be considered a telecommunications tower.
- TENANT: Any person who occupies the whole or any part of a building or land, either alone or with
- others.
- THEATER: A facility for presenting motion pictures or live performances for patrons. This term includes
- an outdoor stage, band shell, or amphitheater but does not include an adult entertainment establishment.
- 872 TOWNHOUSE: A form of one-family attached dwelling.
- TRAILER: Any structure which is or may be mounted upon wheels for moving about, is drawn by an
- external motive power, and which is used as a dwelling or as an accessory building or structure in the
- conduct of a business, trade or occupation, or is used for hauling purposes.
- 876 TRANSPORTATION DEMAND MANAGEMENT (TDM): Measures, including but not limited to
- 877 carpooling, vanpooling, public transit bicycling, walking, telecommuting, and compressed or deviated

4738	C	HA	PIER 1012 OVERLAY DISTRICTS
4739	SE	CTI	ON:
4740	10	12.0	1: Statement of Purpose
4741	10	12.0	2: Bus Rapid Transit (BRT) Overlay District
4742	<u>10</u>	12.0	3: Shoreland Overlay District
4743	10°	12.0	1: STATEMENT OF PURPOSE
4744			y Districts are designed to:
4745 4746		Pro	ovide specialized guidance for specific geographic areas that may have a number of underlying ning districts.
4747	B.	Co	mply with the Comprehensive Plan's land use guidance.
4748	103	12.0	2: BUS RAPID TRANSIT (BRT) OVERLAY DISTRICT
4749	A.	Pu	pose
4750		Th	e Bus Rapid Transit (BRT) Overlay District is intended to:
4751		1.	Achieve the guidance of the Comprehensive Plan's future land use goals and policies.
4752		2.	Promote higher residential density development within the half-mile walkshed of BRT stations.
4753		3.	Establish standards above and beyond those existing in underlying zoning districts for those areas.
4754		4.	Focus on enhancing pedestrian connections as part of development.
4755 4756 4757	B.	Ro	erlay District Boundaries: This section shall apply to all lands within the jurisdiction of the City of seville, Minnesota, shown on the official zoning map and/or the attachments thereto as meeting h of the following:
4758		1.	Located within the boundaries of the Bus Rapid Transit (BRT) Overlay District; and,
4759		2.	Having the underlying zoning of the following base zoning districts:
4760			a. HDR High Density Residential District
4761			b. MU-1 Neighborhood Mixed Use District
4762			c. MU-2A and MU-2B Community Mixed Use Districts
4763			d. MU-3 Corridor Mixed Use District
4764			e. MU-4 Core Mixed Use District
4765	C.	De	nsity Standards
4766		1.	Residential density shall be a minimum of 15 units per acre.

D. Pedestrian and Bicycle Facilities Plan: Any expansion of existing buildings or uses, a change in use,

or redevelopment of property will require submittal of a Pedestrian and Bicycle Facilities Plan prior to

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- any City approval of proposed development. The Pedestrian and Bicycle Facilities Plan shall include the following:
- 1. Area map showing existing public and private pedestrian and bicycle facilities and destinations within a half-mile walkshed of the property.
- 2. Proposed pedestrian and bicycle facilities.
- 3. Proposed pedestrian and bicycle connections to existing or planned public sidewalks and trails, including pedestrian/bike street crossings.
- 4776 E. Pedestrian and Bicycle Facilities Standards

- 1. Provision of pedestrian and bicycle connections to all existing or planned public sidewalks and trails, including pedestrian/bike street crossings, adjacent to the site.
  - 2. Provision of pedestrian-oriented open space adjacent to BRT stations and major roadway intersections designed as a semi-public space, outdoor seating, or other semi-public uses.

#### 1012.03: SHORELAND OVERLAY DISTRICT

- A. Statutory Authorization and Policy
  - 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.
  - 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.
  - 3. Purpose: The purpose of the Shoreland Overlay 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 Overlay 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.

#### B. General Provisions and Definitions

1. Jurisdiction: The provisions of this ordinance apply to the shorelands of the public water bodies as classified in Section 1012.03.D.1 of this ordinance. 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.

1806	<u>2.</u>	Enforcement: The Community Development Director is responsible for the administration and
1807		enforcement of this ordinance. Any violation of the provisions of this ordinance or failure to
1808		comply with any of its requirements, including violations of conditions and safeguards
1809		established in connection with grants of variances or conditional uses, constitutes a misdemeanor
1810		and is punishable as defined by law. Violations of this ordinance can occur regardless of whether
1811		or not a permit is required for a regulated activity listed in Section 1012.03.C.2 of this ordinance.
1812	3.	Severability: If any section, clause, provision, or portion of this ordinance is adjudged
1813		unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance
1814		shall not be affected thereby.
1815	4.	Abrogation and Greater Restrictions: It is not intended by this ordinance to repeal, abrogate, or
1816		impair any existing easements, covenants, or deed restrictions. However, where this ordinance
1817		imposes greater restrictions, the provisions of this ordinance shall prevail. All other ordinances

- 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.

  5. Definitions: Unless specifically defined below, words or phrases used in this ordinance shall be
- 5. Definitions: Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the same meaning they have in common usage and to give this ordinance its most reasonable application. For the purpose of this ordinance, the words "must" and "shall" are mandatory and not permissive. All distances, unless otherwise specified, are measured horizontally.

BLUFF: A topographic feature such as a hill, cliff, or embankment having the following characteristics:

- Part or all of the feature is located in a shoreland area;
- The slope must drain toward the waterbody.

- The slope rises at least 25 feet above the ordinary high water level;
- 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 1012-1), 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 1012-2).



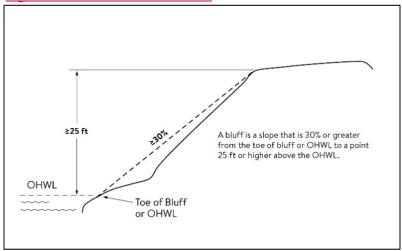
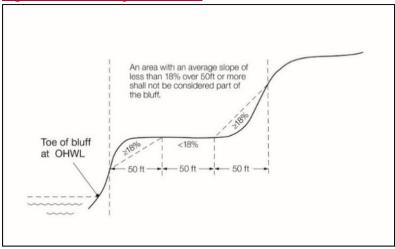
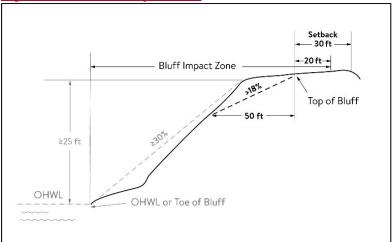


Figure 1012-2: Exception to Bluff



 BLUFF IMPACT ZONE: A bluff and land located within 30 feet of the top of a bluff. See Figure 1012-3.

Figure 1012-3: Bluff Impact Zone



 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.

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.

BOATHOUSE: A facility as defined by Minnesota Statutes, Section 103G.245.

BUFFER: A vegetative feature as defined by Minnesota Statutes, Section 103F.48.

 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.

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.

4849	COMMERCIAL USE: The principal use of land or buildings for the sale, lease, rental, or trade of
4850	products, goods, and services.
4851	COMMISSIONER: The commissioner of the Department of Natural Resources.
4852	CONDITIONAL USE: Conditional use. A land use or development as defined by ordinance that
4853	would not be appropriate generally but may be allowed with appropriate restrictions upon a
4854	finding that certain conditions as detailed in the zoning ordinance exist, the use or development

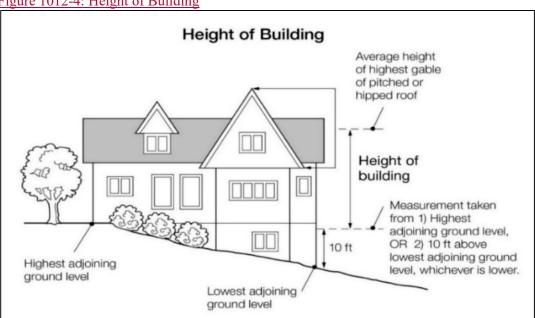
temporary or movable shelter, including camping and recreational vehicle sites.

conforms to the comprehensive land use plan of the community, and the use is compatible with the existing neighborhood.

DWELLING SITE: A designated location for residential use by one or more persons using

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 1012-4).

Figure 1012-4: Height of Building



INDUSTRIAL USE: The use of land or buildings for the production, manufacture, warehousing, storage, or transfer of goods, products, commodities, or other wholesale items.

<u>INTENSIVE VEGETATION CLEARING: The complete removal of trees or shrubs in a contiguous patch, strip, row, or block.</u>

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.

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,
resorts, hotels, motels, and conversions of structures and land uses to these uses.
PUBLIC WATERS: Any water as defined in Minnesota Statutes, Section 103G.005, Subd. 15,
15a.

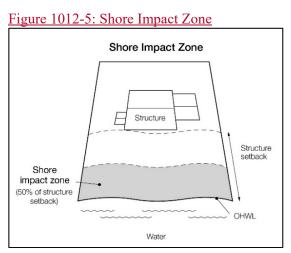
RESIDENTIAL PLANNED UNIT DEVELOPMENT: A use where the nature of residency is nontransient and the major or primary focus of the development is not service-oriented. For example, residential apartments, manufactured home parks, time-share condominiums, townhouses, cooperatives, and full fee ownership 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.

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.

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.

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.

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 1012-5).



SHORELAND: "Shoreland" means land located within the following distances from public waters:

4901	• 1,000 feet from the ordinary high water level of a Department of Natural Resources
4902	designated lake, pond, or flowage; and
4903	• 300 feet from a city designated water body; and
4904	• 300 feet from a river or stream, or the landward extent of a floodplain designated by
4905	ordinance on a river or stream, whichever is greater (see Figure 1012-6).
4906	Figure 1012-6: Definition of Shoreland
l	Definition of Shoreland
	Designated (mapped) floodplain  Shoreland  River  OHWL  Lake
4907	SHORE RECREATION FACILITIES: Swimming areas, docks, watercraft mooring areas and
4908	launching ramps and other water recreation facilities.
4909	SIGNIFICANT HISTORIC SITE: Any archaeological site, standing structure, or other property
4910	that meets the criteria for eligibility to the National Register of Historic Places or is listed in the
4911	State Register of Historic Sites, or is determined to be an unplatted cemetery that falls under the
4912 4913	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
4914	review by the Minnesota state archaeologist or the director of the Minnesota Historical Society.
4915	All unplatted cemeteries are automatically considered to be significant historic sites.
4916	STEEP SLOPE: Lands having average slopes over 12 percent, as measured over horizontal
4917	distances of 50 feet or more, which are not bluffs.
4918	SUBDIVISION: Land that is divided for the purpose of sale, rent, or lease, including planned unit
4919	developments.
4920	SUITABILITY ANALYSIS: An evaluation of land to determine if it is appropriate for the

4924

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

4925 4926		wildlife habitat; presence of significant historic sites; or any other relevant feature of the natural land.
		<del></del>
4927 4928		<u>VARIANCE</u> : "Variance" means the same as that defined in Minnesota Statutes, Section 462.357 Subd. 6 (2).
4929		WATER-DEPENDENT USE: The use of land for commercial, industrial, public or semi-public
4930		purposes, where access to and use of a public water is an integral part of the normal conduct of
4931		operation. Marinas, resorts, and restaurants with transient docking facilities are examples of
4932		commercial uses typically found in shoreland areas.
4933		WATER-ORIENTED ACCESSORY STRUCTURE OR FACILITY: A small, above ground
4934		building or other improvement, except stairways, fences, docks, and retaining walls, which,
4935		because of the relationship of its use to surface water, reasonably needs to be located closer to
4936		public waters than the normal structure setback. Examples of such structures and facilities
4937		include, watercraft and watercraft equipment storage structures, gazebos, screen houses, fish
4938		houses, pump houses, saunas, patios, and detached decks. Boathouses and boat storage structures
4939		given the meaning under Minnesota Statutes, Section 103G.245 are not a water-oriented
4940		accessory structures
4941		WETLAND: "Wetland" has the meaning given under Minnesota Rule, part 8420.0111.
4942	C. Ad	<u>Iministration</u>
4943	<u>1.</u>	Purpose: The purpose of this Section is to identify administrative provisions to ensure the
4944		ordinance is administered consistent with its purpose.
4945	<u>2.</u>	<u>Permits</u>
4946		a. A permit is required for the construction of buildings or building additions (including
4947		construction of decks and signs) and those grading and filling activities not exempted by
4948		Section 1012.03.H.3 of this ordinance.
4949		b. A certificate of compliance, consistent with Minnesota Rules Chapter 7082.0700 Subp. 3, is
4950		required whenever a permit or variance of any type is required for any improvement on or use
4951		of the property.
4952	<u>3.</u>	Application Materials: Application for permits and other zoning applications such as variances
4953		shall be made to the Community Development Department on the forms provided. The
4954		application shall include the necessary information so that the Community Development Director
4955		can evaluate how the application complies with the provisions of this ordinance.
4956	<u>4.</u>	Variances: Variances may only be granted in accordance with Minnesota Statutes, Section
4957		462.357 and are subject to the following:
4958		a. A variance may not circumvent the general purposes and intent of this ordinance; and
4959		b. Variances that allow a structure to be located within the ordinary high water level setback or
4960		that allow more impervious surface coverage than the standard shall include the following
4961		conditions:

4962		i. The greater of 20 feet or 20% of contiguous shoreline to a depth of 10 feet shall be
4963		restored with trees, shrubs, and low ground covers consisting of native plants which are
4964		consistent with the natural cover of the shoreline.
4965 4966		ii. A planting plan which is acceptable to City Staff shall be submitted that demonstrates how the restoration will occur.
4967		iii. Either a conservation easement for the restored area shall be established and recorded, or
4968 4969		signage following City policies shall be installed and maintained around the restoration area.
4970	<u>5.</u>	Conditional Uses: All conditional uses in the shoreland area are subject to a thorough evaluation
4971		of the waterbody and the topographic, vegetation, and soil conditions to ensure:
4972 4973		a. The prevention of soil erosion or other possible pollution of public waters, both during and after construction;
4974		b. The visibility of structures and other facilities as viewed from public waters is limited;
4975		c. There is adequate water supply and on-site sewage treatment; and
4976		d. The types, uses, and numbers of watercraft that the project will generate are compatible in
4977		relation to the suitability of public waters to safely accommodate these watercrafts.
4978	<u>6.</u>	Mitigation
4979		a. In evaluating all variances, conditional uses, zoning and building permit applications, the
4980		zoning authority shall require the property owner to address the following conditions, when
4981		related to and proportional to the impact, to meet the purpose of this ordinance, to protect
4982		adjacent properties, and the public interest:
4983		i. Advanced storm water runoff management treatment;
4984		ii. Reducing impervious surfaces;
4985		iii. Increasing setbacks from the ordinary high water level;
4986		iv. Restoration of wetlands;
4987		v. Limiting vegetation removal and/or riparian vegetation restoration;
4988		vi. Provisions for the location, design, and use of structures, sewage treatment systems, water
4989		supply systems, watercraft launching and docking areas, and parking areas; and
4990		vii. Other conditions the zoning authority deems necessary.
4991		b. In evaluating plans to construct sewage treatment systems, roads, driveways, structures, or
4992		other improvements on steep slopes, conditions to prevent erosion and to preserve existing
4993		vegetation screening of structures, vehicles, and other facilities as viewed from the surface of
4994		public waters assuming summer, leaf-on vegetation shall be attached to permits.
4995	<u>7.</u>	Nonconformities
4996		a. All legally established nonconformities as of the date of this ordinance may continue, but will
4997		be managed according to Minnesota Statues, 462.357 Subd. 1e and other regulations of this

4998 4999		community for alterations and additions; repair after damage; discontinuance of use; and intensification of use.
5000		b. All additions or expansions to the outside dimensions of an existing nonconforming structure
5001		must meet the setback, height, and other requirements of Sections 1012.03.E to 1012.03.H of
5002		this ordinance. Any deviation from these requirements must be authorized by a variance.
	O	Notifications to the Department of Natural Resources
5003	<u>o.</u>	•
5004		a. All amendments to this shoreland ordinance must be submitted to the Department of Natural
5005		Resources for review and approval for compliance with the statewide shoreland management
5006		rules. The City of Roseville will submit the proposed ordinance amendments to the
5007		commissioner or the commissioner's designated representative at least 30 days before any
5008		scheduled public hearings.
5009		b. All notices of public hearings to consider variances, ordinance amendments, or conditional
5010		uses under shoreland management controls must be sent to the commissioner or the
5011		commissioner's designated representative at least ten (10) days before the hearings. Notices
5012		of hearings to consider proposed subdivisions/plats must include copies of the
5013		subdivision/plat.
5014		c. All approved ordinance amendments and subdivisions/plats, and final decisions approving
5015		variances or conditional uses under local shoreland management controls must be sent to the
5016		commissioner or the commissioner's designated representative and postmarked within ten
5017		days of final action. When a variance is approved after the Department of Natural Resources
5018		has formally recommended denial in the hearing record, the notification of the approved
5019		variance shall also include the summary of the public record/testimony and the findings of
5020		facts and conclusions which supported the issuance of the variance.
5021		d. Any request to change the shoreland management classification of public waters within the
5022		City of Roseville must be sent to the commissioner or the commissioner's designated
5023		representative for approval, and must include a resolution and supporting data as required by
5024		Minnesota Rules, part 6120.3000, subp.4.
5025		e. Any request to reduce the boundaries of shorelands of public waters within City of Roseville
5026		must be sent to the commissioner or the commissioner's designated representative for
5027		approval and must include a resolution and supporting data The boundaries of shorelands ma
5028		be reduced when the shoreland of water bodies with different classifications overlap. In these
5029		cases, the topographic divide between the water bodies shall be used for adjusting the
5030		boundaries.
	0	
5031	<u>9.</u>	Mandatory EAW: An Environmental Assessment Worksheet consistent with Minnesota Rules,
5032 5032		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.
5033		4410.4500, Suoparis 19a, 20a, 25, 27, 26, 29, and 50a.
5034	<u>10.</u>	Planned Unit Development: A planned unit development (PUD) may be permitted within the
5035		Shoreland Overlay District as long as it follows the requirements of Chapter 1024 Planned Unit
5036		Developments and Section 1012.03.J below.

D. Shoreland Classification System and Land Uses

5038	1. Shoreland Classification System
5039	a. Purpose. To ensure that shoreland development on the public waters of the City of Roseville
5040	is regulated consistent with the classifications assigned by the commissioner under Minnesota
5041	Rules, part 6120.3300.
5042	b. Lakes are classified as follows:
5043	i. State designated general development (GD) lakes:
	<u>Lake Name</u> <u>DNR Public Waters I.D. #</u>
	<u>Little Johanna</u> 62005800 or 62-58P
	<u>Lake Josephine</u> 62005700 or 62-57P
	<u>Lake Owasso</u> <u>62005600 or 62-56P</u>
	McCarron Lake 62005400 or 62-54P
5044	ii. State designated natural environment (NE) lakes:
	Lake Name DNR Public Waters I.D. #
	Bennett Lake 62004800 or 62-48W
	Langton Lake 62004900 or 62-49W
5045	iii. City designated general development (GD) lakes:
	Lake Name
	Oasis Pond
	Zimmerman Lake
	Walsh Lake
	Willow Pond
TO 40	
5046 5047	2. Land Uses: 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.
5048	E. Special Land Use Provisions
5049	1. Commercial, Industrial, Public, and Semipublic Use Standards
5050	a. Water-dependent uses may be located on parcels or lots with frontage on public waters
5051	provided that:
5052	i. The use complies with provisions of Section 1012.03.G;
5053	ii. The use is designed to incorporate topographic and vegetative screening of parking areas
5054	and structures;
5055	iii. Uses that require short-term watercraft mooring for patrons must centralize these
5056	facilities and design them to avoid obstructions of navigation and to be the minimum size
5057	necessary to meet the need; and
5058	iv. Uses that depend on patrons arriving by watercraft may use signs and lighting, provided
5059	that:

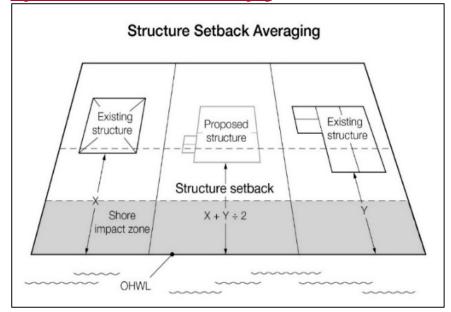
THICC-I allilly (Triplex)				<u> </u>		
Three-Family (Triplex)	38,000	195	100,000	325		
Two-Family (Duplex)	<u>26,000</u>	<u>135</u>	70,000	<u>225</u>		
One-Family (Single)	15,000	<u>85</u>	40,000	125		
<b>Housing (Lot) Type</b>	Lot Area (sf)	Lot Width (ft)	Lot Area (sf)	Lot Width (ft)		
	General Develo	opment Lake	Natural Enviro	nment Lake		
i. Riparian Lot						
Type).						
d. Minimum Lot Area and	Width Standards	for One-Family to	o Four-Family Ho	ousing (Lot		
residential PUDs under	Section 1012.03.J	of this ordinance	; and			
exceeding those in subsection d below are allowed only if designed and approved as						
<ul> <li>b. Lot width standards must be met at both the ordinary high water level and at the building line.</li> <li>c. Residential subdivisions of one-family housing (lot) types that have dwelling unit densities</li> </ul>						
b. Lot width standards mu	st be met at both t	he ordinary high v	water level and at	the building line:		
a. Only lands above the ordinary high water level can be used to meet lot area and width standards;						
	dingry high water	level can be used	to meet lot area of	and width		
the minimum lot area and lost standards:	<u>n width requireme</u>	nts in subsection	a below, subject t	to the following		
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 subsection d below, subject to the following						
from impacts of developme						
1. Purpose: To establish dimen		mance standards t	hat protect shorel	and resources		
F. Dimensional and General Perfo	rmance Standards					
<u>leaf-on conditions.</u>						
substantially screened from		•				
waters frontage, must either		•				
2. Commercial, industrial, pub on lots or parcels without p	The state of the s		•			
navigational lig						
-	llumination across	public waters. Th	nis does not preclu	ude use of		
	inate potential safe	•				
C. Other lighting t	nay be located wit	hin the shore imp	act zone or over p	bublic waters if it		
	mination across p		st be sinciaed of d	inceted to		
	ed by artificial ligh	hts the lights mus	at he shielded or d	lirected to		
size; and	nan ten leet above	the ground, and i	io greater than 32	square feet iii		
Signs placed within the shore impact zone are:     No higher than ten feet above the ground, and no greater than 32 square feet in						
B. Signs placed within the shore impact zone are:						
issued by the county sheriff; and						
<u>A</u>	safety messages	safety messages and may only be	safety messages and may only be placed by a publi	Signs placed in or on public waters must only convey directional inf safety messages and may only be placed by a public authority or uncissued by the county sheriff; and		

5092 5093	ii. Non-Riparian Lot. The lot area and lot width shall meet the standards set forth in the underlying zoning district.
5094	3. Impervious Surface Coverage: Lot development shall meet the impervious surface and storm
5095	water management requirements of the underlying zoning district.
5096	4. Special Residential Lot Provisions:
5097 5098	a. Development of attached, courtyard cottage, and multifamily housing shall meet the following standards:
5099	i. The lot area and lot width shall meet the standards of the underlying zoning district.
5100 5101	ii. 70% of the shore impact zone must be permanently protected. If that zone does not meet a riparian buffer standards then restoration is required.
5102	iii. Shore recreation facilities:
5103 5104	A. Must be centralized and located in areas suitable for them based on a suitability analysis.
5105	B. Docking, mooring, or over-water storage of more than six (6) watercraft on the
5106	centralized facility for the development will only be allowed if the width of the
5107	development is greater than the minimum lot width for a riparian single-family
5108	residential lot on the respective lake type. For each watercraft greater than six, the
5109	width of the development must be increased consistent with the following table:
	$\begin{array}{c c} \textbf{Ratio of lake size to} \\ \textbf{shore length (acres/mile)} & \textbf{Required percent} \\ \textbf{Less than } 100 & 25\% \\ \hline 100-200 & 20\% \\ \hline 201-300 & 15\% \\ \hline 301-400 & 10\% \\ \hline Greater than 400 & 5\% \\ \hline \end{array}$
5110	C. Launching ramp facilities, including a small dock for loading and unloading
5111	equipment, may be provided for use by occupants of dwelling units.
5112	D. A legal instrument must be developed that:
5113	1. Specifies which tenants and/or lot owners have authority to use the facilities;
5114	2. Identifies what activities are allowed. The activities may include watercraft
5115	launching, loading, storage, beaching, mooring, docking, swimming, sunbathing
5116	or picnicking;
5117	3. Limits the total number of vehicles allowed to be parked in any parking area
5118	specifically dedicated to the centralized facilities and the total number of
5119	watercraft allowed to be continuously moored, docked, or stored over water;
5120 5121	4. Requires centralization of all common facilities and activities in the most suitab locations on the lot to minimize topographic and vegetation alterations; and
I . – .	25 miles of the 100 to million topographie and regeration afterioris, that

5122	5. Requires all parking areas, storage buildings, and other facilities to be screened
5123	by vegetation or topography as much as practical from view from the public
5124	water, assuming summer, leaf-on conditions.
5125	E. Accessory structures and facilities, except water oriented accessory structures, must
5126	meet the required structure setback and must be centralized.
5127	F. Water-oriented accessory structures and facilities may be allowed if they meet or
5128	exceed design standards contained in Section 1012.03.G.3 of this ordinance and are
5129	centralized.
5130	b. Subdivisions of two-family (duplexes), three-family (triplexes), and four-family (quads) are
5131	conditional uses on Natural Environment Lakes and must also meet the following standards:
5132	i. Each building must be set back at least 200 feet from the ordinary high water level;
5133	ii. Watercraft docking facilities for each lot must be centralized in one location and serve all
5134	dwelling units in the building; and
5135	iii. No more than 25 percent of a lake's shoreline can be in duplex, triplex, or quad
5136	developments.
5137	c. An accessory dwelling unit may be allowed as long as the standards of Section 1011.12.B.1
5138	and i and ii below are met:
5139	i. The minimum lot size for a detached ADU must meet the two-family (duplex) standard
5140	for the lake type.
5141	ii. A detached ADU must be located or designed to reduce its visibility as viewed from
5142	public waters and adjacent shorelands by vegetation, topography, increased setbacks or
5143	color, assuming summer leaf- on conditions.
5144	d. Controlled access lots are permissible if created as part of a subdivision and in compliance
5145	with the following standards:
5146	i. The lot must meet the area and width requirements for residential lots, and be suitable for
5147	the intended uses of controlled access lots as provided in subsection iv below;
5148	ii. If docking, mooring, or over-water storage of more than six (6) watercraft is to be
5149	allowed at a controlled access lot, then the width of the lot (keeping the same lot depth)
5150	must be increased by a percentage of the requirements for riparian residential lots for
5151	each watercraft beyond six, consistent with the following table:
	Ratio of lake size to Required percent
	shore length (acres/mile) increase in frontage
	<u>Less than 100</u> <u>25%</u>
	$\frac{100 - 200}{201 - 200}$ $\frac{20\%}{150}$
	$\frac{201 - 300}{301 - 400}$ $\frac{15\%}{100}$
	$\frac{301 - 400}{\text{Greater than } 400}$ $\frac{10\%}{5\%}$
1	<u>Oreater than 400</u>

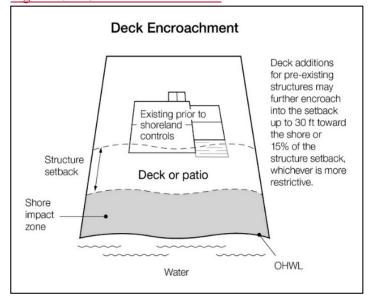
5152	111. The lot must be jointly owned by all purchasers of lots in the subdivision or by all
5153	purchasers of non-riparian lots in the subdivision who are provided riparian access rights
5154	on the access lot; and
5155	iv. Covenants or other equally effective legal instruments must be developed that:
5156	A. Specify which lot owners have authority to use the access lot;
5157	B. Identify what activities are allowed. The activities may include watercraft launching,
5158	loading, storage, beaching, mooring, docking, swimming, sunbathing, or picnicking;
5159	C. Limit the total number of vehicles allowed to be parked and the total number of
5160	watercraft allowed to be continuously moored, docked, or stored over water;
5161	D. Require centralization of all common facilities and activities in the most suitable
5162	locations on the lot to minimize topographic and vegetation alterations; and
5163	E. Require all parking areas, storage buildings, and other facilities to be screened by
5164	vegetation or topography as much as practical from view from the public water,
5165	assuming summer, leaf-on conditions.
5166	5. Placement, Height, and Design of Structures
5167	a. OHWL Setback for Structures. When more than one setback applies to a site, structures and
5168	facilities must be located to meet all setbacks, and comply with the following OHWL setback
5169	provisions.
5170	i. General Development Lake – 50 feet
5171	ii. Natural Environment Lake – 150 feet
5172	iii. OHWL Setbacks. Structures and impervious surfaces must meet setbacks from the
5173	Ordinary High Water Level (OHWL), except that one water-oriented accessory structure
5174	or facility, designed in accordance with Section 1012.03.G.3 of this ordinance, may be set
5175	back a minimum distance of ten (10) feet from the OHWL.
5176	iv. Setback averaging. Where structures exist on the adjoining lots on both sides of a
5177	proposed building site, structure setbacks may be altered without a variance to conform to
5178	the adjoining setbacks from the OHWL, provided the proposed structure is not located in
5179	a shore impact zone or in a bluff impact zone (see Figure 1012-7);

Figure 1012-7: Structure Setback Averaging



- v. Setbacks of decks: 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.
  - A. The structure existed on the date the structure setbacks were established;
  - 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;
  - 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
  - D. The deck is constructed primarily of wood or composite materials having the appearance of wood, and is not roofed or screened (see Figure 1012-8).

Figure 1012-8: Deck Encroachment



 vi. Additional structure setbacks: Structures must also meet the following setbacks, regardless of the waterbody classification.

A. 30 feet from the top of the bluff

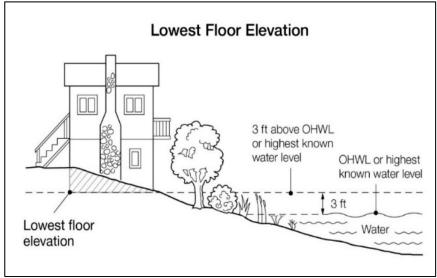
B. 50 feet from an unplatted cemetery

- <u>vii.</u> Bluff Impact Zones: Structures, impervious surfaces, and accessory facilities, except stairways and landings, must not be placed within bluff impact zones.
- b. Height of Structures: All structures must meet the height limitations of the underlying zoning district.

#### c. Lowest Floor Elevation

i. 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 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 1012-9).

Figure 1012.9: Lowest Floor Elevation



#### ii. Methods for Placement

- A. In addition to the lowest floor, all service utilities must be elevated or water-tight to the elevation determined in subsection i above.
- B. If elevation methods involving fill would result in filling in the shore impact zone, then structures must instead be elevated through floodproofing methods in accordance with subsection C below;
- C. 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.
- d. Significant Historic Sites: 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.

#### 6. Water Supply and Sewage Treatment

- a. Water supply. 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.
- b. Sewage treatment. Any premises used for human occupancy must be connected to a publiclyowned sewer system, where available or comply with Minnesota Rules, Chapters 7080 – 7081.

#### G. Performance Standards for Public and Private Facilities

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:

5234	a. Roads, driveways, and parking areas must meet structure setbacks and must not be placed
5235	within bluff and shore impact zones, when other reasonable and feasible placement
5236	alternatives exist. If the City Engineer determines that no alternatives exist, they may be
5237	placed within these areas, and must be designed to minimize adverse impacts;
5238	b. Watercraft access ramps, approach roads, and access-related parking areas may be placed
5239	within shore impact zones provided the vegetative screening and erosion control conditions of
5240	this subpart are met;
5241	c. Private facilities must comply with the grading and filling provisions of Section 1012.03.H.3
5242	of this ordinance; and
5243	d. For public roads, driveways and parking areas, documentation must be provided by a
5244	qualified individual that they are designed and constructed to minimize and control erosion to
5245	public waters consistent with the field office technical guides of the local soil and water
5246	conservation district, or other applicable technical materials.
5247 <u>2</u>	Stairways, Lifts, and Landings: Stairways and lifts are the preferred alternative to major
5248	topographic alterations for achieving access up and down bluffs and steep slopes to shore areas.
5249	Stairways, lifts, and landings must meet the following design requirements:
5250	a. Stairways and lifts must not exceed four feet in width on residential lots. Wider stairways
5251	may be used for commercial properties, public recreational uses, and planned unit
5252	developments;
5253	b. Landings for stairways and lifts on residential lots must not exceed 32 square feet in area.
5254	Landings larger than 32 square feet may be used for commercial properties, public-space
5255	recreational uses, and planned unit developments;
5256	c. Canopies or roofs are not allowed on stairways, lifts, or landings;
5257	d. Stairways, lifts, and landings may be either constructed above the ground on posts or pilings,
5258	or placed into the ground, provided they are designed and built in a manner that ensures
5259	control of soil erosion;
5260	e. Stairways, lifts, and landings must be located in the most visually inconspicuous portions of
5261	lots, as viewed from the surface of the public water assuming summer, leaf-on conditions,
5262	whenever practical; and
5263	f. Facilities such as ramps, lifts, or mobility paths for physically handicapped persons are also
5264	allowed for achieving access to shore areas, if they are consistent with the dimensional and
5265	performance standards of items a-e above and the requirements of Minnesota Rules, Chapter
5266	<u>1341.</u>
5267 <u>3</u>	. Water-oriented Accessory Structures or Facilities: Each residential lot may have one water-
5268	oriented accessory structure or facility if it complies with the following provisions:
5269	a. The structure or facility must not exceed ten feet in height, exclusive of safety rails, and
5270	cannot occupy an area greater than 250 square feet. The structure or facility may include
5271	detached decks not exceeding eight feet above grade at any point or at-grade patios;
5272	b. The structure or facility is not in the Bluff Impact Zone;
i .	<del></del>

5273 5274		c. The setback of the structure or facility from the ordinary high water level must be at least ten feet;
5275		d. The structure is not a boathouse or boat storage structure as defined under Minnesota Statutes,
5276		Section 103G.245;
5277 5278 5279		e. 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;
5280 5281		f. 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;
5282 5283		g. The structure or facility must not be designed or used for human habitation and must not contain water supply or sewage treatment facilities;
5284 5285 5286 5287		h. 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
5288 5289 5290 5291 5292		i. Water-oriented accessory structures may have the lowest floor placed lower than the elevation specified in Section 1012.03.F.5.c.i 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 and, if long duration flooding is anticipated, the structure is built to withstand ice action and wind-driven waves and debris.
5293	H. Ve	getation and Land Alterations
5294 5295 5296	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.
5297	<u>2.</u>	Vegetation Management
5298 5299		a. Removal or alteration of vegetation must comply with the provisions of this subsection except for:
5300 5301		i. Vegetation alteration necessary for the construction of structures and sewage treatment systems under validly issued permits for these facilities; and
5302 5303		ii. The construction of public roads and parking areas if consistent with Section 1012.03.G.1 of this ordinance.
5304 5305		b. Intensive vegetation clearing in the shore and bluff impact zones and on steep slopes is prohibited.
5306 5307 5308 5309 5310		c. 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, beach and watercraft access areas, and permitted water-oriented accessory structures or facilities, provided that:

5311		i. The screening of structures, vehicles, or other facilities as viewed from the water,
5312		assuming summer, leaf-on conditions, is not substantially reduced;
5313		ii. Existing shading of water surfaces along rivers is preserved;
5314		iii. Cutting debris or slash shall be scattered and not mounded on the ground; and
5315		iv. Perennial ground cover is retained.
5316 5317		v. Picnic areas, access paths, livestock watering areas, beaches and watercraft access areas are prohibited in bluff impact zones.
5318 5319	<u>d.</u>	Removal of trees, limbs, or branches that are dead, diseased, dying, or pose safety hazards is allowed without a permit.
5320 5321	<u>e.</u>	Fertilizer and pesticide runoff into surface waters must be minimized through use of vegetation, topography or both.
5322	3. Gr	rading and Filling
5323 5324 5325	<u>a.</u>	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 1012.03.G.1 of this ordinance.
5326	b.	Permit Requirements
	<u>U.</u>	· · · · · · · · · · · · · · · · · · ·
5327 5328		i. Grading, filling and excavations necessary for the construction of structures, and driveways, if part of an approved permit, do not require a separate grading and filling
5329		permit. However, the standards in Section 1017.08.B.3 of this ordinance must be
5330		incorporated into the permit.
5331 5332		ii. For all other work, including driveways not part of another permit, a grading and filling permit is required for:
5333 5334		A. The movement of more than 10 cubic yards of material on steep slopes or within shore or bluff impact zones; and
5335 5336		B. The movement of more than 50 cubic yards of material outside of steep slopes and shore and bluff impact zones.
5337	<u>c.</u>	Grading, filling and excavation activities must meet the following standards:
5338		i. Grading or filling of any wetland must meet or exceed the wetland protection standards
5339		under Minnesota Rules, Chapter 8420 and any other permits, reviews, or approvals by
5340		other local state, or federal agencies such as watershed districts, the DNR or US Army
5341		Corps of Engineers;
5342		ii. Land alterations must be designed and implemented to minimize the amount of erosion
5343		and sediment from entering surface waters during and after construction consistently by:
5344		A. Limiting the amount and time of bare ground exposure;
5345		B. Using temporary ground covers such as mulches or similar materials;
5346		C. Establishing permanent, deep-rooted and dense vegetation cover as soon as possible;

5347	D. Using sediment traps, vegetated buffer strips or other appropriate techniques;
5348	E. Stabilizing altered areas to acceptable erosion control standards consistent with the
5349	field office technical guides of the soil and water conservation district;
5350	F. Not placing fill or excavated material in a manner that creates unstable slopes. Plans
5351	to place fill or excavated material on steep slopes must be reviewed by qualified
5352	professionals for continued slope stability and must not create finished slopes of 30
5353	percent or greater;
5354	G. Fill or excavated material must not be placed in bluff impact zones;
5355	H. Any alterations below the ordinary high water level of public waters must first be
5356	authorized by the commissioner under Minnesota Statutes, Section 103G;
5357	I. Alterations of topography are only allowed if they are accessory to permitted or
5358	conditional uses and do not adversely affect adjacent or nearby properties; and
5359	J. Placement of natural rock riprap, including associated grading of the shoreline and
5360	placement of a filter blanket, is permitted if:
5361	1. the finished slope does not exceed three feet horizontal to one-foot vertical;
5362	2. the landward extent of the riprap is within ten feet of the ordinary high water
5363	level; and
5364	3. the height of the riprap above the ordinary high water level does not exceed three
5365	feet (see Figure 1012-10).
5366	Figure 1012-10: Riprap Guidelines
l	Riprap Guidelines
	Above OHWL: get local government unit permit  Below OHWL: get DNR permit or permission

<3 ft

367

5368

369

above OHWL

d. 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.

OHWL

Water

Finished slope below OHWL must

be less than a 1:3 ratio

<10 ft horizontal

distance from OHWL

5370	<u>I.</u>	Sul	bdivision/Platting Provisions
5371 5372		<u>1.</u>	Purpose: To ensure that new development minimizes impacts to shoreland resources and is safe and functional.
5373 5374 5375 5376 5377 5378 5379		2.	Land suitability: Each lot created through subdivision, including planned unit developments authorized under Section 1012.03.J 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.
5380 5381		<u>3.</u>	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.
5382 5383 5384		4.	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.
5385 5386 5387 5388 5389		<u>5.</u>	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 (cities) 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.
5390 5391		<u>6.</u>	Controlled Access Lots: Controlled access lots within a subdivision must meet or exceed the lot size criteria in Section 1012.03.F.2.d of this ordinance.
5392	<u>J.</u>	Pla	nned Unit Developments (PUDs)
5393 5394		<u>1.</u>	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.
5395 5396 5397 5398		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 1012.03.F.2.d of this ordinance is allowed if the standards in this Section are met.
5399 5400 5401		3.	Processing of PUDs: Planned unit developments must be created through rezoning to an overlay district. The Planned unit development shall comply with the provisions of this section in addition to the standards set forth in Chapter 1023 Planned Unit Developments.
5402 5403 5404		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:
5405 5406			a. A property owner's association agreement (for residential PUDs) which includes mandatory membership, and which is consistent with Section 1012.03.J.6 of this ordinance.

b. Deed restrictions, covenants, permanent easements or other instruments that ensure the longterm preservation and maintenance of open space in accordance with the criteria and analysis specified in subsection 6 below.

- 5. Density Determination. Proposed new or expansions to existing planned unit developments must be evaluated using the following procedures.
  - a. Step 1: Identify Density Analysis Tiers. Divide the project parcel into tiers by drawing oe or more lines parallel to the ordinary high water level at the following intervals, proceeding landward:

Waterbody Classification	No Sewer (ft)	Sewer (ft)
General Development Lakes – 1 <sup>st</sup> tier	<u>200</u>	<u>200</u>
General Development Lakes – all other tiers	<u>267</u>	<u>200</u>
Natural Environment Lakes	<u>400</u>	<u>320</u>

- b. Step 2: Calculate Suitable Area for Development. Calculate the suitable area within each tier by excluding all wetlands, bluffs, or land below the ordinary high water level of public waters.
- c. Step 3: Determine Base Density. 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.

<b>Inside Living Floor Area</b>	<b>General Development</b>	<b>Natural Environment</b>
or Dwelling Site Areas (sf)	<u>Lakes w/sewer – all tiers</u>	<u>Lakes</u>
<u>&lt; 200</u>	.040	.010
300	.048	.012
400	.056	.014
<u>500</u>	.065	.016
<u>600</u>	.072	.019
<u>700</u>	.082	.021
800	.091	.023
900	.099	.025
<u>1,000</u>	.108	.027
<u>1,100</u>	<u>.116</u>	.029
<u>1,200</u>	.125	.032
<u>1,300</u>	.133	.034
<u>1,400</u>	.142	.036
<u>&gt; 1,500</u>	<u>.150</u>	.038

- d. Step 4: Determine if the Site can Accommodate Increased Density:
  - i. The following increases to the dwelling unit or dwelling site base densities determined in Step 3 above are allowed if the design criteria in Section 1012.03.J.6 of this ordinance are satisfied as well as the standards in subsection ii below:

	<b>Shoreland Tier</b>	Maximum density increase within each tier (percent)
	1 <sup>st</sup>	50
	$\frac{2^{\text{nd}}}{3^{\text{rd}}}$	100
	$\frac{3}{4^{\text{th}}}$	<u>200</u> 200
	5 <sup>th</sup>	200
5425	ii. Structure setbacks	from the ordinary high water level:
5426	A. Are increased t	o at least 50 percent greater than the minimum setback; or
5427	B. The impact on	the waterbody is reduced an equivalent amount through vegetative
5428	management, to	opography, or additional acceptable means and the setback is at least
5429	25 percent grea	ter than the minimum setback.
5430	6. Design Criteria: All PUDs 1	must meet the following design criteria.
5431	a. General Design Standar	<u>rds</u>
5432	i. All residential plan	ned unit developments must contain at least five dwelling units or
5433	sites.	
5434	ii. Dwelling units or d	welling sites must be clustered into one or more groups and located on
5435	suitable areas of the	
5436	iii. Dwelling units or d	welling sites must be designed and located to meet the dimensional
5437	standards in Section	•
5438	iv. Shore recreation fac	<u>cilities:</u>
5439	A. Must be central	lized and located in areas suitable for them based on a suitability
5440	<u>analysis.</u>	
5441		spaces provided for continuous beaching, mooring, or docking of
5442	watercraft must	t not exceed one for each allowable dwelling unit or site in the first
5443	<u>tier.</u>	
5444	C. Launching ram	p facilities, including a small dock for loading and unloading
5445	equipment, may	y be provided for use by occupants of dwelling units or sites located in
5446	other tiers.	
5447	v. Structures, parking	areas, and other facilities must be treated to reduce visibility as
5448	viewed from public	waters and adjacent shorelands by vegetation, topography, increased
5449	setbacks, color, or o	other means acceptable to the local unit of government, assuming
5450	summer, leaf-on co	nditions. Vegetative and topographic screening must be preserved, if
5451	existing, or may be	required to be provided.
5452	vi. Accessory structure	es and facilities, except water oriented accessory structures, must meet
5453	the required structu	re setback and must be centralized.
5454	vii. Water-oriented acco	essory structures and facilities may be allowed if they meet or exceed
5455	· · · · · · · · · · · · · · · · · · ·	ontained in Section 1012.03.G.3 of this ordinance and are centralized.
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5456 5457	b. Open Space Requirements: Open space must constitute at least 50 percent of the total project area and must include:
5458	i. Areas with physical characteristics unsuitable for development in their natural state;
5459	ii. Areas containing significant historic sites or unplatted cemeteries;
5460	iii. Portions of the shore impact zone preserved in its natural or existing state as follows:
5461	A. For existing residential PUDs, at least 50 percent of the shore impact zone
5462	B. For new residential PUDs, at least 70 percent of the shore impact zone.
5463	iv. Open space may include:
5464 5465	A. Outdoor recreational facilities for use by owners of dwelling units or sites, by guests staying in commercial dwelling units or sites, and by the general public;
5466	B. Non-public water wetlands.
5467	v. Open space shall not include:
5468	A. Dwelling sites:
5469	B. Dwelling units or structures, except water oriented accessory structures or facilities;
5470	C. Road rights-of-way or land covered by road surfaces and parking areas;
5471	D. Land below the OHWL of public waters; and
5472	E. Commercial facilities or uses.
5473	c. Open Space Maintenance and Administration Requirements
5474	i. Open space preservation: The appearance of open space areas, including topography,
5475	vegetation, and allowable uses, must be preserved and maintained by use of deed
5476 5477	restrictions, covenants, permanent easements, public dedication, or other equally effective and permanent means. The instruments must prohibit:
5478	A. Commercial uses (for residential PUDs);
5479	B. Vegetation and topographic alterations other than routine maintenance;
5480	C. Construction of additional buildings or storage of vehicles and other materials; and
5481	D. Uncontrolled beaching of watercraft.
5482	ii. Development organization and functioning: Unless an equally effective alternative
5483	community framework is established, all residential planned unit developments must use
5484	an owners association with the following features:
5485	A. Membership must be mandatory for each dwelling unit or dwelling site owner and
5486	any successive owner;
5487 5489	B. Each member must pay a pro rata share of the association's expenses, and unpaid
5488	assessments can become liens on units or dwelling sites;
5489	C. Assessments must be adjustable to accommodate changing conditions; and

5490	D. The association must be responsible for insurance, taxes, and maintenance of all
5491	commonly owned property and facilities.
5492	d. Erosion Control and Stormwater Management
5493	i. Erosion control plans must be developed and must be consistent with the provisions of
5494	Section 1012.03.H.3 of this ordinance. Erosion control plans approved by a soil and water
5495	conservation district may be required if project size and site physical characteristics
5496	warrant.
5497	ii. Stormwater management facilities must be designed and constructed to manage expected
5498	quantities and qualities of stormwater runoff.
1 5499	

5508	CHAPTE	R 1017 SHORELAND, WETLAND AND STORM WATER
5509		MANAGEMENT
5510	Eliminated-	Ord. , 12023
5511	SECTION:	
5512	1017.01:	Short Title
5513	1017.02:	
5514	1017.03:	Statutory Authorization
5515	1017.04:	Policy; Statement of Purpose
5516	1017.05:	— Definitions
5517	1017.06:	Enforcement Compliance
5518	1017.07:	— Disclaimer
5519	1017.08:	- Interpretation
5520	1017.09:	— Severability
5521	1017.10:	Abrogation and Greater Restrictions
5522	1017.11:	- Administration
5523	1017.12:	Water Management Overlay Districts
5524	1017.13:	Shoreland Classifications
5525	1017.14:	Water Management Overlay District Lot Standards
5526	1017.15:	Additional Lot Dimension Requirements
5527	1017.16:	Structure Design Standards
5528	1017.17:	General Design Criteria for Structures
5529	1017.18:	Design Criteria for Commercial, Industrial, Public and Semi-Public Uses
5530	1017.19:	Notifications to the Department of Natural Resources
5531	1017.20:	- Variances
5532	1017.21:	— Conditional Uses
5533	1017.22:	- Nonconformities
5534	1017.23:	— Subdivision/Platting Provisions
5535	1017.24:	Planned Unit Development Requirements - Repealed (Ord. 1405, 2-28-2011)
5536	1017.25:	Grading, Filling and Land Alteration - Repealed (Ord. 1557, 6-18-2018)
5537	1017.26:	Storm Water Management
5538	1017.27:	Amendment

## Attachment D Proposed Sustainability-Related Zoning Code Changes

### 1) Electric Vehicle Charging Standards

### 1019.04 Minimum Parking Spaces & Electric Vehicle Charging

### 4 Requirements

#### **NEW SECTION**

D. Electric Vehicle Charging Standards
1. The intent of this section is to facilities

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	Optional	Optional
30- 49	<ul> <li>Multiple family residential (5 or more units)- 5% of required parking as Level 1</li> <li>Non-residential land uses- One Level 2 station</li> <li>One handicapped space required to have access to an EVCS</li> </ul>	• 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> <li>Multiple family residential (5 or more units)- 10% of required parking as Level 1, one Level 2 station required for guest parking</li> <li>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.</li> </ul>	• 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:

#### Attachment D

#### **Proposed Sustainability-Related Zoning Code Changes**

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- i. Multiple-Family Residential Land Uses (5 or more units per building): all new and expanded parking areas shall provide the electrical capacity 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.

### Attachment D **Proposed Sustainability-Related Zoning Code Changes**

67

c. Lighting. Site lighting shall be provided where EVSE is installed, unless charging

68		is for daytime purposes only.
69	d.	Equipment Design Standards.
70		i. Battery charging station outlets and connector devices shall be mounted to
71		comply with state code and must comply with all relevant Americans with
72		Disabilities Act (ADA) requirements. Equipment mounted on pedestals,
73		lighting posts, bollards, or other devices shall be designed and located as
74		to not impede pedestrian travel or create trip hazards on sidewalks.
75		ii. Electric vehicle charging devices may be located adjacent to designated
76		parking spaces in a garage or parking lot as long as the devices do not
77		encroach into the required dimensions of the parking space (length, width,
78		and height clearances).
79		iii. The design should be appropriate to the location and use. Facilities should
80		be able to be readily identified by electric vehicle users and blend into the
81		surrounding landscape/architecture for compatibility with the character
82		and use of the site.
83		iv. EVCS pedestals shall be designed to minimize potential damage by
84		accidents, vandalism and to be safe for use in inclement weather.
85	e.	Usage Fees. The property owner may collect a service fee for the use of EVSE.
86	f.	Maintenance. EVSE shall be maintained in all respects, including the functioning
87		of the equipment. A phone number or other contact information shall be provided
88		on the equipment for reporting problems with the equipment or access to it.
89		
90	2) Definition	ons Related to Electric Vehicle Charging and Shoreland Standards
91	1001.10	Definitions
92	NEW ELE	CTRIC VEHICLE CHARGING DEFINITIONS
00	A COEGGIDI	
93		E ELECTRIC VEHICLE CHARGING STATION: electric vehicle charging station
94		tery charging station is located within accessible reach of a barrier-free access aisle
95	and the electr	ic venicle.
96	BATTERY C	CHARGING STATION: means an electrical component, assembly or cluster of
97		ssemblies designed specifically to charge batteries within electric vehicles.
	•	
98		LECTRIC VEHICLE: any vehicle that operates exclusively on electrical energy
99		oard source that is stored in the vehicle's batteries and produces zero tailpipe
100	emissions or	pollution when stationary or operating.
101	CHARGING	LEVELS: standardized indicators of electrical force, or voltage, at which an
102		le's battery is recharged. The terms 1, 2, and DC are the most common charging
103		clude the following specifications:
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104	1. Level	1 is considered slow charging with 120v outlets.

#### **Attachment D**

#### **Proposed Sustainability-Related Zoning Code Changes**

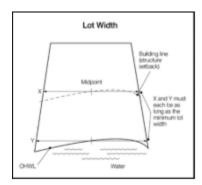
- 2. Level 2 is considered medium charging with 240v outlets, charging head and cord hardwired to the circuit.
- 3. DC is considered fast or rapid charging. Voltage is greater than 240.
- 108 ELECTRIC VEHICLE: a vehicle that operates, either partially or exclusively, on electrical
- energy from the electrical 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
- 113 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.
- 117 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.
- 120 ELECTRIC VEHICLE PARKING SPACE: any marked parking space that identifies the use to
- be exclusively for the parking of an electric vehicle.
- 122 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.
- 125 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).
- 129 PLUG IN HYBRID ELECTRIC VEHICLE: an electric vehicle that:
- 130 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 internalcombustion-driven generator; and
- 4. Has the ability to travel powered by electricity.

## Attachment D Proposed Sustainability-Related Zoning Code Changes

#### 137 UPDATED DEFINITIONS RELEVANT TO THE SHORELAND OVERLAY DISTRICT

- 138 LOT WIDTH. The minimum distance between:
- 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). Otherwise, side
- lot lines at the rear yard building setback line.

#### Figure 4. Lot Width



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ORDINARY HIGH WATER LEVEL: 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.

147 easily recognized characteristi148 ORDINARY HIGH WATER

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.

STRUCTURE: A structure is anything constructed or erected, including paved surfaces, the use of which requires more or less permanent location on the ground, or attached to something having permanent location on the ground, and in the case of floodplain areas, in the stream bed or lake bed. Structures include, but are not limited to, decks, driveways, and at-grade patios.

Structures do not include aerial or underground utility lines such as sewer, electric, telephone,

gas lines, towers, poles, and other supporting structures.

### Attachment D

#### **Proposed Sustainability-Related Zoning Code Changes**

160	3) Landscaping Standards								
161	1011.03	Landscaping and Screening in All Districts							

3) Landscaning Standards

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#### UPDATED LANDSCAPING STANDARDS

- A.3.e. The following minimum number of plant materials shall be provided:
  - 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:
    - --1 canopy tree and 1 evergreen tree per two thousand (2,000) square feet of open area.
  - 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 181 determine minimum landscape requirements. 182
- Plant Material Standards: A.4. 183
  - 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 188
  - ii. Ornamental tree: 1.5-inch caliper
  - iii. Evergreen tree: 6-foot height
- iv. Deciduous or evergreen shrub: 5-gallon pot 191
- 192 c. All plant materials shall be selected based on zone tolerance in accordance with the USDA Plant Hardiness Zone Map. 193
  - 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.

#### 4) Sustainability Incentives 196

- **NEW SECTION** 197
- SUSTAINABLE BUILDING ZONING INCENTIVES 1011.13: 198

## Attachment D Proposed Sustainability-Related Zoning Code Changes

A. In order to promote sustainable building practices, eligible new development,
redevelopment, and building expansions may apply for up to three (3) zoning incentives in
exchange for incorporating sustainable building features in their development project.
Application for a zoning incentive(s) shall be accomplished by submitting a completed
Sustainable Building Zoning Incentives Worksheet to the Community Development Departmen
Applicants shall choose from the options of zoning incentives and sustainable building features
identified on the Sustainable Building Zoning Incentives Worksheet. Approval of a zoning
incentive(s) is processed administratively by the Community Development Department, in
coordination with the Sustainability Specialist. Such approval shall be memorialized through
recording of a property covenant that ensures compliance with the commitments made via the
approved Sustainable Building Zoning Incentives Worksheet. The Sustainable Building Zoning
Incentives Worksheet is on file with the Community Development Department.

								An	alvsis of Ir	ncentives Im	pacts on Zoni	ing Standar	ds						
		Density Maximum (du/ac)	Density Bonus - 20% Increase in Maximum	Lot Area Minimum (sq. ft.)	Lot Area Bonus - Reduction in Minimum (sq. ft.)	Lot Width Minimum (feet)	Lot Width Bonus - Reduction in Minimum (feet)	Building Hgt. Maximum (feet)	Height Bonus - Increase in Maximum (feet	Improvement Area Maximum	Improvement Area Bonus - Increased %	Impervious Surface Maximum	Impervious Surface Bonus - Increased %	Front Setback Minimum (feet)	Front Setback Bonus - 20% Reduction in Minimum	Corner Setback Minimum (feet)	Corner Setback Bonus - 20% Reduction in Minimum	Rear Setback Minimum (feet)	Rear Setback Bonus - 20% Reduction in Minimum
LDR	1-family	8		9,350	8,500	85	75	30	35	50%		30%	35%	30 min	24 min	10 min	8 min	30 min	24 min
	2-family/ courtyard cottage	8		5,500	5,000	45, N/A	40												
LMDR	1-family	12		6,000	5,500	60	50	35	40	60%		35%	40%	30 min	24 min	10 min	8 min	30 min	24 min
	2-family/ courtyard cottage	12		4,800	4,300	30	25												
	3/4-family Attached/ courtyard cottage	12 12		3,600 N/A	3,200 N/A	24 N/A	20 N/A												
MDR	cottage	12	14					45	55	65%	70%			30 min	24 min	10 min	8 min	0/30/45 min	0/24/36 mir
MDR (CU)		18	22															, ,	, ,
HDR		24	29					55	65	75%	80%			30 min	24 min	10 min	8 min	30 min	24 min
HDR (CU)		24+	29+					55+											
MU-1		12	14					35	40	75%	80%			0	0	0	0	25/10 min <sup>1</sup>	20/8 min
MU-2A		N/A	N/A					35	40	85%	90%			25 max	N/A	10 max	N/A	0	0
MU-2B		N/A	N/A					65	80	85%	90%			25 max	N/A	10 max	N/A	0	0
MU-3		36	43					45	55	85%	90%			25 max	N/A	10 max	N/A	25/10 min <sup>1</sup>	
MU-4		36	43					65	80	85%	90%			0	0	0	0	25/10 min <sup>1,2</sup>	20/8 min
MU-4 (CU	)	36+	43+					100											
<sup>1</sup> Resident	ial / non-resid	dential																	
<sup>2</sup> 25' or 50	% of bldg. hg	t. whichever	is greater																
			ne; pre-colore d concrete blo																
	-			-					lwood, and fi	r), or fiber ceme	nt board								
	on a public s		Japan, pranin	bi dac W		12.24 04.514	(0	.0., 55341 164		.,, 5									
_	ing on a pub																		
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					Analysis o	of Incentive	es Impacts	on Zoning Sta	ındards				
		Horizontal Articulation Minimum, non- residential and mixed use (feet)	Horizontal Articulation Bonus, non- residential and mixed use - Increase in Minimum Distance (feet)	Primary Exterior Materials Minimum, non- residential and mixed use <sup>3</sup>	Primary Exterior Materials Bonus, non- residential and mixed use - Reduction in % Required 3	Secondary Exterior Materials Maximum, non- residential and mixed use <sup>4</sup>	residential and mixed use -	Front Façade, Ground Floor Window & Door Openings, Length and Area Minimum <sup>5</sup> , non residential and mixed use	Openings  Bonus <sup>5</sup> , non- residential and mixed use	Rear <sup>6</sup> , Side <sup>6</sup> and Upper Floor Window & Door Openings, Length and Area Minimum, non- residential and mixed use	& Door Openings Bonus, non- residential and mixed use -	Window & Door Openings Minimum, residential	Window & Door Openings Bonus, residential - Reduction in Minimum %
LDR	1-family 2-family/ courtyard												
LMDR	cottage 1-family												
	2-family/ courtyard cottage 3/4-family Attached/												
	courtyard cottage												
MDR MDR (CU)	cottage												
HDR													
HDR (CU) MU-1		40	50	60%	50%	40%	50%	60%, 40%	50%, 30%	20%, 20%	15%, 15%	20%	15%
MU-2A MU-2B MU-3		40 40 40	50 50 50	60% 60% 60%	50% 50% 50%	40% 40% 40%	50% 50% 50%	60%, 40% 60%, 40% 60%, 40%	50%, 30% 50%, 30% 50%, 30%	20%, 20% 20%, 20% 20%, 20%	15%, 15% 15%, 15% 15%, 15%	20% 20% 20%	15% 15% 15%
MU-4 MU-4 (CU)		40	50	60%	50%	40%	50%	60%, 40%	50%, 30%	20%, 20%	15%, 15%	20%	15%
2	ıl / non-resi												
<sup>3</sup> Face brick	; natural or	t. whichever is gre cultured stone; pr nels; textured cond	e-colored or fa										
<sup>4</sup> Pre-finishe	ed metal, co	or-ten steel, coppe	-				g., cedar redw	ood, and fir), or f	iber cement bo	ard			
6	n a public s ng on a pub												

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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.

Member McGehee indicated there will be an electric vehicle fair at Prince of Peace Lutheran Church on June 21<sup>st</sup> at 6:00 p.m.

#### 6. Other Business

a. Discuss Phase Two Zoning Code Amendments Regarding the Shoreland Ordinance and Sustainability

Community Development Director Janice Gundlach presented the Phase Two Zoning Code Amendments regarding the Shoreland Ordinance and Sustainability. She reviewed the changes and asked the Commission for feedback.

Ms. Rita Trapp, HKGi, made a presentation on Roseville's Shoreland Ordinance to the Commission. She asked for feedback on this item from the Commission.

Member McGehee indicated regarding uses near lakes, around Langdon Lake on Cleveland Avenue side there is some heavy development and that lake does have commercial and industrial development on the side and also Bennett Lake is there. She did not think that is the case on other lakes but it is on that one.

Ms. Trapp explained HKGi looked at this specifically with the DNR and what they are looking for is the traditional, heavy manufacturing that would have outdoor storage, would have a potential for contamination or things like that. She thought the redevelopment that is being seen while it may include some lighter industrial or the office/flex/tech., that is not the kind of thing the DNR is concerned about because that will be fully contained within the building and commercial is not of concern.

Ms. Gundlach clarified what could be allowed under the Zoning designation, not is what is there today. What is there today is essentially grandfathered in.

Ms. Trapp continued with her presentation.

Member Schaffhausen asked what riparian meant.

Ms. Trapp explained riparian means it is actually on the lakeshore and has parts on the property that include or are adjacent to the ordinary high-water level of the lake. It is only properties that are adjacent and anything that is separated from a lake by a public piece of property or another property or a street would be considered non-riparian.

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Chair Kimble asked if the two model ordinance columns would be for the riparian lots and then the others that are non-riparian but are within the thousand would follow what the City normally has for an ordinance.

Ms. Trapp indicated that was correct.

Ms. Trapp continued her presentation on sustainability in regard to the Phase Two Zoning Code Amendments, Title 8 Public Works Amendments.

Member McGehee asked since there are three watershed, how did the City pick Ramsey/Washington, she wondered if this was the best one. She also indicated the wetland is not under the DNR at all, it is under BOWSER so there is no reason it would be regulated by the DNR.

Ms. Trapp indicated that was correct and one of the reasons they are suggesting separating it out so that it is not confusing. She explained they were trying to keep as close to the model ordinance as possible. She noted Ryan is the one who picked Ramsey/Washington Watershed and is the one he liked. She thought they were pretty complete and easy to pick out the sections he liked and insert them into the City's Code.

Ms. Trapp continued her presentation on sustainability in regard to the Phase Two Zoning Code Amendments, Next Steps. She asked for Commission feedback.

Member McGehee indicated when the discussion gets to the right part of the upcoming discussion, she wants to mention that the PUD is still available. She understands why the DNR likes the PUD and the mission. She indicated she was looking around at other cities and she thought it would be nice to draft a statement of what the City is trying to do with this.

Chair Kimble indicated one thousand feet is a significant distance from the shore. She indicated if someone has a riparian lot the owner would be grandfathered in but she wondered what would happen if there were redevelopment there because people cannot resize a lot but what would happen if someone wanted to rebuild what would happen. She asked if a variance would be needed.

Mr. Paschke indicated it depended on what would be proposed to be built.

Staff reviewed some examples of redevelopment.

Ms. Trapp indicated there are some rules in the State Statute regarding riparian lots. She reviewed the information with the Commission.

Staff discussed with the Commission previous developments that the Commission reviewed involving lakes and the DNR in the City.

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Ms. Trapp indicated the City currently has a statement of purpose in the original section called "Policy Statement of Purpose" and there is a Waters and Wetland Policy and a Statement of Purpose. She thought if the Commission wanted to go back to have a language of purpose to go back and start with the language the City already has as opposed to starting from scratch.

Member McGehee indicated she had in mind something that was more brief than that and not so regulatory.

Chair Kimble thought the statement could be reworded and not so regulatory.

Ms. Trapp reviewed the Shoreland Classification table with the Commission.

Member Schaffhausen indicated Victoria Shores is a done deal but how do they make the distinction with something as lakeshore changes there is wetland that arrives that was not there previously and was open water, she wondered how that distinction is made in a lake.

Ms. Trapp explained in general, regulations for lake are based on the ordinary highwater level, which is an established level that has been established based on the historical record of the lake. Things do change over time but generally regulations are based on an ordinary high level that has been established for a number of years for each lake. In addition, relative specifically to the wetland question, when redevelopment occurs, generally the developer needs to get a wetland delineation and that is done by a scientist who understands how wetlands and how the surface area changes. There is a scientific measure that is used.

Member Bjorum indicated in most of the cases there are existing stormwater management within the existing boundary, he wondered if once it goes out one thousand feet does the existing language carry out for stormwater management or is there additional language that they have to add to prevent things from flowing into the wetland.

Mr. Paschke explained stormwater management is Citywide.

Ms. Trapp indicated there is a section about stormwater management in this that has not changed and it will be moved to the section where the rest of the stormwater information is located.

Ms. Trapp asked if there were any concerns about the designations being proposed.

Chair Kimble asked if the Commission was clear on the impact the one thousand feet will have on all the homeowners.

Ms. Trapp explained anybody who is existing will be able to continue as they are today. It will have some impacts in terms of the potential level of development. Primarily it will be on the non-riparian lots.

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Member Schaffhausen asked if there is any redevelopment than there will have to be conversation about that.

Ms. Trapp indicated that was correct.

Ms. Gundlach indicated the value is the City matches the model ordinance and define the shoreland as being out one thousand feet. The practical impact to the City's non-riparian lots who are now scooped up in that boundary is minimal, if non-existent and the City will need to be very careful about how this is messaged moving forward because once this gets to a public hearing the City will be notifying those people and she imagined there will be concerns about that.

The Commission discussed with staff wetland rules and wording in the ordinance.

Chair Kimble asked if there was consensus of the Commission to keep the smaller water bodies within the shoreland and keep the three hundred feet for those ones.

The Commission concurred.

Member McGehee asked if there should be a consensus on the bluff, she thought there were not many bluffs in the City but did not know why it would not be kept at thirty feet like it currently is. She thought that would be another offering when trying to adjust things.

Staff and the Commission discussed where in the City there were bluffs.

Chair Kimble thought rather than agreeing to this maybe staff could assess whether it should be removed, if the City does not have any bluffs.

Mr. Paschke did not think it would hurt to leave the section in because staff does not honestly know if there are any bluffs in the City or not.

The Commission and staff discussed Section 3.0, Administration.

Commission Schaffhausen liked this and thought it fit in line with some of the other things the City does as far as the park dedication and kind of feels in line with that.

Chair Kimble was on the fence about this because she felt like she did not have enough examples of what this could be and she was concerned it could possibly be too much of a penalty or overly restrictive to people.

Commissioner Schaffhausen asked if it would show up in a variance or be a condition of a variance.

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Mr. Paschke indicated if would be a condition of the approved variance that they provide vegetation cover and does not preclude them of having access to the lake, having a dock or other things.

Ma. Trapp explained they did specifically state "restore", which has a cost implication versus just leaving it natural.

Chair Kimble indicated for the developer that is one thing, for a single family trying to get a variance for a simple thing on their single-family lot, that is her concern. She explained she was not against the idea of it and she understood the purpose of it but she was concerned what the City was doing to ordinary people that want to do something and now have this thing that they do not understand and have a cost implication. She indicated she does have a concern.

The Commission and staff discussed the implications regarding Section 3.

Ms. Trapp asked if there were any concerns with Section 4.0, Shoreland Classification and Land Uses or with Section 5.0, Special Lane Use Provisions.

The Commission did not have any concerns.

Ms. Trapp indicated Section 6.0, Dimensional and General Performance Standards might need some discussion and clarification. She asked the Commission if there were any concerns or changes for the riparian lots.

The Commission indicated they would support following the model ordinance and providing more protection.

Ms. Trapp explained staff thought the underlying Zoning District should be used for the non-riparian lots which will reduce the impact of that extension to a thousand feet and will make it easier for all of the people who do not realize that they are in a shoreland district anyway.

The Commission agreed.

Ms. Trapp asked if there were any questions about the special residential lot provisions for attached, courtyard cottage and multifamily housing and wondered if it made sense as a strategy to try to move the City in the direction to have some standards that people would follow.

The Commission did not have any additional concerns.

Ms. Trapp asked if there were any questions in Section 7.0, Performance Standards for Public and Private Facilities.

Member McGehee thought in Section 7.11 there might be an easy place for a loophole. It did not seem quite nailed down.

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Ms. Trapp reviewed the section with the Commission.

Member McGehee asked who decides when no alternatives exist.

Chair Kimble thought that would be a part of the review process.

Staff concurred and indicated the DNR would chime in as well.

Ms. Trapp asked if there the Commission had any concerns with Section 8.0, Vegetation and Land Alterations.

The Commission did not have any concerns.

Ms. Trapp asked for additional feedback on Section 9.0, Subdivision/Platting Provisions.

The Commission was fine with following the model ordinance.

Ms. Trapp asked if the Commission had concerns with Section 10.0, Planned Unit Developments (PUDs).

The Commission did not have any additional concerns or questions.

Ms. Trapp asked if there were any other questions on this.

Chair Kimble thanked Ms. Trapp for going through these items with the Commission.

Ms. Trapp reviewed the next steps and indicated she will make the changes and bring them forward to the Commission and for the public hearing.

Chair Kimble indicated the next part of the item is regarding sustainability.

Mr. Jeff Miller indicated HKGi has been examining the City's existing sustainability related ordinances, as well as policies and programs, and exploring potential ordinances or incentives that the City may want to consider. He made a presentation on trees, landscaping and screening with the Commission.

The Commission discussed landscaping and tree requirements that could be done for sustainability in the City as well as previous development requirements.

Mr. Miller continued with his presentation on sustainability. He asked if there was something the Commission thought was missing or if there was something HKGi should look into as far as sustainability elements or if there were any concerns with the ones that are listed in the presentation.

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Member Schaffhausen indicated she had a question on the standards. She thought about their capacity to actually influence change. She asked if the City actually has the ability to influence change such as in packaging.

Ms. Gundlach thought the issue has come up a few times at the City Council level about proposing requirements regarding plastic bags or take out containers. It has not been anything that has been pursued yet but has been talked about. In the context of what has been presented to the Commission, staff is thinking about if the businesses through redevelopment commit to do these things then could unlock some of the other incentives listed. She explained businesses have been through a lot in the last few years with the Pandemic and starting to roll out some of these things could be very burdensome on them. It is trying to find the right balance in regard to imposing requirements regarding these issues because they are important versus what can businesses practically do and what does the business have access to get instead of the containers currently being used.

Member Pribyl one thing that is related to development that is tangent to that is that it could be incentivized or required as a certain percentage of construction waste management such as the waste recycling when building a new building.

Mr. Gundlach thought Ramsey County already required developers to sort the demolition material and recycle what can be recycled.

Chair Kimble indicated she has seen some rebates related to that.

Member McGehee indicated it seemed to her that in every instance the City does not have anything else to trade besides making a taller building, taking away impervious surface or adding more density.

Member Pribyl asked how far can the City go in requiring things. She knew there were some limitations on that but she knew in Duluth the developer has to choose between a number of sustainability features. The developer does not have to do all of them so they choose the ones that work best for the project, site or are most affordable. If the City cannot require everything than maybe the City can require some number of things.

Member McGehee indicated she liked that idea better.

Ms. Gundlach explained that was the idea behind the worksheet. She noted the City is up against State Law that says the City cannot impose more restrictions that are more restrictive than the building code and a lot of these sustainability things certainly regarding net zero buildings and all of that is not required in the building code so staff has to figure that out. Staff did not want to get the City in some legally precarious position based on what is done here. The worksheet idea is not that the developer automatically gets all of the incentives in it, it would be a point system. The right balance is going to need to be found on that worksheet and she wanted the worksheet to live outside of the Zoning Code because staff wants to be able to adapt and amend

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that over time. She noted there was also talk about starting out small because they do not want to put the City in an economically disadvantaged position compared to its neighbors and then build up as the development community sort of gets used to what the City is doing.

Chair Kimble thought staff has captured and spent a lot of time on this.

Member Pribyl thought some items that might be included related to landscaping could be less lawn or no mow areas, food forest and specifically pollinator friendly areas. She also thought there could more bike parking requirements with indoor parking, sheltered parking and repair stations, connections to bike paths as well as EV and PV ready areas should be required.

Member Bjorum thought pedestrian and bike accessibility would be a big one for him. He loved the checklist idea, especially if it is incentivized based on certain criteria and getting more rather than the low hanging fruit.

Member McGehee thought the checklist was a great idea and having outside of the Code is also a good idea so that it can stay current. She thought the checklist should be included as part of any public financing assistance provided by the City.

Chair Kimble thanked HKGi and staff for all their work and indicated she looked forward to seeing this again.

#### 7. Adjourn

#### **MOTION**

Member Pribyl, seconded by Member Schaffhausen, to adjourn the meeting at 8:40 p.m.

Ayes: 6 Nays: 0

Motion carried.

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

Ayes: 4 ayes

Nays: 1 nay (McGehee)

Motion carried.

#### 7. Other Business

## a. Discuss Phase Two Zoning Code Update Amendments

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chair Kimble asked what the definition is of reconstructing for a parking lot. She asked if it would just be repairing or something more because that makes a difference as well.

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

Chair Kimble thought staff should define what reconstructed means.

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

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

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Ms. Gundlach noted all of the solar in the City is on a map on the website and she noted the requirement for EV charging stations does not go into effect on residential homes until it hits the apartment building level. The requirement is only for apartment buildings and non-residential buildings and will be up to the owners whether or not to install them.

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

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

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

The Commission discussed the minimum tree requirement proposal with staff.

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

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

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

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

Mr. Miller reviewed next steps with the Commission.

## 8. Adjourn

#### **MOTION**

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

Ayes: 5 Nays: 0

Motion carried.

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She agreed with everyone about the accesses in and out. Everyone uses them and it is very busy. She added that the neighbors also deal with the noise pollution from Highway 36 and Snelling as well as from the Fair in the fall and can be very bad during the weekends.

Member Schaffhausen explained Chair Kimble was kind enough to reiterate this but was worth noting that as far as tonight's conversation, when, if this actually ever comes to fruition as far as an actual issue, what are the next steps that the people in here should be aware of. There was talk about their needing to be connected with regard to the person that alerted them to begin with, staying up to date with the website, but in addition to that, these conversations go where and what do they need to do next so the neighborhood can continue to provide their feedback.

Ms. Gundlach indicated the City does not have any official applications yet and staff does not know if the developer will come to the City or not. The neighborhood can always call staff to see if the City has received an application and staff will be happy to have one on one conversations with people. The residents can also watch the Planning Commission agendas posted online and then those who own property within five hundred feet of these properties would receive an official invitation to a Planning Commission public hearing if and when one is scheduled and they can share that notice with their neighbors as well. If a meeting is scheduled, there will be an online packet of materials that people can view from the website.

Chair Kimble thanked the public for coming and speaking to them. She indicated the Commission does listen to what is said.

**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.

Member Kruzel explained she is on the Four Parks Board and their Annual event called Tapped and Uncorked is coming up on September 23, 2022 from 6:00 p.m. to 10:00 p.m. at the John Rose OVAL. There will be a bunch of foods trucks as well as a band.

Chair Kimble vouched that this is a great event and raises money for Roseville parks.

## 6. Other Business

## a. Discuss Phase Two Zoning Code Amendments

Community Development Direct Gundlach summarized the Phase Two Zoning Code Amendments.

Ms. Rita Trapp, HKGi made a presentation to the Commission on the Shoreland Ordinance.

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Member McGehee asked if Ms. Trapp could explain a little bit on how HKGi decided on the twenty percent, and when they are doing this, she believed, all of the watershed districts who have holdings and a say in all parts of the City have a list of plants that are a part of the restoration of shoreland that they recommend. That list of plants and how that is done and often grants are available to homeowners to assist with the plant purchases.

Ms. Trapp explained the intent is that the homeowners will be in consult with staff when looking at these things because she did not think residents would have any idea what type of plants would be suitable to plant. Relative to the twenty feet or twenty percent HKGi was trying to come up with an amount that was an improvement to a situation. They were trying to balance those needs and figure it out.

Ms. Trapp continued with her presentation on the key changes to the Shoreland Ordinance.

Member McGehee indicated she did not understand the really stark differences between the PUD process the City goes through and any other development process the City goes through. She explained there is a reason why the City does not have many PUDs. She continued that if someone reads through the reasons why the City has PUD in the Code, the aspirational part, it seems like what government would always want in Roseville for redevelopment. There is a long list: improved environment, improved use of the land, less impervious surface, and so on. All of these things are desired and desirable, but yet the City makes it ten times harder for a developer to even ask for a PUD. A fee has to be paid in the beginning and the applicant has to go through the entire thing twice. McGehee opined that she thought is missing in the whole review process, since she has been on the Planning Commission, is not having impervious surface computed and present for review yet the PUD process now includes a second review with the color renderings of what a proposed project is going to look like and its impervious surface coverage. This is actually very nice and since Roseville is a fully developed suburb and talking about a large part of redevelopment and when she thinks of the group that was just speaking before this item and everything they asked for was visioning of that large lot of land, a PUD seems perfect. The other thing was the lack of how to be more specific. The City needs to clarify how these decisions are made, need to clarify what is going to be looked at to make these decisions. She asked if that clarification would appear when it comes back to the Commission because somebody is going to decide on the suitability of a piece of property for something but she wondered on what basis will they decide and what are the findings they should make public. She noted under 6.4.2 in the comment there is a very telling comment that states "to reduce confusion and ensure conflict between different codes created". She thought that should be corrected to not ensure conflict. She indicated she was looking for some of that clarification and did not see it in her review of the information in the packet.

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Ms. Gundlach indicated regarding the suitability part, that suitability language is in the current Shoreland Ordinance and will continue if the City moves to the Model Ordinance.

Mr. Jeff Miller, HKGi continued the presentation on Electric Vehicle Charging Ordinance and Definitions.

Member McGehee asked if there was a check and balance system in place for when a developer comes in with a cost that is too high. Does the City has the ability to verify their figures, just to be sure?

Chair Kimble asked how the figures could be verified.

Member McGehee was not sure but thought maybe a third party might be able to do that.

Chair Kimble thought there were so many variables that she was not sure the City could get a third party to verify that.

Member Bjorum did not know what the legal ramifications would be for that.

Member Schaffhausen thought technically the five percent also helps small businesses because that was one of the things discussed earlier.

Mr. Paschke agreed and thought there would be ways for staff to challenge the numbers if they did not think it is correct. He did not think there needed to be a checks and balance in the Ordinance but if staff believes it may be too high they could question and challenge the amount and work with the developer on it.

Chair Kimble thought developers want to provide electric charging stations because it was a way to attract people to offices and is important.

Mr. Miller continued his presentation on EV Charging Ordinance and Definitions.

Member Pribyl explained there is nothing in the Accessibility Code that specifically addresses EV charging. She thought it probably would in the next cycle and the model codes, at least what she has heard so far, will not be required to be at an assigned, required accessible parking stall but at least some of the EV charging stations will be required to have access aisle and appropriate reach range so they are not tying up a designated accessible stall, as close to the building for EV charging but providing that accessibility at some of the charging stations. She thought it might be more appropriate to think about providing an access aisle and providing the reach ranges at one of the charging locations and they might also want to reference that requirement or the State Accessibility Code, whichever is more stringent because when that goes into effect that might impact this as well.

Chair Kimble thought that made sense.

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Ms. Gundlach explained staff talked about this a little this morning and she thought it might be appropriate to pull out the requirement under the handicapped stall because her concerns all along have been that she did not want the State Building Official to tell them that they are implementing a requirement that is more restrictive than the Building Code and the accessibility requirements are in the Building Code so if they have those on the accessibility stalls that could be a red flag. If and when the change comes into place where the Building Code will require those accessible stall to have it that would not be a concern. She noted staff can work on this.

Mr. Miller continued the presentation on Landscaping and Screening Ordinance.

Member Pribyl indicated she had a question on the landscaping that was not presented on the slide but was in the handout, in paragraph six regarding mixed use building or development, it states each use shall be calculated separately to determine minimum landscape requirements. She found this confusing because these are two different kinds of definitions and wondered if that meant they would add the requirement if they felt the mixed-use building of residential and commercial that there would be one canopy and one evergreen per two thousand plus what would be required for commercial or is it whichever is more restrictive.

Mr. Miller indicated that is not a change.

Mr. Lloyd explained it would be a pro-rated thing. If a certain amount of the building is commercial type uses and a certain amount of the building is residential type uses then the landscaping would be divided by that pro-rated amount.

Member Pribyl indicated these are defined differently now so there is one defined based on the open space and one that is defined based on the gross building area or the linear feet of site parameter.

Chair Kimble thought if there were vertical mixed use then it could get sticky and be excessive.

Mr. Paschke indicated that is what the variance process might be for and how it would be done now.

Member McGehee asked if it would be possible to include anything to encourage the use of drought tolerant native plants and pollinators and they offer the ability to reduce the amount of irrigation necessary.

Ms. Gundlach thought that was a component of the incentives conversation that will be next.

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Mr. Miller reviewed the Sustainable Building Features through Incentives with the Commission.

Member McGehee indicated she liked the list but when she went through them they all seemed equivalent. She did not see a high and a low. She thought it would be different depending on the kind of project proposed. She thought the developer should be able to get points for doing any of the things on the list.

Member Pribyl explained it depends on what the City's goals are by doing these things because some of these are much more rigorous and require a lot more investment and time as well as costs than others so she would not say they are equivalent.

Chair Kimble indicated that was going to be one of her questions and was not sure if these all needed to be listed or make a statement but there are a lot of companies that are starting to incorporate elements of LEED but not get the certification and her question was if the developer had to get the certification or a percentage to qualify. She knew this was a start but this was one of the questions she had because there are companies that are not getting certifications anymore but are still making huge progress in sustainability.

Ms. Gundlach stated that is the exact issue staff has been talking about. Staff thinks the first one on the list is the crème de la crème and what the City would look for and if achieved would get the most points available in order to unlock some of the incentives. Some of the other ones, developments could pursue those without doing the LEED B3. Staff also talked about the fact that it is expensive to go through the LEED process and there is the ongoing monitoring and maintenance to make sure that they are continuing to honor the requirements under LEED. If the City does not require it, the City does not have the expertise to be tracking that. Once the building permit is issued it is not tracked and that is going to be a challenge with this incentive's conversation in general. If the development does not want to get the actual certifications they certainly could unlock some of these other standards.

Member Schaffhausen indicated because of what was recently proposed with regard to the number of EV Stations like it being one, she thought what they have done is created an incentive so as demand increases the City is actually providing an incentive so there would be no reason really to go in and increase the number of expectation for EV charging stations, in her mind, technically. She thought if there was a required number of one that fear to providing an incentive there would not be a reason to actually increase the number of required. What that means is the way it is listed now is actually ok.

Ms. Gundlach wanted to clarify that where it states ten percent/twenty percent, they are exceeding the requirements for EV charging by ten percent and by twenty percent. The development still has to meet the minimum requirement and

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then if they went above and beyond by ten or twenty percent that could be an opportunity to unlock an incentive.

Member Schaffhausen explained if thought about, if today, demand is not high enough, an expense, as a result of that expense is also high. What the City is saying if the development is willing to take that on the City will offset that cost in some way based on this incentive. By keeping the number low, as far as the expectation, that actually helps with keeping that number at that one based on the requirement.

Member Bjorum thought that just because it says low does not mean that it is not going to get done even more often than something that is high because if this is a point system and if he cannot going to do B but he wanted to get incentives on these he is going to hammer every single one of the low ones. There would be more opportunity to get it done and some of these items are a little less expensive so easier to obtain points.

Ms. Gundlach explained Member Bjorum's comments are exactly what staff was thinking of when ranking low, medium, and high. When this was initially done points were assigned to them but was pulled back on it because staff wanted this conversation to remain more conceptual but that is the exact reason why some of those environmental issues are ranked as lower points because they are easier and sometimes less expensive to incorporate into a project.

Member Pribyl indicated she was wondering on the pervious pavements if that is something the City Engineer weighed in on at all. When the Commission looked at that before it has been a real challenge for maintenance in Minnesota and usually used in very limited areas. If this is something that a high incentive is being created for but is something that is not going to maintained over the long term, that is something the City really wants to not promote.

Ms. Gundlach indicated they did include Public Works staff on this list. There is recognition that pervious pavements require maintenance in order to keep them pervious and that is going to be a challenge, just like maintaining LEED certification is going to be a challenge. That goes back to the sort of covenant conversation where if the development unlocked an incentive doing pervious pavements the covenant is going to obligate them to do the maintenance on those pervious pavements to make sure they remain pervious over time.

Mr. Paschke explained how the City currently address it is typically with stormwater management and there are requirements and things recorded against the property that specify that they have to keep it pervious in perpetuity because they are getting credit for stormwater through both the Watershed Districts and through the City of Roseville. It is a convenient or some type of document that is recorded that they have to do that or if they remove it they will have to go in and do new stormwater management which may be an even higher standard because it is x years down the road.

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Member Pribyl wondered if that would make more sense as a part of the non-traditional stormwater system as an option rather than being its own thing and being a high shot at points.

Ms. Gundlach indicated staff could certainly lump it into that category.

Member Pribyl also wondered under stormwater systems by retention area, raingarden if the City is requesting something different than what the Watershed Districts would require.

Mr. Paschke thought it was, perhaps, it was more for commercial development in areas that would not normally provide the City with the bioretention, rain garden thing. They would build an underground storm system which is how most everyone deals with it. What this is doing is trying to get the developer to think a little differently to have a little more green area and to provide filtration and other things versus just providing a system underground.

Ms. Gundlach continued the presentation on potential zoning incentives with the Commission.

Chair Kimble thought if someone is really committed to sustainability they ought to be able to get more than one incentive.

Ms. Gundlach agreed.

Chair Kimble also thought with keeping it outside of the Code there will be feedback by developers along the way that will be beneficial.

Ms. Gundlach explained the research done showed them that no one is doing this. Everybody is tying it to public finance assistance. Nobody is writing incentives into their code so if Roseville did this the City would sort of be a leader.

Member McGehee asked if the City is going to include public financing as one of the incentives because all there is now, is density and height or changing the exterior.

Ms. Gundlach explained public finance assistance is not really a zoning incentive. It should not be in the Zoning Code and the City is very limited on what it can actually provide public financing assistance for. What staff is talking about is the City does have a public finance assistance policy and staff is talking asking the EDA to revise that policy to say any projects that receive public finance assistance have to do x, y and z related to sustainability. She listed some examples.

Chair Kimble thought it was really an adjustment to the EDA's requirements for public financing versus a public financing impact on this.

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Ms. Gundlach indicated that was correct.

Member Pribyl thought the only thing she did not see on the list is related to production of water usage other than stormwater reuse. Really low use plumbing fixtures or very highly efficient irrigation, things like that for the other chart.

Ms. Gundlach indicated she would make note of that.

The Commission discussed other possible incentives and bonuses to be included in the Ordinance.

Chair Kimble indicated she liked staff's idea of just taking a look at what would happen if staff just probed a little deeper on the density bonuses to the underlying zoning.

Ms. Gundlach explained staff could do that. She reviewed the next steps with the Commission.

Chair Kimble thanked the consultants and staff for the presentation.

## 7. Adjourn

## **MOTION**

Member Pribyl, seconded by Member Schaffhausen, to adjourn the meeting at 8:50 p.m.

Ayes: 6 Nays: 0

Motion carried.

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## **Public Comment**

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

Chair Kimble closed the public hearing at 6:56 p.m.

## **Commission Deliberation**

None.

#### **MOTION**

Member McGehee moved, seconded by Member Pribyl, to recommend to the City Council approval of a Conditional Use for 2020 Twin Lakes Parkway, allowing a drive-through on the subject property based on the comments, findings, and the conditions stated in the October 5, 2022 staff report. (PF22-009).

Ayes: 6 Nays: 0

Motion carried.

#### 8. Other Business

## a. Discuss Phase Two Zoning Code Amendments

Community Development Director Janice Gundlach summarized the Phase Two Zoning Code Amendments.

Mr. Jeff Miller of HKGi who presented Phase Two Zoning Code Amendments.

Member Pribyl indicated on the first chart she had a question on the primary and secondary materials. She asked if primary and secondary are the only options so if the amount of primary materials is decreased the amount of secondary materials is increased. She wondered if there was a third tier.

Mr. Miller indicated there are only two.

Member McGehee thought this was a good idea however she was not sure that the impervious surface, to increase impervious surface in a City where there already is so much impervious surface seems to be moving in the wrong direction from the standpoint of sustainability. She thought in general planning, what is the vision for a sustainable community. How does this all fit together because right now it is just looking at pieces and she was not sure how this will all fit together. She indicated she did not have any problem with a point system but struggled with what makes sense for the incentives other than cash. She did appreciate that some of these do not apply to the residential lots.

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Mr. Miller explained to clarify all three of them, if seen as not supporting sustainability, they would be attained by doing something that is promoting sustainability. He thought there were different ways to obtain sustainability. The impervious surface right now only applies to residential districts so that is why it is being done in residential districts.

Chair Kimble explained to her it seems like they are always on a journey and can never go from zero to one hundred right away and they have talked about the fact that this needed to be tested and it is being kept outside of the Code to see what works and what does not work and to Mr. Miller's point, she thought there has been a lot of careful thought to what staff has applied the different incentives to and how much that range has been but staff is also going to find out from developers if it is interesting enough. She thought staff is going to have to keep looking at it as various projects come through and test it but she thought it is hard to have everything perfect so there will be some tradeoffs and there will be some things that are more important now for sustainability and she thought it is a really good start.

Chair Kimble asked in looking at all of these that there is enough opportunity also for industrial product in sustainability.

Ms. Gundlach indicated the City should make this an option for Employment Districts. She was not sure if there was any conversation on why this was not included because she thought there is an opportunity to make a major improvement if the City were to include those Employment Districts being those are large buildings or intensely developed sights. She thought this should be added in.

Member Pribyl indicated she had comments on potential sustainable building features and points earned. She agreed on the certification and would probably split those because LEED is more expensive just to go through the certification process is more rigorous. She could see why Green Star is related to single family but more people will go for Green Star over LEED if they have the same points. Green Communities is for affordable housing and those projects are already typically required to follow Green Communities base on funding sources. It will not be an incentive to do more than what is already expected to be done with that program. She thought that would be a good thing to tie to City financed projects.

Ms. Gundlach thought the Commission was suggesting instead of having a five for all of these, maybe have the most points be for LEED and then reduce it down from there. She asked if it was accurate to say that LEED receives the most points. She indicated she does not work with these systems enough to fully understand how easy or hard it is to achieve these. She asked for recommendations on what should be next.

Member Pribyl thought LEED would be the top and then B3, she would even say for Green Star, she did not work with that often but thought it would be more for

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low-density housing and it could be even distinguished that Green Star is specifically for those types rather than making it a blanket approach.

The Commission discussed with staff the different sustainability levels and point values assigned to each.

Member McGee asked regarding the non-traditional stormwater system, if there is a bio-retention area or rain garden it would receive 2 points but if a buffer is put in or if the shoreland is restored it would receive 1 point. She thought those were similar things unless there is a reason that these two things are not.

Mr. Miller explained that could be considered.

Member Bjorum thought the only reason he would think that would not be true is in some of the non-traditional water systems there is an additional cost in there that might not be carried in a shoreland component so the project is getting that extra point because of the additional cost associated with it. He did not think it necessarily says one is more important than the other, rather, it is how points would work themselves out.

Member Pribyl wondered if it would make sense to have a lower point threshold for lower density project because they probably would not be as likely to do EV charging stations or a green roof or a publicly accessible family garden. She thought it might be worth considering that.

The was further discussion between the Commission and staff on the point system and how to implement it.

Ms. Gundlach explained when staff drafts the language in sections 1011, Property Performance Standards, she thought the intent there is to make sure it is clarified that this is new development or redevelopment. This is not for a single family home.

Mr. Miller indicated this worksheet is a work in progress. He noted the next step is to refine this further with a public hearing in December for this and the Shoreland Ordinance and City Council adoption after that.

## 9. Adjourn

## **MOTION**

Member Kruzel, seconded by Member Pribyl, to adjourn the meeting at 7:55 p.m.

Ayes: 6 Nays: 0

Motion carried.

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Chair Kimble thought there were some on there that still needed Conditional Uses.

Member McGehee agreed and explained she did not want to get rid of the institutional uses and the City has a lot of them. Having a Conditional Use is not onerous for someone to come forward with.

Ms. Gundlach thought there was some misunderstanding. Staff is not talking about getting rid of the Institutional District, that needs to be retained. What staff is seeking clarification on is Maintenance Facility is currently listed as a Conditional Use but is not defined. She noted Mr. Paschke is in a position where he has to review what happens on a Civic Campus and he has to review what Ramsey County wants to do in an Environmental Service Center, not all of those things fit under Maintenance Facility and not all those things fit under Government Office. The City needs to better define those terms. When they better define those terms, what is to be permitted and what is not ok to be permitted and needs a Conditional Use so that staff can go back and create better definitions to plug into this land use table.

Mr. Paschke noted staff would come back to the Commission with definitions of what those items are, whether it is public use as is indicated in the report, there is a definition within that of what that would cover. If it is something else that the Commission wants staff to define and the Commission wants it placed in the Use Table staff would have to search out and try to find a definition of whatever that might be and draft it and come back to the Commission to review if it made sense, then it is a matter of amending the table and the definition section for that specifically and then putting a "c" by it as having it be Conditional.

Member Pribyl thought that things that are coming to mind to her are things like the athletic field with lights and things that would be potential light and noise and traffic generators and maybe Maintenance Facility for similar reasons, depending on the size of it.

Ms. Gundlach thought the Commission would want to retain a Conditional Use option for uses that are deemed heavier in terms of impacts for lighting, noise, or traffic or maybe stuff that is stored outside.

Member Bjorum thought it should include anything that impacts property around it.

Ms. Gundlach thought fundamentally staff understands the Commission wants to retain the Conditional Use option and do not want to create an all-encompassing Government Use and it make it permitted. She indicated staff will go back and reevaluated how those terms are defined and come back to the Commission.

## b. Discuss Phase Two Zoning Code Amendments

Community Development Director Gundlach reviewed the Phase Two Zoning Code Amendments with the Commission.

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Member McGehee wondered if the sustainability folks thought five percent was a lot because it seemed kind of low to her.

Ms. Gundlach indicated staff got that percent directly from the consultants and they got that number based on what they have been seeing in other cities or other projects. Staff has really relied on the consultants to gauge what the right percentage is. If the Commission would like something higher staff can certainly bring that back and make an amendment to the worksheet.

Member McGehee thought it could go higher, maybe ten percent because anything better would be good. She was also wondering about the stormwater management stuff. She did not know how much is involved in this but certainly from the standpoint of sustainability, her interest in this is to keep it at the maximum amount of permeable surface and the maximum amount of green space and the ability to have space to put a tree on. She indicated she was naturally going to want to value those.

Ms. Gundlach thought this was touched on at the last meeting. Regarding storm water, in terms of unlocking an incentive, if the project does unlock an incentive, enough points to increase their impervious surface the impervious surface still needed to be treated. That takes care of that issue. The other point regarding the two, the point values staff came up with were based upon the cost and the challenge in order to do these things and the belief is that some of these storm water items are less expensive and easier to implement on a project and so that is why the points were set at two versus some of the other things that are more expensive or more challenging and were valued higher.

Chair Kimble explained the only comment she was going to make on the five percent is that ten percent is better, but it might just not be achievable.

Member McGehee thought that was fine, she thought the City should see how this works, but she would like to see more points for the bird safe glass.

Ms. Gundlach indicated staff can make those changes.

Member Pribyl indicated she was very interested in how this will work. She reviewed as an architect what items she would work on to get points. She noted on the incentives if there was a maximum on the number of incentives that people can take.

Ms. Gundlach explained staff talked about a limit. She did not see that noted in the narrative but thought there was a discussion on the limit of no more than two or three so staff can incorporate that into the narrative.

Member Pribyl asked if there is going to be someplace else for further definition of some of the things in table two.

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Ms. Gundlach explained her initial response would be staff can take another look at these and see what needs to be better defined. One concern she has is with the worksheet living outside of the Code and having a staff person who has knowledge about sustainability at levels the City Planners do not have, staff would like to have that person to have the ability to work on a project by project basis to evaluate the merits of these individual projects and to have some flexibility to make decisions based on what is in front of them with that specific project and she gets a little concerned when things are overly defined because that might be detrimental to developers actually utilizing this.

Chair Kimble thought this was great effort and everyone was excited to give it a try.

## 8. Adjourn

#### **MOTION**

Member Pribyl, seconded by Member McGehee, to adjourn the meeting at 8:48 p.m.

Ayes: 6 Nays: 0

Motion carried.

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**a.** From the Public: Public comment pertaining to general land use issues <u>not</u> 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. Hold a Public Hearing and Make A Recommendation Regarding Phase Two Zoning Code Amendments

Chair Kimble opened the public hearing for Phase Two Zoning Code Amendments at approximately 6:34 p.m. and reported on the purpose and process of a public hearing. She advised this item will be before the City Council January 30, 2023.

Community Development Director Gundlach summarized the request as detailed in the staff report dated December 7, 2022. She introduced the Jeff Miller and Rita Trapp from HKGI Consulting.

Mr. Miller and Ms. Trapp highlighted the Phase Two Zoning Code Amendments with the Commission.

Chair Kimble thanked staff, the Commission, and the consultants for everything that has been done and discussed.

Member McGehee wondered if there could be an addition made to the impervious surface section because there was a huge issue a while ago that swimming pools were not impervious surface. They are impervious surface and the DNR agrees but this is not in the listed items. She asked if anything was done with wetlands or if they were something separate from this shoreland work because she did not see anything regarding DNR regulated wetlands.

Ms. Gundlach knew there were some wetland regulations in the existing Shoreland Ordinance which is being pulled out and putting into a different section of City Code which is not under the purview of the Planning Commission, which is why it is not being seen in this information.

Ms. Trapp explained in the Public Works area where all of the ponding and stormwater management is listed there will be a new section added. The best practices from the Watershed District were taken and will continue to be a part of it.

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Member McGehee explained she did not know if the gross square footage of a building was the amount of first floor coverage, or it based on how many floors. She wondered how gross square footage for a building is computed.

Chair Kimble explained gross square footage is everything and is specific to where it is measured on the exterior of the wall. She indicated there are very specific calculations done to figure it out.

Member McGehee indicated she would like an example of a building that is built to the current requirements of Roseville, how much open square footage there typically is.

Ms. Gundlach indicated staff would have to go back to one of the first meetings to get that information because Mr. Paschke did go and do some examples of what the City actually did recently with some of the newer apartment-built sites to see if that made sense based on what was actually happening. This information was previously provided to the Commission.

Member McGehee brought up one other thing in the table of points, and the Shoreland Ordinance. She questioned why restoring the shoreland only got one point when it seemed fairly important to her in terms of protection of public waters. She asked if staff felt it was sufficiently covered in the materials being put in Code. She thought it seemed a little low unless staff felt it is unnecessary because it is so rarely done. She opined that unless someone asks for a permit or variance there is no particular motivation for restoration.

Chair Kimble felt like where the City landed on the chart and points was that because this can be changed, she thought everyone agreed to leave the points as they are and test it. She thought quite a few changes were made prior to what is being presented for approval now.

Ms. Gundlach explained the number of points assigned; staff tried to correlate to the actual cost that the developer would incur in order to do that. The shoreland restoration, depending on how it is done might not be as costly, but in addition to cost is the ease of being able to do it, and these reasons deserved larger points. She noted that is what she recalled the Commission discussion being surrounding the point values. Obviously, the Planning Commission can make a decision of what that number should be but that was the decision that was made at previous discussions.

The Commission discussed with staff the definition of swimming pools and thought the definition should include "in ground swimming pools".

Member McGehee asked what the City wanted to do as a sustainability effort because a tree has a big definition. There is everything from a Columnar Oak to an actual Savannah Tree. What is it that the City is really aiming for when asking for a tree or trees?

Regular Planning Commission Meeting Minutes – Wednesday, December 7, 2022 Page 4

Ms. Gundlach thought what the City was aiming for is a good balance between how many trees are suitable to be planted on a site based on how the Zoning Code allows that site to be developed. If the Zoning Code allows a multi-family property of a certain number of units and a certain amount of parking stalls once it is put on a site, there is only so much space left to plant trees. Staff was trying to come up with a reasonable standard for how many trees could fit in that space left to be planted. That is where staff came up with what is in the amendment based on review of what other cities had done, based on what the City Forester felt was reasonable, and then just to make sure Mr. Paschke went and looked at some multi-family properties that the City recently developed to see if things were sort of in line and she thought what Mr. Paschke was saying is those sites generally shoved more trees than probably will be able to thrive just because the development needed a variance and were trying to get them as close to compliance as possible so the standard staff came up with was kind of striking the right balance.

Member McGehee wondered if staff wanted to look at the broader sustainability picture, the shade, the canopy of the City and so on and how much impervious surface the City Code actually allows for commercial and multi-family developments. Apart from this specific topic of trees, Member McGehee raised the separate question of the issues involved as the City moves toward reviewing sustainability and environmental issues in general.

Ms. Gundlach noted on the Phase One amendments the City decreased the amount of improvement area for E-1 zoned properties and one could argue there is a sustainability element to that because they decreased how much a site could be covered. This was done to address the intensity across the commercial/industrial uses.

Member Schaffhausen indicated regarding equitability, she wondered that because this is innovative with not a lot of a benchmark with regard to how the City is going to apply this, how can the City create some sort of a rubric or because it is not included in the Zoning Code, how does the City make sure that the rules are applied equitably and that the changes are made in a way so that if the City decides to change the points available and what sits in the points, that it is clear and there is some degree of consistency to the people that are applying and asking for this. She thought it is an imperfect approach because this is new and she thought it was appropriate to keep it out of the Zoning Code for that exact reason, which means the City needs to be able to be flexible with it and both being flexible as well as equitable. She did not know if there was thought regarding how to apply this so that for each person that shows up it is fair.

Chair Kimble indicated staff has noted that any changes made will come back to the Planning Commission.

Ms. Gundlach indicated if staff were to make changes in the worksheet, because the worksheet is referenced in the Zoning Code the Planning Commission would get to weigh in and the Planning Commission cannot make any decision on its own so the

Regular Planning Commission Meeting Minutes – Wednesday, December 7, 2022 Page 5

City Council would be involved as well. She thought she understood the concern about making sure the standards are applied equitably across various projects, but every project is unique and almost impossible to achieve. She noted that this is also a voluntary process, and the developer understands going into it that this is a little bit of a negotiation based on the specific characteristics of their project. What the developer is proposing to do and the incentives that the developer will be unlocking. The other thing she thought was important is the City Manager and City Council funded a full-time sustainability specialist beginning in 2023 and that person will have the primary responsibility, working with the planners, to review what is being proposed to make sure that the City is maximizing whatever it can, and the decisions being made are reasonable based on the specific characteristics of the project, but it is not a perfect system.

Chair Kimble noted when she looked at this it is very quantitative and is not a very subjective list so she did not know how it could be applied inequitably.

Commissioner Aspnes asked how the City will know this is worthwhile or whether it is achieving its purpose. Is there a process in place for this?

Ms. Gundlach explained it is going to take a project or two to see if it is worth their while and if people are not using it then there is no harm in it being in the Code. If people are using it, theoretically the sustainability specialist and the City planners, in working through the worksheet have found value otherwise the worksheet will not be approved.

## **Public Comment**

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

## **MOTION**

Member McGehee moved, seconded by Member Aspnes, to recommend to the City Council approval of the Shoreland Overlay District, Repeal Chapter 1017 and replace into Chapter 1012, EV Charging Standards, amend Section 1019.04, new and revised definitions. Amend Section 1001.10, revise landscaping standards. Amend Section 1011.03, and add an amendment to create the sustainability incentives, Section 1001.13.

Ayes: 5 Navs: 0

Motion carried.

## 7. Other Business

a. Consider 2023 Variance Board and Planning Commission Meeting Calendar Community Development Director Janice Gundlach presented the 2023 Variance Board and Planning Commission meeting calendar.

# REQUEST FOR COUNCIL ACTION

Date: January 30, 2023 Item No.: 7.e

Department Approval

City Manager Approval

Michelle Betrick

Item Description: Approve payoff of interfund loan between PMP and Shopping Center Funds

#### BACKGROUND

In 2018 the City purchased the shopping center at 2719 Lexington Avenue. To accomplish this purchase, \$1.5 million of funds were loaned from the Pavement Management (PMP) fund and a receivable was recorded. The sale of the former fire station on Fairview was seen as a way to repay this loan, hence the interfund loan receivable and payable were recorded. The former fire station was sold and \$1,233,171.30 was received on February 28, 2022 and the internal loan has been reduced to a remaining balance of \$266,828.70.

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While the PMP fund currently has cash, it is not receiving less interest earnings on the cash balance due to this interfund loan receivable. Staff felt it was a good idea to start the conversation on how to eliminate this loan.

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Staff discussed options for paying off the interfund loan with the Finance Commission on May 10<sup>th</sup>, where the item was tabled until later in the year. At the November 15<sup>th</sup> Finance Commission, staff discussed some alternatives to eliminate this interfund loan which included:

- Transfer funds from the Excess Cash Reserve fund to the PMP fund
- Transfer funds from the General Fund to the PMP fund
- Do nothing until the PMP fund needs the cash

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The Finance Commission recommended transferring funds from the Excess Cash Reserve fund to the PMP fund to close this interfund loan. Chair Wanda Davies will provide the rationale behind the Commission recommendation. The Excess Cash Reserve fund has a current estimated balance of \$380,446 after setting aside amounts pledged in the 2023 budget process (Parks & Rec Vehicle fund and Fuel Increases).

#### POLICY OBJECTIVE

To eliminate the interfund loan receivable in the Pavement Management (PMP) Fund to optimize interest earnings in the PMP fund.

## **BUDGET IMPLICATIONS**

The Excess Cash Reserve Fund has sufficient cash available to repay this interfund loan.

## RACIAL EQUITY IMPACT SUMMARY

31 There is no equity impact

## STAFF RECOMMENDATION

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33 Staff recommends the Council approve eliminating the interfund loan receivable between the PMP and

34 Shopping Center Funds by tapping the excess cash reserve fund to repay this loan.

## 35 REQUESTED COUNCIL ACTION

Motion to approve repayment of the interfund loan between the PMP and Shopping Center funds by transferring money from the Excess Cash Reserve Fund to repay this loan.

Prepared by: Michelle Pietrick, Finance Director

Attachments: A: Excerpt of Finance Commission minutes May 10, 2022 and November 15, 2022

## Finance Commission –Excerpt of May 10, 2022 Minutes

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## **Discussion on Options Regarding Internal Loan**

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- Finance Director Pietrick stated the Commission is asked to discuss alternatives for addressing
- 6 the remaining interfund loan balance. She noted the internal loan has a remaining balance of
- 7 \$266,828.70.

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9 Chair Davies asked if the original plan was that the profit from the License Center would pay off this loan.

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Ms. Pietrick indicated that was not the plan. She indicated the License Center has been paying rent to the fund but she did not see any evidence that profit from the License Center was going to repay this loan.

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16 Commissioner Bester asked if rents from the License Center provide enough cash flow to cover 17 the expenses.

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Ms. Pietrick indicated it did at this time but not enough to pay the loan. She reviewed some options with the Commission including:

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- Transferring funds from the Excess Cash Reserve fund to the PMP fund
- Transferring funds from the General Fund to the PMP fund
- Start increasing taxes to repay the internal loan which would then transition to PMP funding
- Do nothing until the PMP fund needs the cash.

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Ms. Pietrick indicated she would not recommend option three.

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Commissioner Bester thanked Ms. Pietrick for bringing this forward. He would recommend option four, the City can carry the balance for some time as a majority of the loan has paid off.

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Chair Davies wondered why, when there is excess in the Shopping Center fund, why that does not go to pay this off, pay it down.

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Ms. Pietrick indicated the reason why is that there is not that much excess in that fund. The City has lost one or two tenants there. She explained she could look at that fund again but the last time she looked it has maybe a half month of operating costs.

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Chair Davies indicated with all of the visioning going on around the Campus expansion, do those proposals include the shopping center.

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- 43 Ms. Pietrick indicated the vision involves demolition of the shopping center. The Campus Master
- Plan shows the maintenance facility going on that property. She reviewed the Campus Master Plan with where the License Center and VFW are proposed to go.

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Chair Davies thought the loan could just sit there and paying off the loan could be a part of the expansion. She asked Ms. Pietrick what she recommends because the staff report indicates staff would recommend any of the alternatives other than the do-nothing option, option four.

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Ms. Pietrick explained she would be fine with doing nothing but would not recommend option three, increasing taxes to repay it. It has been sitting there for four years and the PMP Fund will not run out of funds for approximately ten years. She reviewed the various options with the Commission.

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Commissioner Murray agreed that nothing should be done until it is clear what is going to happen across the road. It seems it would be a part of the cost of the whole project.

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Commissioner Bester explained he would be ok with either recommendation one, two or four, with four being his first preference.

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Ms. Pietrick indicated she thought the City could go with recommendation four and see where the project goes. Right now, Pavement Management is healthy and will not run out of cash and if she has some freed-up resources that she can invest, this was the fund she was looking at investing for.

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67 Chair Davies asked if the Commission needed to make a motion to do nothing on this item.

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Commissioner Murray thought this item could go on the Tracking report and bring it up again in six months to see where it is standing.

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Ms. Pietrick thought that was a good idea because that will give the Commission a chance to look at the CIP sheets and go through the budget process as well.

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## Finance Commission – Excerpt of May 10, 2022 Minutes Discuss Internal Loan Balance

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Finance Director Pietrick explained in 2018 the City purchased the shopping center at 2719 Lexington Avenue. To accomplish this purchase, \$1.5 million of funds were loaned from the Pavement Management (PMP) fund and a receivable was recorded. The sale of the former fire station on Fairview was seen as a way to repay this loan, hence the interfund loan receivable and payable were recorded. The former fire station was sold and \$1,233,171.30 was received on February 28, 2022 and the internal loan has been reduced to a remaining balance of \$266,828.70.

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Ms. Pietrick reviewed the information with the Commission and instructed the Commission to discuss alternatives for addressing the remaining interfund loan balance. She noted staff would recommend either using the Excess Cash Reserve fund or the General Fund reserves to repay the PMP fund. Staff is also willing to leave the receivable sit in the PMP fund until the fund needs the cash.

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Chair Davies did not see any reason why not to clean it up. She asked if there was a reason to leave it there.

93 94 95	Ms. Pietrick indicated she would prefer to clean this up before the end of the year.
96 97 98	Commissioner Bester asked if this put the City in any kind of jeopardy with the cash positions, general fund cash or does it help.
99 100 101 102	Ms. Pietrick indicated the City is at roughly forty-seven percent right now through the end of the year and the City also has excess money in the excess cash reserve. Some of that is being used for the 2023 budget.
103 104 105	Chair Davies indicated her preference would be to take it out of excess cash reserve fund. She asked if the PMP fund is running out of money.
106 107 108	Ms. Pietrick indicated there is enough money in the PMP fund for approximately ten years' worth or projects, if not longer. It would make that fund whole cash wise.
109 110 111 112	Commissioner Murray thought transferring the funds would be the way to do it. He noted he emailed Chair Davies that this problem should not have occurred because he thought the Council should look ahead and if something is going to be done, funding for it should be provided.
113 114	Chair Davies wondered how the shortfall happened.
115 116	Commissioner Murray reviewed the history of this shortfall with the rest of the Commission.
117 118 119	Ms. Pietrick reviewed with the Commission the purchase of the shopping center and the intention of the City for the purchase.
120 121 122	Commissioner Murray made a motion, seconded by Commission Sagisser to transfer funds from the Excess Cash Reserve fund to the PMP fund. <b>The motion passed unanimously.</b>



Date: January 30, 2023 Item No.: 10.a

Department Approval

City Manager Approval



Item Description: Approval of Payments

#### BACKGROUND

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State Statute requires the City Council to approve all payment of claims. The following summary of

3 claims has been submitted to the City for payment.

Check Series #	Amount
ACH Payments	\$388,330.83
105706-105763	\$239,103.66
Total	\$627,434.49

A detailed report of the claims is attached. City Staff has reviewed the claims and considers them to

be appropriate for the goods and services received.

## 8 POLICY OBJECTIVE

9 Under MN State Statute, all claims are required to be paid within 35 days of receipt.

## 10 **BUDGET IMPLICATIONS**

All expenditures listed above have been funded by the current budget, from donated monies, or from

cash reserves.

## 13 RACIAL EQUITY IMPACT SUMMARY

14 **N/A** 

## 15 STAFF RECOMMENDATION

Staff recommends approval of all payment of claims.

## 17 REQUESTED COUNCIL ACTION

Motion to approve the payment of claims as submitted

Prepared by: Joshua Kent, Assistant Finance Director

Attachments: A: Checks for Approval

## Bank Reconciliation

## **Board Audit**

User: Joshua.Kent

Printed: 01/25/2023 - 8:17AM Date Range: 01/18/2023 - 01/24/2023

Systems: 'AP'



Check No.	Vendor/Employee	<b>Transaction Description</b>	Date	Amount
Fund: 100 General	Fund			
Department: 01 Ge	eneral Government			
0	Adam's Pest Control Inc	Glue Board, Cockroach Board, Rodent	01/18/2023	134.72
0	Fikes, Inc.	Operating Supplies	01/18/2023	435.00
0	Jeff's S.O.S. Drain & Sewer Cleaning	High Pressure Water Jetting	01/18/2023	1,050.00
0	McGough Property Management, LLC		01/18/2023	4,417.60
105723	Craig Rapp, LLC	Compass Peer Group Annual Retreat -	01/18/2023	200.00
105736	MAMA-Metropolitan Area Managemen		01/18/2023	45.00
		T. 10 D		( 202 22
		Total for Department: 01 Genera	al Government	6,282.32
Department: 02 Pu	ıblic Safety			
0	City of St. Paul	Canine Boarding	01/18/2023	105.00
0	Greenhaven Printing	Joe Cox Buisness Cards	01/18/2023	79.19
0	Lexipol, LLC	2023 Annual Law Enforcement Proces	01/18/2023	15,897.42
0	Masa Consulting, Inc.	Estimated Wellness Checks for 20 offi	01/18/2023	8,537.50
0	Streicher's	Uniform - firearm holders	01/18/2023	12,365.16
105708	AceK9	Vehicle Temp Monitoring for K9s	01/18/2023	168.00
105715	Bio-Tec Emergency Services, LLC	Squad decontamination	01/18/2023	150.00
105716	BluePearl Minnesota Pratice Entity, P.A	K-9 Dentistry	01/18/2023	4,431.89
105717	Brothers Fire & Security	15 Fobs	01/18/2023	645.00
105722	Como Park Animal Hospital	Patient ID 101413	01/18/2023	503.64
105730	Henry Schein, Inc.	Dextrose Injection, i-gel single airway	01/18/2023	449.02
105733	Interstate All Battery Center	Batteries	01/18/2023	488.54
105735	Lynn Lembcke Consulting	Body Worn Camera Audit Aug 1, 2020	01/18/2023	2,250.00
105738	Martin McAllister, Inc.	Public Safety Assessment	01/18/2023	600.00
105739	McKesson Medical-Surgical	Supplies	01/18/2023	1,319.15
105740	MN BCA	Human Trafficking Investigations (St.	01/18/2023	250.00
105745	Orion	Flares	01/18/2023	226.85
105747	Performance Plus LLC	Preplacement Medical Examination	01/18/2023	845.25
105749	Ramsey County	Dec 22 CAD Services	01/18/2023	29,021.70
105750	Ramsey County Chiefs of Police Assn.	2023 Membership Dues	01/18/2023	400.00
105755	Tri County Law Enforcement Assoc.	Annual Dues	01/18/2023	75.00
105756	Tritech Software Systems a Central Squ	Annual Maintenance Fee	01/18/2023	76,305.03
105757	University of Minnesota Veterinary Me		01/18/2023	259.30
105760	Verizon	Oct 27 - Nov 26 Phones	01/18/2023	2,160.54
		Total for Department: 02 Public	Safety	157,533.18
Department: 03 Pu	ıblic Works			
0	Corporate Connection, Inc.	Company Store Renewal	01/18/2023	125.00
		Total for Department: 03 Public	Works	125.00
		Total for Fund:100 General Fund	d	163,940.50

BR-Board Audit (01/25/2023 - 8:17 AM)
Page 1

Check No.	Vendor/Employee	<b>Transaction Description</b>	Date	Amount
Fund: 103 Contraction Department: 00 G	cted Engineering Svcs eneral Function			
105724	Daisy Properties Limited II, LLC	Escrow Refund for EC19-056 at 621 L	01/18/2023	3,830.00
		Total for Department: 00 Gener	al Function	3,830.00
		Total for Fund:103 Contracted	Engineering Svcs	3,830.00

Check No.	Vendor/Employee	<b>Transaction Description</b>	Date	Amount
Fund: 110 Telecon	nmunications			
Department: 01 Ge	eneral Government			
105741	Mn Dept of Employment & Econ Deve	Q4 UI Benefits Paid - Emp Acct 07972	01/18/2023	4,838.93
105748	Postmaster-Mailing Requirements	Jan/Feb 23 Newsletter - Postage for De	01/18/2023	3,919.72
		Total for Department: 01 Genera	l Government	8,758.65
		Total for Fund:110 Telecommun	ications	8,758.65

Check No.	Vendor/Employee	Transaction Description	Date	Amount
	ner Agency Operational deneral Government			
0 105719	Talon Bradford CDW Government, Inc.	T Bradford 12/29/2022 Mileage Reiml ISI Infortel Select, ISI Storage Retention	01/18/2023 01/18/2023	25.00 8,472.52
		Total for Department: 01 Genera	l Government	8,497.52
		Total for Fund:112 IT: Other Ag	ency Operational	8.497.52

Check No.	Vendor/Employee	<b>Transaction Description</b>	Date	Amount
Fund: 200 Recreat	tion Fund			
Department: 04 Re	ecreation			
0	Scott Breuer	S Breuer Dec 2022 Mileage Reimburs	01/18/2023	73.31
105707	AARP Driver Safety Program	G Bellile AARP Safety Program Instru	01/18/2023	260.00
105720	The Cleaning Authority, Inc.	December Monthly Cleaning	01/18/2023	3,855.60
105743	Bob Nielsen	Supervise loading/unloading for RBB	01/18/2023	45.00
		Total for Department: 04 Recrea	tion	4,233.91
		Total for Fund:200 Recreation F	und	4,233.91

Check No.	Vendor/Employee	<b>Transaction Description</b>	Date	Amount
Fund: 204 P & R (Department: 04 Re	Contract Mantenance ecreation			
105732	Hugo Feed Mill & Hardware	Straw Bales	01/18/2023	195.00
		Total for Department:	04 Recreation	195.00
		Total for Fund:204 P	& R Contract Mantenance	195.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 221 Munic Department: 04 F				
0 105751	Glen Newton Richfield Bus Company	Roseville Big Band Director Dec 2022 Bus for Roseville BB to play for Carle	01/18/2023 01/18/2023	250.00 950.00
		Total for Department: 04 Recrea	tion	1,200.00
		Total for Fund:221 Municipal Ja	zz Band	1,200.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 260 Commu	unity Development			
Department: 02 Pu	ablic Safety			
0	Greenhaven Printing	A Reed & C Bolstad Buisness Cards	01/18/2023	126.15
0	Tokle Inspections, Inc.	December 2022 Inspections	01/18/2023	8,767.20
		Total for Department: 02 Public	Safety	8,893.35
Department: 10 C	ommunity Development			
105731	HKGi	December 2022 Professional Services	01/18/2023	1,093.13
		Total for Department: 10 Comm	nunity Development	1,093.13
		Total for Fund:260 Community	Development	9,986.48

Check No.	Vendor/Employee	<b>Transaction Description</b>	Date	Amount
Fund: 265 License	Center			
Department: 01 Ge	eneral Government			
0	Fikes, Inc.	Operating Supplies	01/18/2023	108.75
0	Kari Leverty	Mileage Reimbursment	01/18/2023	48.75
0	McGough Property Management, LLC	Facility Mgmt 12/2022 Expenses	01/18/2023	2,079.83
0	Steven Bickel	S Bickel December 2022 Mileage Reii	01/18/2023	58.13
		Total for Department: 01 General	l Government	2,295.46
		Total for Fund:265 License Cen	er	2,295.46

Check No.	Vendor/Employee	<b>Transaction Description</b>	Date	Amount
Fund: 282 Department: 02				
0	Baycom, Inc. c/o OwnersEdge,Inc.	2 Panasonic Toughbook FZ-55	01/18/2023	5,892.00
		Total for Department: 02		5,892.00
		Total for Fund:282		5,892.00

Check No.	Vendor/Employee	<b>Transaction Description</b>	Date	Amount
Fund: 285 Police l Department: 02 Pu	Equitable Sharing Funds			
105718	Brown-Wilbert, Inc	Homicide Cold Case Exhumation	01/18/2023	1,573.25
		Total for Department: 02 Pub	lic Safety	1,573.25
		Total for Fund:285 Police Equ	uitable Sharing Funds	1,573.25

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 294 Police -	- DWI Enforcement			
Department: 02 Pu	ablic Safety			
105744	Laine Annita Olson	Alcohol Compliance Checks on 12/17/	01/18/2023	105.00
105754	Charles Scharr	Alcohol Compliance Checks 12/17	01/18/2023	105.00
105763	Blake Richard Zak	Alcohol Compliance Checks 12/17/20:	01/18/2023	105.00
		Total for Department: 02 Public	Safety	315.00
		Total for Fund:294 Police - DW	Enforcement	315.00

Check No.	Vendor/Employee	<b>Transaction Description</b>	Date	Amount
Fund: 400 Police V	Č			
105756	Tritech Software Systems a Cer	ntral Sqt PS Pro Printers and Scanners	01/18/2023	195.00
		Total for Department: 02 F	Public Safety	195.00
		Total for Fund:400 Police	Vehicle Revolving	195.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 401 Fire Vel Department: 02 Pu	و			
105737	Marco Technologies, LLC	Axis M1065-L Network Camera Coloi	01/18/2023	228.59
		Total for Department: 02 Public	Safety	228.59
		Total for Fund:401 Fire Vehicles	s Revolving	228.59

Check No.	Vendor/Employee	<b>Transaction Description</b>	Date	Amount
Fund: 415 Rosevil Department: 04 Ro	lle-John Rose Oval Proje ecreation			
105714	B32 Engineering Group, Inc.	900-21-427 Roseville Guidant John Ro	01/18/2023	16,158.11
		Total for Department: 04 Recrea	ntion	16,158.11
		Total for Fund:415 Roseville-Jo	hn Rose Oval Proje	16,158.11

Check No.	Vendor/Employee	<b>Transaction Description</b>	Date	Amount
Fund: 417 Boulev Department: 03 P				
105729	Fra-Dor Inc.	Shredded North	01/18/2023	135.00
		Total for Department: 03	Public Works	135.00
		Total for Fund:417 Boule	evard Landscaping	135.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 600 Sanitary	y Sewer			
Department: 05 Sa	unitary Sewer			
0	Corporate Connection, Inc.	Company Store Renewal	01/18/2023	125.00
0	Metropolitan Council	Feb 23 Waste Water Services	01/18/2023	255,964.10
105728	Ehlers & Associates, Inc.	2022 Utility Rate Study Update	01/18/2023	17,550.00
105752	Ritter & Ritter Sewer Service, Inc.	Emergency Cleaning Grotto & Lovell	01/18/2023	562.50
105753	Sarah Wadi and Mazen Balsheh	Sewer Reimbursement - 1042 Lovell A	01/18/2023	5,000.00
		Total for Department: 05 Sanitar	y Sewer	279,201.60
		Total for Fund:600 Sanitary Sew	ver	279,201.60

Check No.	Vendor/Employee	<b>Transaction Description</b>	Date	Amount
Fund: 610 Water F	fund			
Department: 00 Ge	eneral Function			
105711	AX-TC INDUSTRIAL II LLP	Refund Check 016869-000, 2500 WA	01/18/2023	6.65
105712	AX-TC INDUSTRIAL II LLP	Refund Check 016874-000, 2500 WA	01/18/2023	37.34
105713	AX-TC INDUSTRIAL II LLP	Refund Check 016882-000, 2500 WA	01/18/2023	37.33
105727	MICHELE DUKINFIELD	Refund Check 005892-000, 2210 MII	01/18/2023	53.70
105734	TINA LOCKNER	Refund Check 025474-000, 2322 WE	01/18/2023	52.97
105742	MN Dept of Health-Drinking Water Pro	4th Qrt 2022 Water Supply Service Co	01/18/2023	25,216.11
105758	SCOTT VAILLANCOURT	Refund Check 012881-000, 2750 DAI	01/18/2023	46.82
105762	BETTY WEBER	Refund Check 000139-000, 2105 ALI	01/18/2023	0.04
		Total for Department: 00 Genera	al Function	25,450.96
Department: 06 W	ater Fund			
0	Corporate Connection, Inc.	Company Store Renewal	01/18/2023	125.00
0	Ferguson Waterworks #2518	CST Magna Trak 102 locator	01/18/2023	815.82
0	General Industrial Supply Co.	Mechanix 4x Glove	01/18/2023	340.65
105725	Davis Lock & Safe Inc	Keys and Key Ring	01/18/2023	26.92
105729	Fra-Dor Inc.	Clean Concrete	01/18/2023	700.00
105759	Valley Rich Co., Inc.	Equipment	01/18/2023	12,017.09
105761	Water Conservation Service, Inc.	Leak Locate and Mileage 12/29/2022	01/18/2023	328.13
		Total for Department: 06 Water	Fund	14,353.61
		Total for Fund:610 Water Fund		39,804.57

Check No.	Vendor/Employee	<b>Transaction Description</b>	Date	Amount
Fund: 620 Golf Copartment: 07 Copart				
105721 105726	Comcast DLL Finance LLC	Comcast Buisness Services Prior Late Charges	01/18/2023 01/18/2023	169.45 10.35
		Total for Department: 07 C	Golf Course	179.80
		Total for Fund:620 Golf Co	ourse	179.80

Check No.	Vendor/Employee	<b>Transaction Description</b>	Date	Amount
Fund: 640 Storm Department: 08 S	E .			
0 105746	Corporate Connection, Inc. PaveDrain, LLC	Company Store Renewal Solid, Halves, ends block grey	01/18/2023 01/18/2023	125.00 9,579.50
		Total for Department: 08 Sto	rm Water	9,704.50
		Total for Fund:640 Storm Dr	ainage	9,704.50

Check No.	Vendor/Employee	<b>Transaction Description</b>	Date	Amount
Fund: 650 Solid Department: 09 I	· ·			
0	Eureka Recycling	Monthly Recycling Charge	01/18/2023	64,044.78
		Total for Department: 09 F	Recycle	64,044.78
		Total for Fund:650 Solid V	Vaste Recycle	64,044.78

Check No.	Vendor/Employee	<b>Transaction Description</b>	Date	Amount
Fund: 700 Worker Department: 00 Ge	•			
0	WCRA	PY 2023 Installment #1 Premium	01/18/2023	6,214.77
		Total for Department: 00 Gene	eral Function	6,214.77
		Total for Fund:700 Workers C	Compensation	6,214.77

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 725 EDA C	Operating Fund			
Department: 00				
105706	1911 Rice Street Partners, LLC	Sustainable Steward Award - Bronze	01/18/2023	100.00
105709	Matt Anderson	Sustainable Steward Award - Silver	01/18/2023	250.00
105710	Anne DeMuth and Mark Hodge	Sustainable Steward Award - Gold	01/18/2023	500.00
		Total for Department: 00		850.00
		Total for Fund:725 EDA Operat	ting Fund	850.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount

Grand Total

627,434.49

Date: January 30, 2023 Item No.: 10.b

Department Approval

City Manager Approval

Item Description: Approval of 1Temporary Liquor License, and 1 Temporary Gambling Permit

### BACKGROUND

Chapter 301 of the City Code requires all applications for business and other licenses to be submitted to the City Council for approval. The following application is submitted for consideration:

**Temporary Liquor License** 

Bent Brewstillery

7 1744 Terrace Dr

8 Roseville, MN 55113

9

Bent Brewstillery will be hosting a St. Patrick's Day celebration on March 17, 2023. This is their second event in 2023, their total number of days is 2 out of the limit of 12 for the calendar year.

11 12 13

### **Temporary Gambling Permit**

- Whitetails Unlimited: Twin Cities Chapter
- 15 17725 Nine Oaks Dr
- Spring Grove, MN 55974

17

Whitetails Unlimited is a non-profit group which is holding a raffle at the Doubletree by Hilton Hotel located at 2540 N Cleveland Ave on March 11, 2023.

20

### 21 POLICY OBJECTIVE

22 Required by City Code

### 23 **BUDGET IMPLICATIONS**

The correct fees were paid to the City at the time the application(s) were made.

### 25 RACIAL EQUITY IMPACT SUMMARY

26 NA

### 27 STAFF RECOMMENDATION

- 28 Staff has reviewed the application(s) and has determined that the applicant(s) meet all City requirements.
- 29 Staff recommends approval of the license(s).

### REQUESTED COUNCIL ACTION

Motion to approve the Temporary Liquor License for Bent Brewstillery, and the Temporary Gambling Permit

32 for Whitetails Unlimited.

33

30

Prepared by: Katie Bruno, Deputy City Clerk

Attachments: A: Application, Bent Brewstillery B: Application, Whitetails Unlimited 35 36



### Minnesota Department of Public Safety Alcohol and Gambling Enforcement Division 445 Minnesota Street, Suite 222, St. Paul, MN 55101 651-201-7500 Fax 651-297-5259 TTY 651-282-6555

### APPLICATION AND PERMIT FOR A 1 DAY TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE

Name of organization		Date organized Tax exempt number			pt number	
Bent Brewstillery		Jun 11, 2011		45-26508	45-2650832	
Address	City		State		Zip Code	
1744 Terrace Dr	Roseville		Minnesota		55113	
Name of person making application		Business pho	ne	Home ph	none	
Bartley Blume		651-233-384	3			
Date(s) of event	Type of org	ganization				
3/17/23		Charitable	Religiou	s 🗌 Othe	er non-profit	
Organization officer's name	City		State		Zip Code	
Bartley Blume	Roseville		Minnesota		55113	
Organization officer's name	City		State		Zip Code	
			Minnesota			
Organization officer's name	City		State		Zip Code	
		_	Minnesota			
Organization officer's name	City		State		Zip Code	
			Minnesota			
If the applicant will carry liquor liability insurance please provide the West Bend Insurance Company Aggregate Limit \$2,000,000	ne carrier's na	ame and amour	nt of coverag	ge.		
Each Common \$1,000,000	PROVAL				<b>+</b>	
APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEF		NG TO ALCOHOL AN	ND GAMBLING E	ENFORCEMEN'	Т	
City or County approving the license			Date App	roved		
Fee Amount	-		Permit D	Date		
Date Fee Paid		City	or County E-	mail Addre	SS	
		City	or County Ph	one Numb	er	
Signature City Clerk or County Official	Approve	ed Director Alco	ohol and Gar	mbling Enfo	orcement	
CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforce	ment Division	on 30 days prior	r to event.			

ONE SUBMISSION PER EMAIL, APPLICATION ONLY.

PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US

MINNESOTA LAWFUL GAMBLING

### **LG220 Application for Exempt Permit**

4/22 Page 1 of 4

An exempt permit may be issued to a nonprofit organization that:

conducts lawful gambling on five or fewer days, and
awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be

### Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is \$100; otherwise the fee is \$150.

Due to the high volume of exempt applications, payment of

\$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.  additional fees prior to 30 days before your eve service, nor are telephone requests for expedite	
ORGANIZATION INFORMATION	
Organization Whitefails Unlimited Previous Gambling Name: Twin Citics Chapter Permit Number: X- 93888	3-22-604
Minnesota Tax ID Federal Employer ID Number, if any: 31–14150	270
Mailing Address: 17725 Nine Oaks Or	
City: Spring Crove State: MN zip: 55974 County: Housto	h
CEO Daytime Phone (607) 450 6256 CEO Email: (peters in @ white tails unlike (permit will be emailed to this email address unless other	matcal, com
Email permit to (if other than the CEO):	11 2015 17 3 5 1 1 1 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
NONPROFIT STATUS	
Type of Nonprofit Organization (check one):  Fraternal Religious Veterans Other Nonprofit Organizat	tion
Attach a copy of one of the following showing proof of nonprofit status:	
(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit st	atus.)
A current calendar year Certificate of Good Standing Don't have a copy? Obtain this certificate from: MN Secretary of State, Business Services Division 60 Empire Drive, Suite 100 St. Paul, MN 55103 Secretary of State website, phone number www.sos.state.mn.us 651-296-2803, or toll free 1-877-551	
IRS income tax exemption (501(c)) letter in your organization's name  Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization IRS toll free at 1-877-829-5500.	officer contact the
IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)  If your organization falls under a parent organization, attach copies of both of the following:	
<ol> <li>IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling.</li> <li>the charter or letter from your parent organization recognizing your organization as a subordinat</li> </ol>	g; and e.
GAMBLING PREMISES INFORMATION	
Name of premises where the gambling event will be conducted Doubletra by Hilton R. (for raffles, list the site where the drawing will take place):	oseville
Physical Address (do not use P.O. box): 2546 N Cleveland Aut	
Check one: Zip: 55113 County: Ray	527
Township: Zip: County:	* August
Date(s) of activity (for raffles, indicate the date of the drawing): Saturday, March 11, 20	223
Check each type of gambling activity that your organization will conduct:	
Bingo Paddlewheels Pull-Tabs Tipboards Raffle	
Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards m from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bing devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributo www.mn.gov/gcb and click on Distributors under the List of Licensees tab, or call 651-539-1900.	o ball selection

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGME the Minnesota Gambling Control Board)	NT (required before submitting application to			
CITY APPROVAL for a gambling premises located within city limits	COUNTY APPROVAL. for a gambling premises located in a township			
The application is acknowledged with no waiting period.	The application is acknowledged with no waiting period.			
The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).	The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.			
The application is denied.	The application is denied,			
Print City Name:	Print County Name:			
Signature of City Personnel:	Signature of County Personnel:			
Title: Date:	Title:Date:			
The city or county must sign before submitting application to the Gambling Control Board.	TOWNSHIP (if required by the county)  On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)  Print Township Name:  Signature of Township Officer:			
	Title: Date:			
CHIEF EXECUTIVE OFFICER'S SIGNATURE (requ				
The information provided in this application is complete and accurate report will be completed and returned to the Board within 30 days.  Chief Executive Officer's Signature:  (Signature must be CEO's signature)	ate to the best of my knowledge. I acknowledge that the financial of the event date.			
REQUIREMENTS	MAIL APPLICATION AND ATTACHMENTS			
Complete a separate application for:  all gambling conducted on two or more consecutive days; or  all gambling conducted on one day.	Mail application with: a copy of your proof of nonprofit status; and			
Only one application is required if one or more raffle drawings are conducted on the same day.	application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is \$100; otherwise the fee is \$150.			
Financial report to be completed within 30 days after the gambling activity is done:  A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.	Make check payable to <b>State of Minnesota</b> .  To: Minnesota Gambling Control Board 1711 West County Road B, Suite 300 South Roseville, MN 55113			
Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).	Questions? Call the Licensing Section of the Gambling Control Board at 651-539-1900.			
Data privacy notice: The information requested application. Your organize	ation's name and ment of Public Safety; Attorney General;			

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the Information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the Information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the Information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

Date: January 30, 2023 Item No.: 10.c

Department Approval

City Manager Approval



Item Description: Approve General Purchases Exceeding \$10,000 or Sale of Surplus Items

### BACKGROUND

2 City Code section 103.05 establishes the requirement that all general purchases or contracts in

- excess of \$10,000 be separately approved by the City Council, independent of the budget process
- or other statutory purchasing requirements. In addition, State Statutes generally require the
- 5 Council to authorize the sale of surplus vehicles and equipment. Attachment A-1 includes a list of
- 6 items submitted for Council review and approval.

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- Staff will note that unless noted otherwise, all items contained in this report were previously
- 9 identified and included in the adopted budget or Capital Improvement Plan (CIP) submitted for
- Council review during the most recent budget cycle. This information package included a CIP
- Project/Initiative summary which identified the type of purchase, estimated cost, funding source,
- and other supporting narrative. Where applicable, these project/initiative summaries are included
- with *Attachment A-2*.

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### POLICY OBJECTIVE

Required under City Code 103.05.

### 17 **BUDGET IMPLICATIONS**

- Funding for all items is provided for in the current budget or through pre-funded capital replacement
- 19 funds.

### 20 RACIAL EQUITY IMPACT SUMMARY

21 N/A

### 22 STAFF RECOMMENDATION

- 23 Staff recommends the City Council approve the submitted purchases or contracts for service and
- 24 where applicable; authorize the sale/trade-in of surplus items.

### REQUESTED COUNCIL ACTION

Motion to approve the submitted purchases or contracts for services and where applicable; the

sale/trade-in of surplus items.

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Prepared by: Joshua Kent, Assistant Finance Director

Attachments: A1: Over \$10,000 Items for Purchase or Sale/Trade-in

### A2: CIP Project/Initiative summary (if applicable)

Attachment A-1

### General Purchases or Contracts

				Budget		P.O.	Budget /
Division	Vendor	Description	Key	Amount	A	Amount	CIP
Public Works (Sanitary Sewer)	Crysteel Truck Equipment	Up-fit of new F-350	(a) \$	70,000	\$	13,108	2023 CIP
Public Works	Mansfield Oil Company	Fuel - Minnesota Department of Administration State Procurement	(b) \$	350,000	\$	350,000	2023 Budget

#### Kev

- This is to up-fit the new F-350 that was previously approved in the 2023 CIP for a combined total amount of \$69,527. The up(a) fit will include the purchase and installation of a 8'6" Super Duty Steel Straight Plow, 7'6" 9' Super Duty Snow Deflector,
  Liftgate, Rear Camera & Sensor Bar, and Spray-in Bed Liner.
- This purchase request is in guidelines with the 2023 State Fuel Contract Release F-529(5 State Contract #151943 with

  Mansfield Oil Company. This would be a blanket PO which would allow the City of Roseville to purchase fuel at an agreed discounted rate per the MN State contract through the end of January 2024. This also allows departments with the City of Roseville to fill their vehicles on-site at a cheaper rate opposed to filling their vehicles at a neighboring gas station.

29



### Memo

To: Jesse Freihammer, Public Works Director

CC: Michelle Pietrick, Finance Director

From: Ted Fish, Utilities Superintendent

**Date:** 1/19/2023

**Re**: Up-fit of Equipment 2022 F-350 Pickup Truck (Replace Vehicle #202)

Purchase order No.0000008363 has been issued for the purchase of the truck in the amount of \$56,419.00

The total budget for this purchase in the CIP is \$70,000.00 Requesting an amendment to the current P.O. or the issuing of a new P.O. for the Up-fitment of the following Equipment.

- 1. 8'6" Super Duty Steel Straight Plow \$7898.00
- 2. G2-60-1542 EA38 Lift-gate \$4610.00
- 3. Spray-in Bed Liner \$600.00

Total Cost for Up-fit \$13,108.00

Total cost Truck and up-fit \$69,527.00

Vendor:

Crysteel Truck Equipment

1130 73rd Avenue NE Fridley, MN 55432 (763) 571-1902 1-800-795-1902

Fax # (763) 571-5091

Date: January 30, 2023 Item No.: 10.d

Department Approval City Manager Approval

Pare / Trugen

Item Description: Receive City Grant Applications Update

2 BACKGROUND

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- 3 In May, 2009, Resolution #10711 authorizing the City Manager to execute certain grant applications on behalf of
- 4 the City and to report any applications to the City Council was adopted. The City has applied for several grants in
- 5 the past several months.
- 6 Grant dollars awarded (not including city contribution) in 2022 have so far totaled \$679,120.
- 7 Grant dollars awarded (not including city contribution) in 2023 have so far totaled \$300,000.

9 POLICY OBJECTIVE

- 10 To notify the Council of grant applications that the City has applied for in recent months.
- 12 **BUDGET IMPLICATIONS**
- 13 Receiving grants help to offset or completely cover the costs to deliver programming and services.

15 RACIAL EQUITY IMPACT SUMMARY

- Grant funding does have an equity impact. City grants allow the city to expand resources to address targeted needs throughout the city. From sustainability efforts to a dedicated Housing Navigator to provide a continuum of care for a growing homeless population to addressing public safety for vulnerable populations involved in sex trafficking, city grant programs better position city resources to directly serve stakeholders of the greatest need.
- 21 STAFF RECOMMENDATION
- 22 Receive the report.

24 REQUESTED COUNCIL ACTION

25 Receive the report.

Prepared by: Katie Bruno, Deputy City Clerk

Attachments: A: List of grant applications and status report for 2022

B: List of grant applications and status report for 2023

C: Resolution 10711

	1		1 1					1	
1	2022								
2	2022	Organization/Agency	Purpose	Date of Application	Department	City Requirement	Amount Requested	Amount Awarded	Total Amount of Project
		Minnesota Department of							
3		Commerce	Auto Theft Prevention: Investigator	6/22/2022	PD	Training and equipment	\$100,000.00	\$103,780.00	\$203,905.00
		Minnesota Department of							
4		Commerce	Auto Theft Prevention: OT Details	2/22/2022	PD	None	\$5,933.80	\$5,933.80	TBD
			Housing Navigator / Homeless Outreach Coordinator position and	0 /4 4 /0000		0.00	4442.000	****	4440.000
5		Ramsey County HOME-ARP	supplies	3/14/2022	PD	Office space and equipment	\$112,900	\$112,900	\$112,900
6		University of Minnesota Center for Resuscitation Medicine	34 Automated External Defibrillators (AEDs); one for each police vehicle (\$2200 each)	2/1/2021	PD	None	\$75,000.00	\$75,000.00	\$75,000.00
7		FEMA-Staffing for Adequate Fire and Emergency Response	To add six additional full-time firefighters	5/25/2020	Fire	Match requirement waived, FEMA will pay in full for 3 years	\$1,900, 682		
8		Ramsey County	North Central High Intensity Drug Trafficking Area (HIDTA) overtime reimbursement	Quarterly	PD	None- reimbursement	\$7,262.97	\$7,262.97	TBD
9		Ramsey County	Active Shooter Training	TBD		None	TBD	TBD	TBD
10		Roseville Police Foundation	Expand Police Wellness: Mental Health and Peer Support Human Trafficking Details: Massage	6/23/2022	PD	None	\$15,000	\$15,000	\$15,000
11		Roseville Police Foundation	Therapy Establishments	6/23/2022	PD	None	\$4,000	\$4,000	\$4,000
12		MN Dep of Public Safety	Toward Zero Deaths Traffic Safety Initiative (2022-23)	Annual	PD	none	\$36,310	\$36,310	\$36,310
13		Minnesota Department of Natural Resources	EAB - Tree Planting	7/28/2021	PR	59000	\$50,000	\$50,000	\$109,000
14		Minnesota Department of Natural Resources Minnesota Department of Natural	EAB-Tree Removal	2/1/2022	PR	80,000	\$100,000	\$0	\$180,000
15		Resources	CPL Reservoir Woods	5/1/2022	PR	\$8,500	\$50,000	\$50,000	\$58,500
16		Minnesota Department of Natural Resources MN Department of Natural	EAB - Tree Removal and Inventory	5/1/2022	PR	\$61,250	\$125,000	\$125,000	
17		Resources	Nature Connect Program	3/10/2022		\$6,053	\$6,144	\$0	\$12,197
18		Ramsey County	SCORE- Recycling Funds	10/26/2022		\$0		\$89,291	\$874,000
19		Xcel Energy	Partners in Energy	1/1/2022	PW	50%	\$4,642	\$4,642	\$10,000
20									
21									
22									
23									
25		New Information					Total amount awarded	\$679,120	
25		New information					iotai amount awarded	\$6/9,120	

$\overline{}$			1	I			1		
1	2023								
2		Organization/Agency	Purpose	Date of Application	Department	City Requirement	Amount Requested	Amount Awarded	Total Amount of Project
3		Metropolitan Council - LHIA	Land Trust Partnership w/TCHFH	11/1/2022	CD	dollar for dollar match	\$800,000.00	\$300,000.00	\$300,000.00
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15		New Information					Total amount awarded	\$300,000	

# EXTRACT OF MINUTES OF MEETING OF THE CITY COUNCIL OF THE CITY OF ROSEVILLE

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota was duly held on the 18th day of May, 2009, at 6:00 p.m.

\*\*\*\*\*\*

The following members were present: Roe, Johnson, Ihlan, Pust and Klausing and the following were absent: none.

Mayor Klausing introduced the following resolution and moved its adoption:

# RESOLUTION No. 10711 Resolution Authorizing the City Manager to Execute Certain Grant Applications on behalf of the City of Roseville

WHEREAS, the City of Roseville has applied for a variety of grants which benefit the City; and

WHEREAS, the Roseville City Council encourages staff to continue to identify and apply for grants as a means to fund the policies, priorities and programs of the City, as established by actions of the Council; and

WHEREAS, grant submittals sometimes require verification of authority to submit an application on behalf of the City, and the required timeframes for submittal sometimes may not allow for Council authorization prior to application deadlines.

NOW, THEREFORE, BE IT RESOLVED, that the City of Roseville does hereby authorize the City Manager to execute grant applications on behalf of the City of Roseville in cases where Council authorization is not required or is required but cannot be practically obtained prior to an application deadline, and where any matching funds or other city financial obligation related to the grant are accounted for either in the City budget or by previous Council action; and

BE IT FURTHER RESOLVED, that the City Manager will report any such grant applications to the City Council after the application is submitted.

The motion for the adoption of the foregoing resolution was duly seconded by Member Roe, and upon a vote being taken thereon, the following voted in favor thereof: Roe, Johnson, Ihlan, Pust and Klausing and the following voted against the same: none.

WHEREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA	)
	) ss
COUNTY OF RAMSEY	)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 18<sup>th</sup> day of May, 2009 with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 18th day of May, 2009.

William J Malinen, City Manager

(Seal)

Date: January 30, 2023 Item No.: 10.e

Department Approval

City Manager Approval

Janue Gundrach

Item Description: Approve issuance of a Short-Term Rental License for 1901 Ryan Ave.

### 1 BACKGROUND

- 2 Chapter 909 of City Code requires the licensing of non-owner occupied short-term rentals of dwelling
- units, subject to certain exemptions. On December 7, 2022, an application for a short-term rental
- license was submitted by the property owner. The property is a three bedroom, single family home.
- The property owner has certified and attested to the requirement of lodging tax payment, as well as,
- the maximum occupancy of four or less unrelated adults or one family. There have been no nuisance
- or property maintenance violations in the last five years that impact the ability of the license to be
- issued. Short-term rental licenses include the requirement of minimum stays based on on-season (10
- 9 days) and off-season (7 days) times of the year.
- Upon issuance, the license will be valid for 365 days from issue date. A current copy of the license
- must be posted in the rental unit, along with current copies of City Code Sections 405, 407 and 602.
- A draft of the license is provided as Attachment B.
- The applicant has supplied all required license information and paid the license fee of \$515. In
- accordance with Section 909.03, the process for licensure is outlined in Chapter 301, which requires
- presentation to the City Council. Based upon the requirements outlined in ordinance, the property
- owner is entitled to the license.

### 17 POLICY OBJECTIVE

Licensing required by Section 909, effective as of February 8, 2021.

### 19 BUDGET IMPLICATIONS

20 The correct fees were paid to the City at the time of application submittal.

### 21 RACIAL EQUITY IMPACT SUMMARY

22 Staff has not identified any racial equity impacts related to this action.

### 23 STAFF RECOMMENDATION

Staff recommends the approval of a one year Short-Term Rental License for 1901 Ryan Ave.

### 25 REQUESTED COUNCIL ACTION

28

By Motion, approve the Short-Term Rental License for 1901 Ryan Ave.

Prepared by: David Englund, Building Official, <u>David.englund@cityofroseville.com</u> 651-792-7087

27 Attachments: A: Short-Term Rental License Application

B: Draft copy of license

### **Attachment A**

Menu

Reports

Help

File Date: 12/07/2022
Application Status: In Review

Application Detail: Detail

Application Type: Short-Term Rental License Application

Address: 1901 Ryan Ave W Roseville MN 55113

Custom Fields: UNIT DETAILS

Unit Type Single-Family Home Number of Bedrooms

3

CERTIFICATION AND ATTESTATION

Attestation to Occupancy Limits

Attestation to Payment of Lodging Tax

Δ

Contact Info: Contact Type

ontact Type Organiza

Contact Primary Address

Status

Name

Property Owner

Organization Name

Home, 15651 N Diamond ...

Active

Julie Stueve

Owner Name:

Owner Address:

DBA Name:

Total Fee Assessed: \$525.30

Total Fee Involced: \$525.30

Balance: \$0.00

Workflow Status: Task

Assigned To

Status

Status Date

Action By

License Issuance

Jan Rosemeyer

Initiated by Product: AV360

### City of Roseville Short-Term Rental License This certificate must be posted in the rental unit

This rental dwelling unit is hereby licensed in accordance with Chapter 909 of Roseville City Code.

 The Property Owner must comply with all requirements set forth in Roseville City Code. This license may be suspended or revoked for violations of that code.

Property owners must notify the City of any changes in ownership or type of occupancy. Licenses are non-transferable; new owners must

apply for a new license.

License Number: STR23-XXX

Owner: Julie Stueve

Phone:651-XXX-XXXX Email: <u>juliestueve@gmail.com</u> Address: 1901 Ryan Ave.

Expiration: 2/1/2024

The City, its designees, the City Council, or its officers, agents, or employees do not warrant or guarantee the safety, fitness, or suitability of any dwelling in the City. Owners or occupants should take whatever steps they deem appropriate to protect their interests, health, safety, and welfare.

### MINIMUM STANDARDS AND CODES FOR RENTAL UNITS including but not limited to:

#### In the Unit:

Carbon Monoxide (CO) Detectors must be within 10 feet of bedrooms; Smoke Detectors must be in each sleeping room, each hallway outside sleeping rooms, and on each story, including the basement but not uninhabitable attics/crawl spaces. CO and Smoke Detectors must NOT be disabled.

**Exits** must be free from obstruction inside and out and **Exterior Doors** should open and close easily, be weather tight, and lock/unlock from the inside without a key or special knowledge.

The **Water Heater and Furnace** must be clear (by at least 3 feet) of boxes, junk, or flammable materials; the **Water Heater must have a TPR valve and relief valve discharge pipe.** 

Toilets must flush and Bathrooms must have an exhaust fan or

Taps must have working hot and cold water; no leaking pipes or dripping Faucets.

**Outlets, Switches, and Panel Boxes** must have covers; kitchens and bathrooms should have grounded **GFCI Outlets**.

Rooms used for sleeping should have 1 window or 2 approved means of egress.

Interior Walls, Ceilings, and Window Sills must be clean and free of peeling paint.

**Floors** must be structurally sound and **Flooring** in good condition with no trip hazards such as ripped carpet or missing tiles.

Working Light Fixtures must be in all halls, stairways, laundry rooms, and furnace rooms.

Handrails must be on all stairs with more than 4 steps and be firmly attached with no missing or loose spindles.

Extension Cords may be used only for portable appliances.

Address Numbers must be clearly visible from the street.

#### Occupancy:

Rental Units may house 4 unrelated adults or 1 family.

### Storage/Waste:

Rubbish must be stored in appropriate containers and removed regularly. Containers must be stored out of public view except on the day of collection and cannot remain at the curb for more than 24 hours. Outdoor Storage of junk is prohibited.

### Vehicles/Driveway/Parking:

All Vehicles parked outside must be parked on an approved hard surface (not grass), street operable, and display current registration and proper license plates.

Please observe all No Parking signs. Parking is not allowed on City streets after a snowfall of more than 2 inches until the streets have been plowed.

Do not put Snow into the street or onto neighboring properties.

Grass/Weeds exceeding 8 inches are prohibited on any property.

**Prohibited Music** is any music audible at the property line or from the adjacent apartment, common hallway, or 50 ft away from the

source between 10 PM and 7 AM. Additionally, any Events (like parties) that disturb others are prohibited.

Power Lawn Mowers or other Power Equipment may be operated outside only between 7 AM and 9 PM on weekdays or between the hours of 9 AM and 9 PM on weekends or legal holidays. Snow removal equipment is exempt.

Keeping more than 2 Dogs requires a kennel license from the Police Department. Animal Waste must be removed regularly.

### WHEN ISSUES ARISE

For an emergency, call 9-1-1

- For maintenance issues, contact the property owner (see contact information in box above).
- For legal matters (such as leases), contact the Minnesota Attorney General's Office at 651-296-3353 or www.ag.state.mn.us
- If the property owner is not maintaining the property, call Roseville Code Enforcement at 651-792-7014.

Minnesota Statute 504B.181, subd.2(b) requires landlords to notify residential tenants that the handbook Landlords and Tenants: Rights and Responsibilities is available to them. Published by the Office of the Minnesota Attorney General, the handbook can be accessed at www.ag.state.mn.us

 From:
 Cindy Bach

 To:
 \*RVCouncil

 Subject:
 Air B N B"s

**Date:** Friday, January 27, 2023 2:37:54 PM

**Caution:** This email originated outside our organization; please use caution.

### From Next Door neighborhood site:

The home at 1901 Ryan Ave just sold and the new owner does not plan to live there but instead rent the whole home out on AirBNB. Their permit to do so will be discussed at the January 30th City Council meeting. This will be the third AirBNB house in a one block radius with the other being directly across the street. Unlike some AirBNB rentals, these are homes that are not occupied at all by the owner - they are used for the sole purpose of short term rentals. These types of non-owner-occupied short term rentals, primarily AirBNB locations, have caused negative impacts on "house prices and communities" (Forbes, Feb 2020). Prof. Daniel O'Brien (Northeastern University) says that AirBNB "...creates the most transient households possible - poking holes in the social fabric of the community and undermining its natural ability to discourage and prevent crime."

I STRONGLY REQUEST THAT YOU REVOKE THE PERMIT FOR THIS HOME TO BE A B&B LOCATION.

Cindy Bach

From: Kelly Brooks

To: \*RVCouncil; Randy Brooks
Subject: Monday"s council agenda

**Date:** Friday, January 27, 2023 9:45:46 AM

**Caution:** This email originated outside our organization; please use caution.

Dear esteemed City Council members, I see that you have AirBNB's on your agenda this coming Monday. I'm writing to share my perspective on this topic, as someone who has lived in Roseville for the past 24 years and cares deeply about this community. I would ask the council to please limit the number of such units (total) that the city will allow, creating some type of limited-time permit or licensure and inspection requirement if none currently exists. Also, please limit the number of these Air BNBs that can exist within a specific geographic area since these are in residential neighborhoods. Otherwise these owners are essentially going around the zoning ordinances and creating 'hotels' within a neighborhood zoned for single family (not high density) housing.

I would like to share my family's personal experience. Our next door neighbor to the east began offering owner-occupied AirBNB in their home about 4 years ago. Today they've built out about half dozen rooms in their home to use for this purpose, and I believe it's now their primary source of income. Given that, they have incentive to keep their rooms occupied, as full as possible as often as possible. This has led to parking issues on our street and in front of our home. Their renters are forever using our driveway as a turn around (at least once a day). Their renters smoke in their backyard, which is immediately outside my teenage daughter's bedroom window, and they sit in chairs set up,which have a direct sightline to her bedroom. She has said she feels unsafe in this arrangement. Of course, with unknown multiple individuals coming and going for days or weeks in and out of this home, I too often feel on edge. Not only do I have personal safety concerns but I also worry if there was ever a fire if there are sprinklers in their basement where they have these rooms or what other dangers might be inherent in essentially having a 'hotel' in your house?

I actually called the city planner last summer about my concerns and he said that you--the council--would need to do something to impact this and there are currently no ordinances on the books which limit the number of units or anything related to this type of arrangement. So, there are no limits on them, and as far as I know, no permit/certification that expires or no other requirements, particularly as owner-occupants. To me this is quite different from someone renting a room to a 'roommate' in a more long-term arrangement. This is a business of short term room rentals. But is it treated as any other business? They are not required to provide parking, or to even notify or get permission from neighbors. It's odd to me that this can happen. In contrast, I needed to inform several of my neighbors about our driveway expansion and get my immediate next door neighbor's permission to encroach closer to the property line. (Neighbor on the west side, not the AirBNB folks.)

My husband and I have brought up our concerns directly with the AirBNB neighbors and they are kind about hearing us out. But of course this doesn't have any impact on their keeping up their business. I suspect also that they want to be as accommodating as possible to our feedback so that we don't complain to the city and no rules become imposed on their key source of income.

So, while this is a bit different from a non-occupant AirBNA (since they live on the premises), it falls into the same category and is something the city should be urgently addressing as this becomes more and more prevalent.

Thank you for taking this matter under careful consideration. I will see you at Mondays'

meeting. Kelly Brooks, 1136 Ryan Ave. W. 
 From:
 John Fairchild-Ehm

 To:
 \*RVCouncil

 Subject:
 Another Air BNB?!

**Date:** Friday, January 27, 2023 2:59:09 PM

Caution: This email originated outside our organization; please use caution.

Apparently this will/could be the 2nd in the area of 1900 Ryan. My memory is that nonowner occupied properties have problems.

Sincerely, John Fairchild-Ehm 1837 Fernwood Roseville, MN 55113

Sent from my iPhone

From: Diane Graham-Raff

To: \*RVCouncil

**Subject:** Full-Time AirB&B in our community - 1901 Ryan

**Date:** Friday, January 27, 2023 4:17:23 PM

Caution: This email originated outside our organization; please use caution.

While I don't have an issue with owner occupied Air B&Bs where folks stay in part of the home or an ADU on the property (they help people afford their homes and personally we have met great folks across the globe using Air B&Bs), full-time Air B&B has no place in our communities. There's already a shortage of moderately priced housing. The City of Roseville should not be issuing permits for full-time Air B&B type rentals. Please do not approve the application for 1901 Ryan or any other full-time Air B&B type permits until the City of Roseville addresses the need for regular moderate priced housing.

Diane Graham-Raff 2097 Rosewood Ln. S. Roseville

Sent from my iPad

From: Dan
To: \*RVCouncil

**Subject:** STR permit for 1901 Ryan Ave

**Date:** Thursday, January 26, 2023 9:06:16 PM

**Caution:** This email originated outside our organization; please use caution.

## Council Members,

I am writing to you today regarding the property at 1901 Ryan Ave. My understanding is that the owner has applied for a permit to make it a short-term rental property (they already have it listed on AirBNB for rent). I am very opposed to this license being granted.

To start, the home directly across the street (1973 Tatum) is also a non-owner-occupied STR property, as the owners of 1901 Ryan intend to do. There clearly is a fair amount of evidence about the negative impact that rental properties, and especially non-owner-occupied properties, have on neighborhoods. To have two across the street from each other would have an immediate and deleterious effect on our neighborhood.

Please, at a minimum, delay your vote until you have more information. The home at 1973 Tatum St is unlicensed and may not be on your radar, as an example of information that might sway your vote. We also have another property at 1977 Ryan that is an AirBNB, though at least that is owner-occupied. If we extend the search to a few blocks of Ryan and Tatum there are already 8 homes for short-term rent, most of which are non-owner occupied.

The second issue is not with this application specifically, but with AirBNBs and other non-owner-occupied STRs in general.

In February, 2020, Forbes published an article called "The AirBNB Effect on Housing and Rent". This study reported that AirBNB rentals have a negative impact on "house prices and communities." Furthermore, commenting on a study conducted by Northeastern University, Professor Daniel O'Brien said, "What matters is not the tourists AirBNB brings to the neighborhood; instead AirBNB creates the most transient households possible - poking holes in the social fabric of the community and undermining its natural ability to discourage and prevent crime." Another, peer-reviewed study, published in the academic journal PLOS ONE, found that an increase in AirBNB rentals caused a "gradual breakdown in community cohesion due to locals being pushed out that lead to an increase" in crime.

I understand this is not a new topic to the Council and that steps have been taken to prevent STRs from hosting parties in Roseville neighborhoods. Thank you for that, even if it is tough to get every owner to register with the city. I'd like to see the council continue this process to help neighborhoods like mine remain friendly to first-time homeowners, families, and the people who have grown old here. All the work that the Council, City Commissioners, current and past residents, and others, have put into making this the community it is today, will be undermined if we continue to see STRs take over.

Honestly, I'm afraid. Check out this article about what is happening in Lauderdale: <a href="https://www.startribune.com/landlord-snapping-up-lauderdales-single-family-homes/600189174/">https://www.startribune.com/landlord-snapping-up-lauderdales-single-family-homes/600189174/</a>. Do we want to see that happen here?

I want you to be aware that I do not think this is in the best interest of my neighborhood or our city as a whole. Thank you for "listening" to me. I'm eager to see the outcome of the council meeting on Monday.

Sincerely,

Dan Johnson-Powers 1974 Tatum St. From: Marceil Luedtke
To: \*RVCouncil

Subject: Jan 30 Council Agenda Item

**Date:** Friday, January 27, 2023 12:57:30 PM

**Caution:** This email originated outside our organization; please use caution.

I understand you will be discussing 1901 Ryan Ave W and permit to rent out the entire house to short term renters. I live next door and find it interesting that the new owners have already been renting the house out for weeks without a permit. Across the street is another home rented out for short term use on Craigslist. So 50% of my neighbors now come and go like a revolving door. I use to have relationships with these neighbors and now I don't know owners or all the various people coming and going. It has eroded the sense of community and social structure of this street. It makes me and other neighbors feel less safe. They come at all hours even middle of the night disrupting sleep with noise. The owners don't care for their property. Don't rake, trim corner shrubs so hard to see safely to turn car, etc. At times has been parking issues with constant strange cars parked in front of my house limiting my visitors. It has made me start to think about moving away. I bought this house 23 years ago as liked the established residential community. I don't want to live in short term rental land not knowing my neighbors. Envision Roseville means not having a future with homes run by corporations and landlords for a profit at the expense of a sense of community. There are too many short term rentals within blocks. Stop the bleed of our homes to rental units. Thank you for considering my input. Marceil Luedtke

From: noreply@civicplus.com

To: \*RVCouncil; Rebecca Olson; Pat Trudgeon

Subject: Online Form Submittal: Contact City Council

Date: Wednesday, January 25, 2023 11:19:00 AM

**Caution:** This email originated outside our organization; please use caution.

# **Contact City Council**

Please complete this online form and submit.

Short term housing
Sarah McNeal
1887 W Shryer
Roseville
MN
55113

This form goes to the Mayor, all Councilmembers and certain City Staff. Due to the volume of emails submitted, a personal reply is not always possible.

How would you prefer to be contacted? Remember to fill in the corresponding contact information. Email

Email Address:

Phone Number:

Please Share Your Comment, Question or Concern To the Roseville City Council,

The new owners of house at 1901 Ryan Ave W have applied for a permit to convert it to a short term rental.

The house across the street at 1973 Tatum St. has been reported as being suspected as operating a short term rental without a permit.

When considering applications for short term rentals, please consider density of this type of permit as it is impossible for us to

know our neighbors and build community relationships without long term tenants. With a consistent turnover of tenets, we are constantly in the dark about who is occupying a property and what the risks are for kids who are traveling independently between residences.

This kind of rental in a neighborhood full of people who value the relationships and connections they have is discouraging. Having recently made the decision to sell the house on Shryer and downsize, I can tell you that the most difficult thing about the decision was leaving my wonderful neighborhood and neighbors.

Please do not let lack of governance destroy what we have built: a neighborhood with yearly block parties, book club, game group, gardening group and more.

Unless restricted by law, all correspondence to and from Roseville City government offices, including information submitted through electronic forms such as this one, may be public data subject to the Minnesota Data Practices Act and/or may be disclosed to third parties.

Email not displaying correctly? View it in your browser.

From: noreply@civicplus.com

To: \*RVCouncil; Rebecca Olson; Pat Trudgeon
Subject: Online Form Submittal: Contact City Council
Date: Wednesday, January 25, 2023 9:33:42 AM

**Caution:** This email originated outside our organization; please use caution.

# Contact City Council

Please complete this online form and submit.

Subject	Short term rental density
Contact Information	
Name:	Colleen Schlieper
Address:	1986 Prior Ave N
City:	Roseville
State:	MN
Zip:	55113

This form goes to the Mayor, all Councilmembers and certain City Staff. Due to the volume of emails submitted, a personal reply is not always possible.

How would you prefer to be contacted? Remember to fill in the corresponding contact information. Email

Email Address:

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# REQUEST FOR COUNCIL ACTION

Date: January 30, 2023 Item No.: 10.f

Department Approval

City Manager Approval

Janue Gundrach

Item Description: Approve issuance of a Short-Term Rental License for 395 Woodhill Dr.

#### BACKGROUND

2 Chapter 909 of City Code requires the licensing of non-owner occupied short-term rentals of dwelling

- units, subject to certain exemptions. On January 11, 2023, an application for a short-term rental license
- was submitted by the property owner. The property is a five bedroom, single family home. The
- 5 property owner has certified and attested to the requirement of lodging tax payment, as well as, the
- 6 maximum occupancy of four or less unrelated adults or one family. There have been no nuisance or
- 7 property maintenance violations in the last five years that impact the ability of the license to be issued.
- 8 Short-term rental licenses include the requirement of minimum stays based on on-season (10 days)
- 9 and off-season (7 days) times of the year.
- Upon issuance, the license will be valid for 365 days from issue date. A current copy of the license
- must be posted in the rental unit, along with current copies of City Code Sections 405, 407 and 602.
- A draft of the license is provided as Attachment B.
- The applicant has supplied all required license information and paid the license fee of \$515. In
- accordance with Section 909.03, the process for licensure is outlined in Chapter 301, which requires
- presentation to the City Council. Based upon the requirements outlined in ordinance, the property
- owner is entitled to the license.

#### 17 POLICY OBJECTIVE

Licensing required by Section 909, effective as of February 8, 2021.

#### 19 BUDGET IMPLICATIONS

20 The correct fees were paid to the City at the time of application submittal.

#### 21 RACIAL EQUITY IMPACT SUMMARY

22 Staff has not identified any racial equity impacts related to this action.

#### 23 STAFF RECOMMENDATION

24 Staff recommends the approval of a one year Short-Term Rental License for 395 Woodhill Dr.

## 25 REQUESTED COUNCIL ACTION

By Motion, approve the Short-Term Rental License for 395 Woodhill Dr.

Prepared by: David Englund, Building Official, David.englund@cityofroseville.com 651-792-7087

Attachments: A: Short-Term Rental License Application

B: Draft copy of license

# **Attachment A**

Menu

Reports

Help

File Date: 01/11/2023 Application Status: In Review

Application Detail: Detail

Application Type: Short-Term Rental License Application

Address: 395 Woodhill Dr W Roseville MN 55113

**Custom Fields: UNIT DETAILS** 

**Unit Type** Single-Family Home Number of Bedrooms

**CERTIFICATION AND ATTESTATION** 

**Attestation to Occupancy Limits** 

Attestation to Payment of Lodging Tax  $\underline{\checkmark}$ 

Contact Info: Contact Type Property Owner Organization Name

**Contact Primary Address** 

Status

Name

Active Jason Wilson

Owner Name:

Owner Address:

DBA Name:

Total Fee Assessed: \$525.30 Total Fee Involced: \$525.30

Balance: \$0.00

Workflow Status: Task

Assigned To

Status

Status Date

**Action By** 

License Issuance

Jan Rosemeyer

Initiated by Product: ACA

### City of Roseville Short-Term Rental License This certificate must be posted in the rental unit

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Property owners must notify the City of any changes in ownership or type of occupancy. Licenses are non-transferable; new owners must

apply for a new license.

License Number: STR23-XXX

Owner: Jason Wilson

Phone:651-XXX-XXXX

Email: drjasonwilson@aol.com Address: 395 Woodhill Dr.

Expiration: 2/1/2024

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#### In the Unit:

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The **Water Heater and Furnace** must be clear (by at least 3 feet) of boxes, junk, or flammable materials; the **Water Heater must have a TPR valve and relief valve discharge pipe.** 

Toilets must flush and Bathrooms must have an exhaust fan or

Taps must have working hot and cold water; no leaking pipes or dripping Faucets.

**Outlets, Switches, and Panel Boxes** must have covers; kitchens and bathrooms should have grounded **GFCI Outlets**.

Rooms used for sleeping should have 1 window or 2 approved

Interior Walls, Ceilings, and Window Sills must be clean and free of peeling paint.

**Floors** must be structurally sound and **Flooring** in good condition with no trip hazards such as ripped carpet or missing tiles.

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# REQUEST FOR COUNCIL ACTION

Date: January 30, 2023 Item No.: 10.g

Department Approval

City Manager Approval

Janue Gundrach

Item Description: Approve issuance of a Short-Term Rental License for 770 Heinel Drive

#### 1 BACKGROUND

- 2 Chapter 909 of City Code requires the licensing of non-owner occupied short-term rentals of dwelling
- units, subject to certain exemptions. On December 2, 2022, an application for a short-term rental
- license was submitted by the property owner. The property is a four bedroom, single family home.
- The property owner has certified and attested to the requirement of lodging tax payment, as well as,
- the maximum occupancy of four or less unrelated adults or one family. There have been no nuisance
- or property maintenance violations in the last five years that impact the ability of the license to be
- 8 issued. Short-term rental licenses include the requirement of minimum stays based on on-season (10
- 9 days) and off-season (7 days) times of the year.
- Upon issuance, the license will be valid for 365 days from issue date. A current copy of the license
- must be posted in the rental unit, along with current copies of City Code Sections 405, 407 and 602.
- A draft of the license is provided as Attachment B.
- The applicant has supplied all required license information and paid the license fee of \$515. In
- accordance with Section 909.03, the process for licensure is outlined in Chapter 301, which requires
- presentation to the City Council. Based upon the requirements outlined in ordinance, the property
- owner is entitled to the license.

#### 17 POLICY OBJECTIVE

Licensing required by Section 909, effective as of February 8, 2021.

#### 19 BUDGET IMPLICATIONS

20 The correct fees were paid to the City at the time of application submittal.

#### 21 RACIAL EQUITY IMPACT SUMMARY

22 Staff has not identified any racial equity impacts related to this action.

#### 23 STAFF RECOMMENDATION

Staff recommends the approval of a one year Short-Term Rental License for 770 Heinel Drive.

#### 25 REQUESTED COUNCIL ACTION

- By Motion, approve the Short-Term Rental License for 770 Heinel Drive.
- 27 Prepared by: David Englund, Building Official, David.englund@cityofroseville.com 651-792-7087
- 28 Attachments: A: Short-Term Rental License Application
- B: Draft copy of license

# **Attachment A**

## STR-A22-007

Reports

Help

File Date: 12/01/2022 Application Status: In Review Application Detail: Detail

Application Type: Short-Term Rental License Application

Address: 770 Heinel Dr W Roseville MN 55113

Custom Fields: UNIT DETAILS

Unit Type Single-Family Home

Number of Bedrooms

CERTIFICATION AND ATTESTATION

**Attestation to Occupancy Limits** 

Attestation to Payment of Lodging Tax

Contact Info: Contact Type

Property Owner

Organization Name

**Contact Primary Address** 

Status

Mailing, 3093 Avon St ...

Active

Tim Nguyen

Owner Name: Owner Address:

DBA Name:

Total Fee Assessed: \$525.30 Total Fee Invoiced: \$525.30

Balance: \$0.00

Workflow Status: Task

Assigned To Jan Rosemeyer Status

Status Date

Action By

Initiated by Product: ACA

License Issuance

# ATTACHMENT B

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apply for a new license.

License Number: STR23-XXX

Owner: Tim Nguyen

Phone:651-XXX-XXXX Email: tbnguye@gmail.com

Address: 770 Heinel Dr. W

Expiration: 2/1/2024

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**Floors** must be structurally sound and **Flooring** in good condition with no trip hazards such as ripped carpet or missing tiles.

**Working Light Fixtures** must be in all halls, stairways, laundry rooms, and furnace rooms.

Handrails must be on all stairs with more than 4 steps and be firmly attached with no missing or loose spindles.

Extension Cords may be used only for portable appliances.

Address Numbers must be clearly visible from the street.

#### Occupancy:

Rental Units may house 4 unrelated adults or 1 family.

# Storage/Waste:

Rubbish must be stored in appropriate containers and removed regularly. Containers must be stored out of public view except on the day of collection and cannot remain at the curb for more than 24 hours. Outdoor Storage of junk is prohibited.

Please observe all No Parking signs. Parking is not allowed on City streets after a snowfall of more than 2 inches until the streets have been plowed.

Do not put Snow into the street or onto neighboring properties.

#### Yard:

Grass/Weeds exceeding 8 inches are prohibited on any property.

**Prohibited Music** is any music audible at the property line or from the adjacent apartment, common hallway, or 50 ft away from the

source between 10 PM and 7 AM. Additionally, any Events (like parties) that disturb others are prohibited.

Power Lawn Mowers or other Power Equipment may be operated outside only between 7 AM and 9 PM on weekdays or between the hours of 9 AM and 9 PM on weekends or legal holidays. Snow removal equipment is exempt.

#### Pets:

Keeping more than 2 Dogs requires a kennel license from the Police Department. Animal Waste must be removed regularly.

#### WHEN ISSUES ARISE

For an emergency, call 9-1-1

- For maintenance issues, contact the property owner (see contact information in box above).
- For legal matters (such as leases), contact the Minnesota Attorney General's Office at 651-296-3353 or www.ag.state.mn.us
- If the property owner is not maintaining the property, call Roseville Code Enforcement at 651-792-7014.

Minnesota Statute 504B.181, subd.2(b) requires landlords to notify residential tenants that the handbook Landlords and Tenants: Rights and Responsibilities is available to them. Published by the Office of the Minnesota Attorney General, the handbook can be accessed at www.ag.state.mn.us