



Second Reading Ordinance 1412: Critical Area, Shoreland, and Telecommunications Towers and Facilities Overlay District Chapters

City Council

July 24, 2023



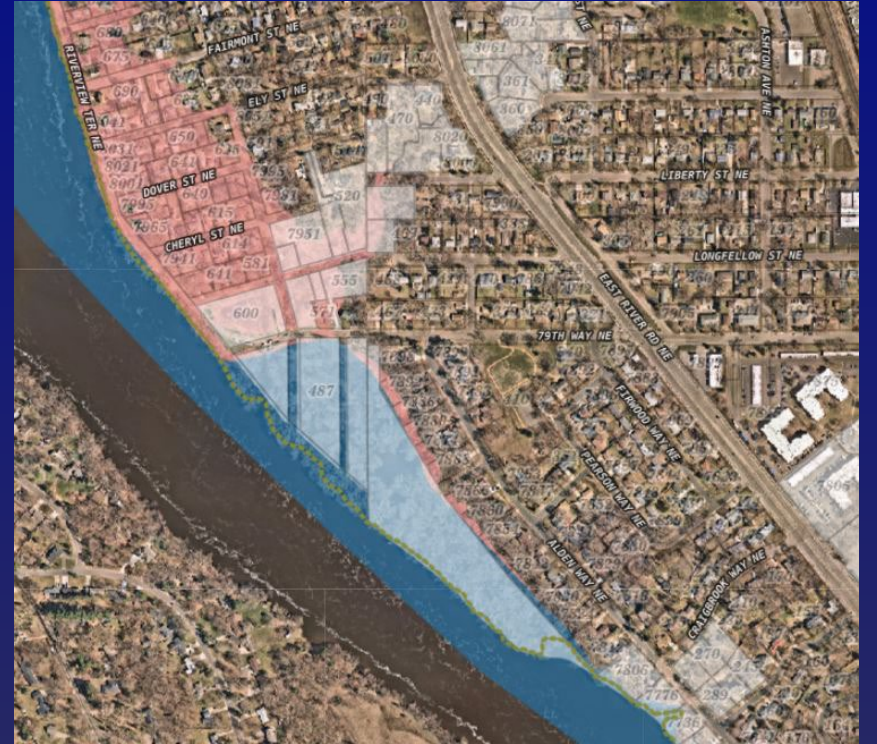
MRCCA Background

- Coordinated land planning throughout 72-mile stretch of river in the metro
 - Protect and preserve a public resource and its natural, aesthetic, cultural, and historical value
- Designated as a Critical Area in 1976 by the State under Minnesota Statute 116G.15
 - State adopted rules under Chapter 6106
 - Minimum standards for all communities along the river



MRCCA in Fridley

- City adopted interim standards in 1977 and the current Overlay District in 1983
 - Setback from river and bluffs
 - Site lines
 - Vegetation management
- Includes all properties west of East River Road
- Many properties are also in Floodplain Management Overlay District and Shoreland Overlay District (2006)
 - Shoreland code also includes setbacks



Ordinance Update

- On January 4, 2017 the State updated Chapter 6106
 - Extensive dialogue between impacted stakeholders
 - City required to update our code to incorporate these standards
- Reviewed by EQEC and Planning Commission
- First Reading held July 10, 2023
 - Concern of impacts to residential redevelopment

Changes: MRCCA District

Code	Critical Area	Shoreland	Proposed Critical Area		
			Separated from River District	River Neighborhood District	Urban Mixed District
Height	Underlying Zoning	Underlying Zoning	Underlying Zoning	35'	65'
Structure Setback from Bluff*	40'	40'	40'	40'	40'
Structure Setback from River	100'	100'	100'	100'	50'
Structure Setback from Tributary	None (but included in Shoreland)	50'	50'	50'	50'

*Bluff definition changing from 12% to 18%

Siting of Non-Structural Uses

- Clarifies guidelines on detached decks, patios, driveways, and other impervious surfaces within setback zones
- Adds design guidelines for stairways, access paths, and signs
- Allows one water-oriented accessory structure along the river

Residential Land Alteration in Bluff Impact Zone

- Erosion and flood control
- Repair and maintenance of existing facilities
- Access paths to the river



Vegetation Management

- Current rule says no clear-cutting within 40 feet of bluffline or river
- New rule: restrict intensive vegetation clearing within primary conservation areas except in specific situations
 - In those situations, a restoration plan will need to be provided
 - Requires City to issue permits for the work
- Selective tree removal, intensive vegetation clearing outside of primary conservation areas, maintenance of existing gardens



Optional Provisions

- Discretionary actions
 - Require consideration of impacts on wildlife and public access
 - Require that impacts to primary conservation areas be mitigated
 - Require prove consistency with MRCCA plan and MRCCA District
 - Provide mitigation for height
- Lighting must be fully shielded within the SIZ
- Prohibit interference with Line of Site
- Require public access be provided during redevelopment where called for in a city plan

Optional Provisions

- Requires replacement when trees over four inches are removed from primary conservation areas, except in cases of tree removal under approved habitat and erosion control plans
 - Adds a fee in lieu program
- Requires that habitat restoration and erosion control plans be prepared by a professional

Other

- Site visits to Riverview Heights Park
- Storm sewer inspection off Rivers Edgeway
- Status of CenterPoint gas line

Next Steps

- Staff would publish the application for the no cost “Critical Area permit”
- Staff would mail a notice to impacted property owners
- Include communication in city channels
- Open house in early September

Recommendation

- Approve the second reading of Ordinance 1412 Proposing Updates to City Code Chapters 205-28 Critical Area Overlay District, 205-32 Shoreland Overlay District, and 205-30 Telecommunications Towers and Facilities District
- Approve the Summary Ordinance No. 1412 for Publication