

Mississippi River Corridor Critical Area (MRCCA) Rulemaking Update City of Ramsey Supplemental Analysis

In 2009, the Minnesota Legislature directed the Minnesota Department of Natural Resources (DNR) to commence rulemaking to update minimum standards in the Mississippi River Corridor Critical Area (MRCCA). The MRCCA is a state designated geographic area along the Mississippi River that encompasses communities along this corridor beginning with the cities of Ramsey and Dayton, stretching through Hastings. The City of Ramsey currently conforms to the state requirement by having a section in our Comprehensive Plan and corresponding ordinance that has been determined to be in substantial compliance with the existing state rules.

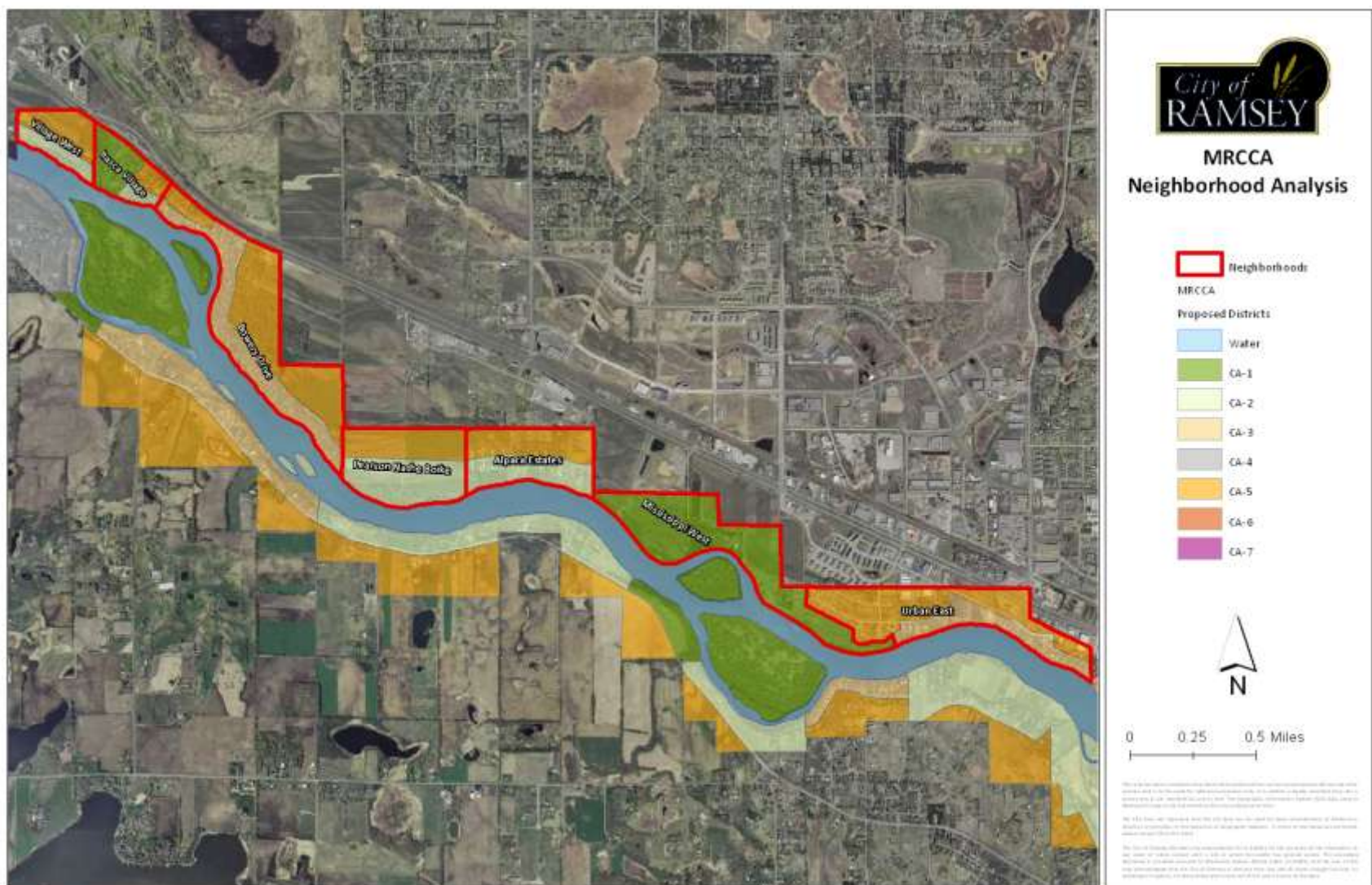
The following analysis supplements draft standards proposed by DNR staff. The analysis provides a side-by-side comparison of the City's existing ordinance and proposed standards. There has been much concern on behalf of local units of government to be able to maintain local decision-making as to land use controls. The intent of the rulemaking process is to update rules that were initially created in 1979, clarify standards, and create consistency across the corridor. However, LGUs have expressed concerns moving from the current language stating 'structure site and location shall be regulated to ensure that riverbanks, bluffs, and scenic overlooks remains in their natural state, and to minimize interference with views of and from the river, except for specific uses requiring river access' to a codified set of standards as proposed. Concern has been raised regarding non-conforming lots and the development capability of undeveloped property.

It should be noted that the City has long had issues with the existing ordinance as it relates to land use designation. A large portion of the MRCCA within the City is designated as 'rural open space', which the City feels is inconsistent with the City's Comprehensive Plan, which guides this area as Low Density Residential (LDR), a suburban-type density. In addition, the City has maintained displeasure with the MRCCA overlapping with a second overlay district known as the Wild and Scenic Overlay. This overlap creates an administrative disadvantage and extremely difficult to understand which standards apply (generally more restrictive of overlapping standard applies). The draft rules include language to exclude the City from the Wild and Scenic Overlay by virtue of protection under the MRCCA. Many of the areas currently under rural open space are proposed to be guided as CA-3 (suburban densities) and CA-5 (underlying zoning). This put the City at a slight advantage, compared to other cities, by making existing lawful, non-conforming structures conforming.

Vegetative management has also been a concern of the City Council. Although existing rules prescribe some vegetative management (restrictive removal), the proposed standards would codify these standards, again raising concerns of creating non-conforming uses.

In summary, all communities are required to have ordinances and plans in substantial compliance with the existing MRCCA plans. The City has expressed concern with codifying these standards, as it feels it takes local control of land use decision making away from the LGU. Regardless of the outcome of the rulemaking update, City Staff would ask that the following be corrected from the existing ordinance:

- Amend 'Rural Open Space' areas to 'Urban Developed' (CA-3 in the proposed classifications)
- Eliminate overlap with Wild and Scenic
- Amend open space requirement for new developments to match 'Urban Developed' (tied to first bullet)



Dimensional Standards Comparison for Suburban East

Notes:

- This sheet expands on the Dimensional Standards-Comparison of Preliminary Draft & Current MRCCA Standards prepared by the Minnesota DNR

Riparian Lots (CA-2: Suburban Densities)

Standard	Existing Regulation	Proposed Regulation
Minimum Lot Size with public sewer	20,000 square feet	Underlying zoning (10,800 square feet)
Minimum Lot Width	90 feet	Underlying zoning (80 feet)
Front Yard Setback	35 feet	Underlying zoning (30 feet)
Rear Yard Setback	35 feet	Underlying zoning (30 feet)
Side Yard Setback	10 feet	Underlying zoning (10 feet [habitable]; 6 feet [uninhabitable])
OHW Setback	100 feet	100 feet
Bluff Setback	20 feet (deviation from state rule)	40 feet
Maximum Impervious Surface	30%	Underlying zoning (35%)
Maximum Building Height	35 feet	35 feet
SSTS OHW Setback	75 feet	75 tank/50 drainfield

Non-riparian lots (CA-5)

Standard	Existing Regulation	Proposed Regulation
Minimum Lot Size with public sewer	20,000 square feet	Underlying zoning (10,800 square feet)
Minimum Lot Width	90 feet	Underlying zoning (80 feet)
Front Yard Setback	35 feet	Underlying zoning (30 feet)
Rear Yard Setback	35 feet	Underlying zoning (30 feet)
Side Yard Setback	10 feet	Underlying zoning (10 feet [habitable]; 6 feet [uninhabitable])
OHW Setback	100 feet	Underlying zoning (N/A)
Bluff Setback	20 feet (deviation from state rule)	Underlying zoning (N/A)
Maximum Impervious Surface	30%	Underlying zoning (35%)
Maximum Building Height	35 feet	Underlying zoning (35 feet)
SSTS OHW Setback	75 feet	Underlying zoning (N/A)

Dimensional Standards Comparison for Mississippi West

Notes:

- *This sheet expands on the Dimensional Standards-Comparison of Preliminary Draft & Current MRCCA Standards prepared by the Minnesota DNR*

Riparian Lots (CA-1: Publicly Owned Parks)

Standard	Existing Regulation	Proposed Regulation
Minimum Lot Size with public sewer	20,000 square feet	n/a
Minimum Lot Width	90 feet	n/a
Front Yard Setback	35 feet	Underlying zoning
Rear Yard Setback	35 feet	Underlying zoning
Side Yard Setback	10 feet	Underlying zoning
OHW Setback	100 feet	200 feet
Bluff Setback	20 feet (deviation from state rule)	100 feet
Maximum Impervious Surface	30%	Underlying zoning (35%)
Maximum Building Height	35 feet	25 feet
SSTS OHW Setback	75 feet	75 tank/50 drainfield

Dimensional Standards Comparison for Alpaca Estates

Notes:

- This sheet expands on the Dimensional Standards-Comparison of Preliminary Draft & Current MRCCA Standards prepared by the Minnesota DNR

Riparian Lots (CA-2)

Standard	Existing Regulation	Proposed Regulation
Minimum Lot Size with public sewer	2.5 acres	2.0 acres*
Minimum Lot Width	200 feet	200 feet
Front Yard Setback	40 feet	Underlying zoning (30 feet)
Rear Yard Setback	40 feet	Underlying zoning (30 feet)
Side Yard Setback	10 feet	Underlying zoning (10 feet [habitable]; 6 feet [uninhabitable])
OHW Setback	200 feet	200 feet
Bluff Setback	35 feet (deviation from state rule)	100 feet
Maximum Impervious Surface	30%	Underlying zoning (35%)
Maximum Building Height	35 feet	35 feet
SSTS OHW Setback	75 feet	75 tank/50 drain field

*Note: although minimum lot size is proposed to decrease, still not consistent with land use designation in 2020 and 2030 Comprehensive Plan. See notes on proposed density credits/transfers

Non-riparian lots (CA-5)

Standard	Existing Regulation	Proposed Regulation
Minimum Lot Size with public sewer	2.5 acres	Underlying zoning (10,800 square feet)
Minimum Lot Width	200 feet	Underlying zoning (80 feet)
Front Yard Setback	40 feet	Underlying zoning (30 feet)
Rear Yard Setback	40 feet	Underlying zoning (30 feet)
Side Yard Setback	10 feet	Underlying zoning (10 feet [habitable]; 6 feet [uninhabitable])
OHW Setback	200 feet	Underlying zoning (N/A)
Bluff Setback	35 feet (deviation from state rule)	Underlying zoning (N/A)
Maximum Impervious Surface	30%	Underlying zoning (35%)
Maximum Building Height	35 feet	Underlying zoning (35 feet)
SSTS OHW Setback	75 feet	Underlying zoning (N/A)

Dimensional Standards Comparison for Pearson/Nathe

Notes:

- This sheet expands on the Dimensional Standards-Comparison of Preliminary Draft & Current MRCCA Standards prepared by the Minnesota DNR

Riparian Lots (CA-2)

Standard	Existing Regulation	Proposed Regulation
Minimum Lot Size with public sewer	2.5 acres	2.0 acres*
Minimum Lot Width	200 feet	200 feet
Front Yard Setback	40 feet	Underlying zoning (30 feet)
Rear Yard Setback	40 feet	Underlying zoning (30 feet)
Side Yard Setback	10 feet	Underlying zoning (10 feet [habitable]; 6 feet [uninhabitable])
OHW Setback	200 feet	200 feet
Bluff Setback	35 feet (deviation from state rule)	100 feet
Maximum Impervious Surface	30%	Underlying zoning (35%)
Maximum Building Height	35 feet	35 feet
SSTS OHW Setback	75 feet	75 tank/50 drain field

*Note: although minimum lot size is proposed to decrease, still not consistent with land use designation in 2020 and 2030 Comprehensive Plan. See notes on proposed density credits/transfers

Non-riparian lots (CA-5)

Standard	Existing Regulation	Proposed Regulation
Minimum Lot Size with public sewer	2.5 acres	Underlying zoning (10,800 square feet)
Minimum Lot Width	200 feet	Underlying zoning (80 feet)
Front Yard Setback	40 feet	Underlying zoning (30 feet)
Rear Yard Setback	40 feet	Underlying zoning (30 feet)
Side Yard Setback	10 feet	Underlying zoning (10 feet [habitable]; 6 feet [uninhabitable])
OHW Setback	200 feet	Underlying zoning (N/A)
Bluff Setback	35 feet (deviation from state rule)	Underlying zoning (N/A)
Maximum Impervious Surface	30%	Underlying zoning (35%)
Maximum Building Height	35 feet	Underlying zoning (35 feet)
SSTS OHW Setback	75 feet	Underlying zoning (N/A)

Dimensional Standards Comparison for Bowers Drive

Notes:

- This sheet expands on the Dimensional Standards-Comparison of Preliminary Draft & Current MRCCA Standards prepared by the Minnesota DNR

Riparian Lots (CA-3)

Standard	Existing Regulation	Proposed Regulation
Minimum Lot Size with public sewer	2.5 acres	Underlying zoning (10,800 square feet)
Minimum Lot Width	200 feet	Underlying zoning (80 feet)
Front Yard Setback	40 feet	Underlying zoning (30 feet)
Rear Yard Setback	40 feet	Underlying zoning (30 feet)
Side Yard Setback	10 feet	Underlying zoning (10 feet [habitable]; 6 feet [uninhabitable])
OHW Setback	200 feet	100 feet
Bluff Setback	35 feet (deviation from state rule)	40 feet
Maximum Impervious Surface	30%	Underlying zoning (35%)
Maximum Building Height	35 feet	35 feet
SSTS OHW Setback	75 feet	75 tank/50 drainfield

*Note: although minimum lot size is proposed to decrease, still not consistent with land use designation in 2020 and 2030 Comprehensive Plan. See notes on proposed density credits/transfers

Non-riparian lots (CA-5)

Standard	Existing Regulation	Proposed Regulation
Minimum Lot Size with public sewer	2.5 acres	Underlying zoning (10,800 square feet)
Minimum Lot Width	200 feet	Underlying zoning (80 feet)
Front Yard Setback	40 feet	Underlying zoning (30 feet)
Rear Yard Setback	40 feet	Underlying zoning (30 feet)
Side Yard Setback	10 feet	Underlying zoning (10 feet [habitable]; 6 feet [uninhabitable])
OHW Setback	200 feet	Underlying zoning (N/A)
Bluff Setback	35 feet (deviation from state rule)	Underlying zoning (N/A)
Maximum Impervious Surface	30%	Underlying zoning (35%)
Maximum Building Height	35 feet	Underlying zoning (35 feet)
SSTS OHW Setback	75 feet	Underlying zoning (N/A)

Dimensional Standards Comparison for Itasca Village**

Notes:

- This sheet expands on the Dimensional Standards-Comparison of Preliminary Draft & Current MRCCA Standards prepared by the Minnesota DNR

Riparian Lots (CA-2)

Standard	Existing Regulation	Proposed Regulation
Minimum Lot Size with public sewer	2.5 acres	2.0 acres*
Minimum Lot Width	200 feet	200 feet
Front Yard Setback	40 feet	Underlying zoning (30 feet)
Rear Yard Setback	40 feet	Underlying zoning (30 feet)
Side Yard Setback	10 feet	Underlying zoning (10 feet [habitable]; 6 feet [uninhabitable])
OHW Setback	200 feet	200 feet
Bluff Setback	35 feet (deviation from state rule)	100 feet
Maximum Impervious Surface	30%	Underlying zoning (35%)
Maximum Building Height	35 feet	35 feet
SSTS OHW Setback	75 feet	75 tank/50 drain field

*Note: although minimum lot size is proposed to decrease, still not consistent with land use designation in 2020 and 2030 Comprehensive Plan. See notes on proposed density credits/transfers

Non-riparian lots (CA-5)

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Minimum Lot Width	200 feet	Underlying zoning (80 feet)
Front Yard Setback	40 feet	Underlying zoning (30 feet)
Rear Yard Setback	40 feet	Underlying zoning (30 feet)
Side Yard Setback	10 feet	Underlying zoning (10 feet [habitable]; 6 feet [uninhabitable])
OHW Setback	200 feet	Underlying zoning (N/A)
Bluff Setback	35 feet (deviation from state rule)	Underlying zoning (N/A)
Maximum Impervious Surface	30%	Underlying zoning (35%)
Maximum Building Height	35 feet	Underlying zoning (35 feet)
SSTS OHW Setback	75 feet	Underlying zoning (N/A)

**Note that a portion of this area is within CA-1 (Wayside Rest). See CA-1 standards for comparison.

Dimensional Standards Comparison for Village West

Notes:

- This sheet expands on the Dimensional Standards-Comparison of Preliminary Draft & Current MRCCA Standards prepared by the Minnesota DNR

Riparian Lots (CA-2)

Standard	Existing Regulation	Proposed Regulation
Minimum Lot Size with public sewer	2.5 acres	2.0 acres*
Minimum Lot Width	200 feet	200 feet
Front Yard Setback	40 feet	Underlying zoning (30 feet)
Rear Yard Setback	40 feet	Underlying zoning (30 feet)
Side Yard Setback	10 feet	Underlying zoning (10 feet [habitable]; 6 feet [uninhabitable])
OHW Setback	200 feet	200 feet
Bluff Setback	35 feet (deviation from state rule)	100 feet
Maximum Impervious Surface	30%	Underlying zoning (35%)
Maximum Building Height	35 feet	35 feet
SSTS OHW Setback	75 feet	75 tank/50 drain field

*Note: although minimum lot size is proposed to decrease, still not consistent with land use designation in 2020 and 2030 Comprehensive Plan. See notes on proposed density credits/transfers

Non-riparian lots (CA-5)

Standard	Existing Regulation	Proposed Regulation
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OHW Setback	200 feet	Underlying zoning (N/A)
Bluff Setback	35 feet (deviation from state rule)	Underlying zoning (N/A)
Maximum Impervious Surface	30%	Underlying zoning (35%)
Maximum Building Height	35 feet	Underlying zoning (35 feet)
SSTS OHW Setback	75 feet	Underlying zoning (N/A)