



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

City Council

July 10, 2023



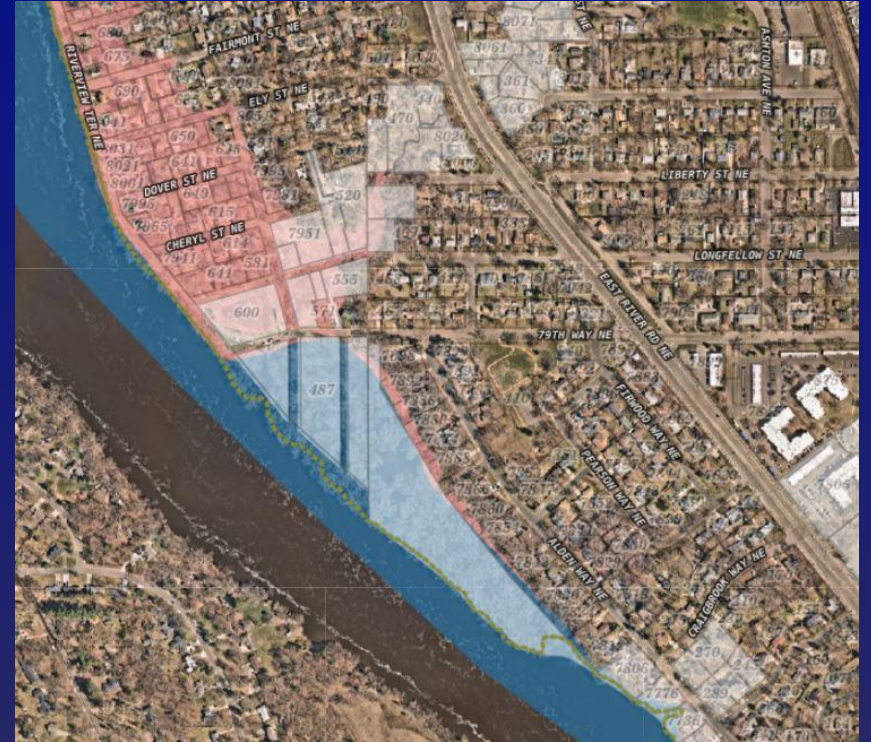
MRCCA Background

- 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



MRCCA in Fridley

- City adopted Critical Area 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

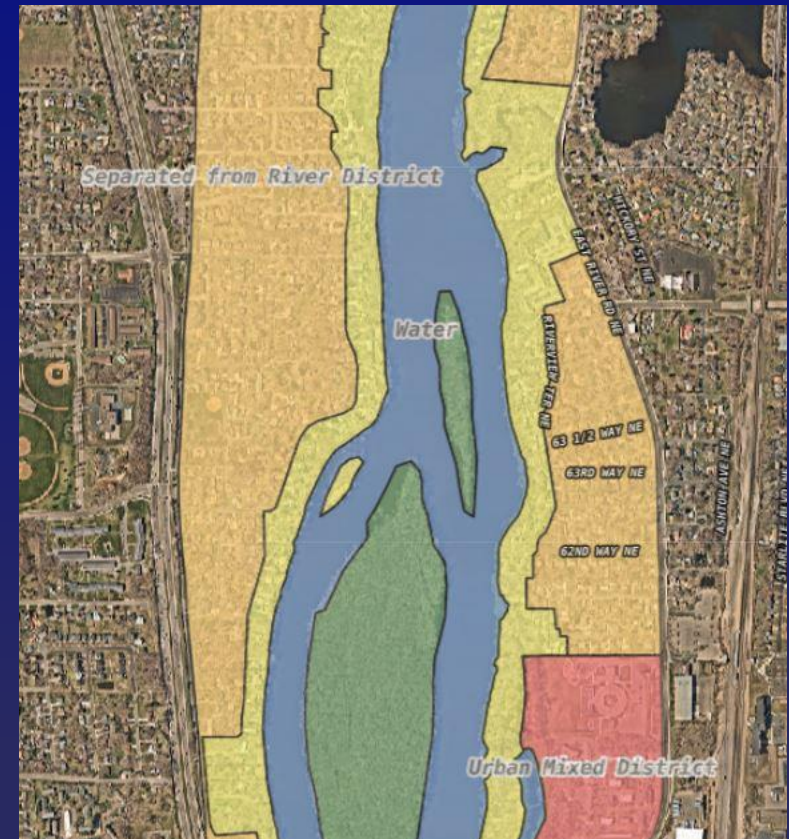


Ordinance Update

- On January 4, 2017 the State updated Chapter 6106
 - Extensive dialogue between impacted stakeholders
 - City required to update our code to incorporate these standards
- Considered MRCCA Model Ordinance, 2040 Comprehensive Plan, current MRCCA ordinance, and overlap with the Shoreland Overlay District, comments from Friends of the Mississippi River and Audubon Society of Minneapolis

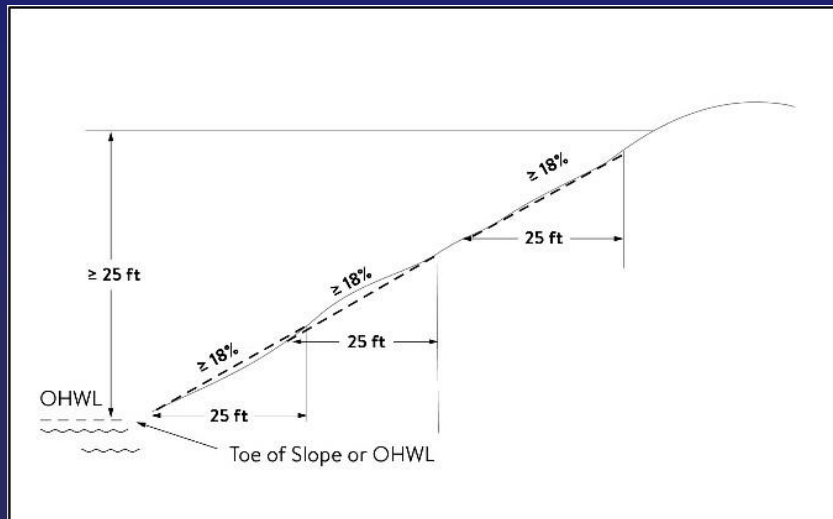
Changes: MRCCA District

- The proposed rules MRCCA further broken down into:
 - Separated from River District
 - River Neighborhoods District
 - Urban Mixed District
 - Reduces setback from 100 feet to 50 feet
 - Caps height at 65 feet without a Special Use Permit



Changes: Bluff Definition

- Bluff: 18% slope over 25 feet of rise and run
 - Bluffs can be anywhere in the MRCCA
- Bluff Impact Zone: 20 feet from the top or toe of bluff



Changes: Structure siting guidelines

- Primary Conservation Areas: key resources and features including the bluff impact zone (BIZ) and shore impact zone (SIZ)
- Clarifies guidelines on structures such as detached decks and patios in SIZ and BIZ
- Adds design guidelines for stairways, access paths, and signs
- Adds permitting requirement for riprap and retaining walls
- Requires Special Use Permits for telecommunication towers

Changes: 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, existing gardens can be maintained,

Subdivisions

- Requires set aside of primary conservation areas for subdivisions of greater than 10 acres along the river or 20 acres not along the river
- Encourages alternative design

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
- Does not include opportunity for setback averaging

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

- Updates to Telecommunications Towers and Facilities District Chapter
- Updates to Shoreland Overlay District Chapter

MRCCA process

- Recommended by Environmental Quality and Energy Commission (5-0) in June
- Recommended by Planning Commission (4-1) in June
- Conditionally approved by MN DNR
- Notices sent to all property owners impacted by the changes

Following approval:

- Additional mailers, newsletters, and an open house

Recommendation

- Hold a public hearing of Ordinance 1412 Proposing Updates to City Code Chapters 205-28 Critical Area District, 205-32 Shoreland Overlay District, and 205-30 Telecommunications Towers and Facilities District
- Approve the first reading of Ordinance 1412 Proposing Updates to City Code Chapters 205-28 Critical Area District, 205-32 Shoreland Overlay District, and 205-30 Telecommunications Towers and Facilities District