

**ORDINANCE #21-02
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

AN ORDINANCE AMENDING CITY CODE SECTION 117-148 ENTITLED MISSISSIPPI RIVER CORRIDOR CRITICAL AREA.

The City of Ramsey ordains:

SECTION 1. AUTHORITY

This ordinance is adopted pursuant to and under the authority of the Charter of the City of Ramsey.

SECTION 2. PURPOSE

Per S701.10 (Fees) the purpose of this Ordinance is to update the Mississippi River Corridor Critical Area (MRCCA) as required by the Minnesota Department of Natural Resources.

SECTION 3. AMENDMENT TO CITY CODE SECTION 117-348

The current City Code Section 117-148 is repealed in its entirety and replaced with the text in Exhibit A attached hereto.

SECTION 4. EFFECTIVE DATE

This Ordinance becomes effective 30 days after its passage and publication, subject to City Charter Section 5.04.

SECTION 5. SUMMARY

The following is the official summary of Ordinance #21-02, as clearly informing the public of the intent and effect of the Ordinance.

Ordinance #21-02 updates the City's Mississippi River Corridor Critical Area (MRCCA) Overlay District to comply with minimum requirements established by the State of Minnesota. Critical Area Overlay Standards include, but are not limited to lot size, building size, building height, vegetation management, bluff/slope protection, open space preservation and stormwater management.

PASSED by the City Council of the City of Ramsey, Minnesota the 13th day of April, 2021.

Mayor

ATTEST:

City Clerk

Introduction date: March 9, 2021

Posting dates: March 9 – April 13, 2021

Adoption date: April 13, 2021

Publication date: April 16, 2021

Effective date: May 17, 2021

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

Exhibit A
Amended Code Language

117-148 – Mississippi River Corridor Critical Area Overlay District development standards

(a) AUTHORITY, INTENT AND PURPOSE

- (1) **Statutory Authorization.** This Mississippi River Corridor Critical Area (MRCCA) Section is adopted pursuant to the authorization and policies contained in [Minnesota Statutes, Chapter 116G](#), [Minnesota Rules, Parts 6106.0010 - 6106.0180](#), and the planning and zoning enabling legislation in Minnesota Statutes, [Chapter 462 and 473](#).
- (2) **Policy.** The Legislature of Minnesota has delegated responsibility to local governments of the state to regulate the subdivision, use and development of designated critical areas and thus preserve and enhance the quality of important historic, cultural, aesthetic values, and natural systems and provide for the wise use of these areas.

(b) GENERAL PROVISIONS AND DEFINITIONS

- (1) **Jurisdiction.** The provisions of this Section apply to land within the river corridor boundary as described in the State Register, volume 43, pages 508 to 519 and shown on the zoning map.
- (2) **Enforcement.** The City of Ramsey is responsible for the administration and enforcement of this Section. Any violation of its provisions or failure to comply with any of its requirements including violations of conditions and safeguards established in connection with grants of variances or conditional uses constitutes a misdemeanor and is punishable as defined by law. Violations of this Section can occur regardless of whether or not a permit is required for a regulated activity listed in Section 117-148(c)2 (Permits).
- (3) **Severability.** If any section, clause, provision, or portion of this Section is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Section shall not be affected thereby.
- (4) **Abrogation and Greater Restrictions.** It is not intended by this Section to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Section imposes greater restrictions, the provisions of this Section shall prevail. All other Sections inconsistent with this Section are hereby repealed to the extent of the inconsistency only.
- (5) **Underlying Zoning.** Uses and standards of underlying zoning districts apply except where standards of this overlay district are more restrictive.
- (6) **Definitions.** Unless specifically defined below, words or phrases used in this Section shall be interpreted to give them the same meaning they have in common usage and to give this Section its most reasonable application. For the purpose of this Section, the words “must” and “shall” are mandatory and not permissive. All distances, unless otherwise specified, are measured horizontally.
- a. **Access path.** An area designated to provide ingress and egress to public waters.
 - b. **Adjacent.** Having a boundary that physically touches or adjoins.
 - c. **Agricultural use.** A use having the meaning given under Minnesota Statutes, section [40A.02](#).
 - d. **Alternative design.** Subdivision design methods such as conservation design, transfer of development density, or similar zoning and site design techniques that protect open space and natural areas.
 - e. **Barge fleeting.** Temporarily parking and securing barges on the river, on or off channel, while tows are assembled or broken up.

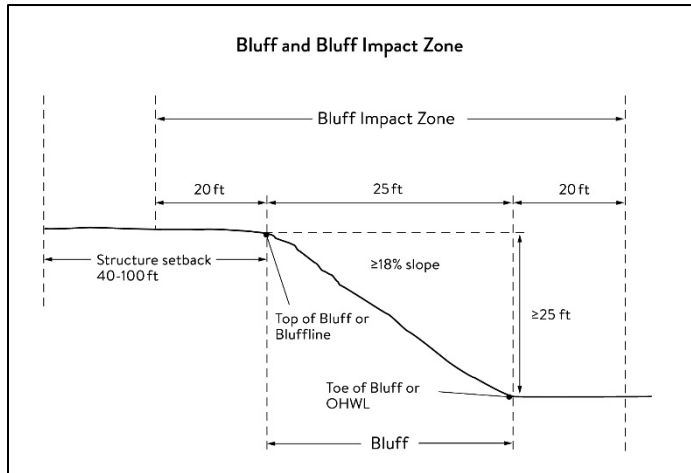
43
44
45
46
47
48
49
50

f. **Biological and ecological functions.** The functions of vegetation in stabilizing soils and slopes, retaining and filtering runoff, providing habitat, and recharging groundwater.

g. **Bluff.** A natural topographic feature having:

- (1) A slope that rises at least 25 feet and the grade of the slope averages 18 percent or greater, measured over a horizontal distance of 25 feet, from the toe of the slope to the top of the slope. Where the slope begins below the ordinary high water level, the ordinary high water level is the toe of the slope. See Figure 1; or

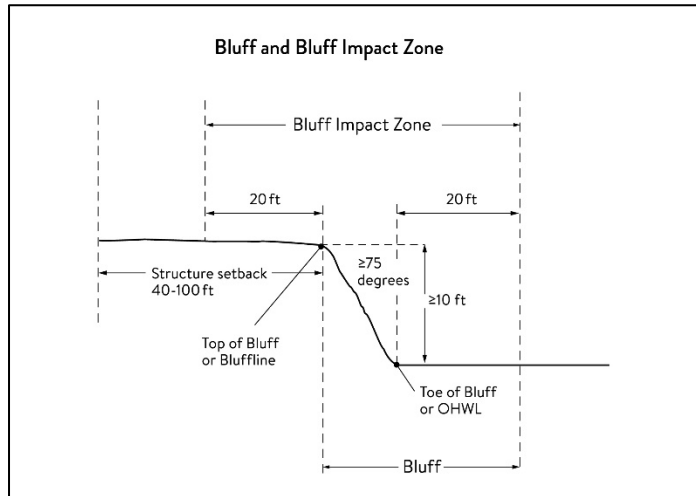
Figure 1. Bluff and Bluff Impact Zone



51
52
53
54
55
56

- (2) A natural escarpment or cliff with a slope that rises at least ten feet above the ordinary high water level or toe of the slope, whichever is applicable, to the top of the slope, with a slope of 75 degrees or greater. See Figure 2.

Figure 2. Natural Escarpment Bluff and Bluff Impact Zone



57
58
59
60
61

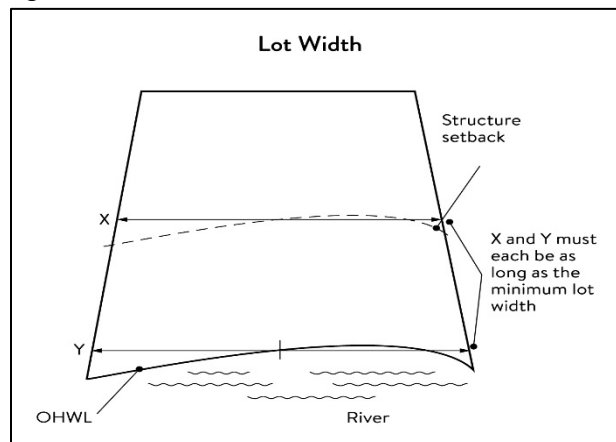
h. **Bluff impact zone.** A bluff and land located within 20 feet of the bluff. See Figures 1 and 2.

i. **Bluffline.** A line delineating the top of the bluff. More than one bluffline may be encountered proceeding landward from the river. See Figures 1 and 2.

- 62 j. **Bluff, Toe of.** A line along the bottom of a bluff, requiring field verification, such that the slope above
63 the line exceeds 18 percent and the slope below the line is 18 percent or less, measured over a
64 horizontal distance of 25 feet. See Figures 1 and 2.
- 65 k. **Bluff, Top of.** A line along the top of a bluff, requiring field verification, such that the slope below the
66 line exceeds 18 percent and the slope above the line is 18 percent or less, measured over a
67 horizontal distance of 25 feet. See Figures 1 and 2.
- 68 l. **Buildable area.** The area upon which structures may be placed on a lot or parcel of land and excludes
69 areas needed to meet requirements for setback, rights-of-way, bluff impact zones, historic
70 properties, wetlands, designated floodways, land below the ordinary high water level of public
71 waters, and other unbuildable areas.
- 72 m. **Building.** A structure with two or more outside rigid walls and a fully secured roof and affixed to a
73 permanent site.
- 74 n. **Certificate of compliance.** A document written after a compliance inspection, certifying that the
75 development is in compliance with applicable requirements at the time of the inspection.
- 76 o. **Commissioner.** The commissioner of the Minnesota Department of Natural Resources.
- 77 p. **Conditional use.** A use having the meaning given under Minnesota Statutes, chapters [394](#) and [462](#).
- 78 q. **Conservation design.** A pattern of subdivision that is characterized by grouping lots within a portion
79 of a parcel, where the remaining portion of the parcel is permanently protected as open space.
- 80 r. **Conventional subdivision.** A pattern of subdivision that is characterized by lots that are spread
81 regularly throughout a parcel in a lot and block design.
- 82 s. **Deck.** A horizontal, unenclosed, aboveground level structure open to the sky, with or without
83 attached railings, seats, trellises, or other features, attached or functionally related to a principal
84 use or site.
- 85 t. **Developer.** Having the meaning given under Minnesota Statutes, section [116G.03](#).
- 86 u. **Development.** Having the meaning given under Minnesota Statutes, section [116G.03](#).
- 87 v. **Discretionary action.** An action under this chapter related to land use that requires a public hearing
88 by local ordinance or statute, such as preliminary plats, final subdivision plats, planned unit
89 developments, conditional use permits, interim use permits, variances, appeals, and rezonings.
- 90 w. **Dock.** Having the meaning given under Minnesota Rules, chapter [6115](#).
- 91 x. **Electric power facilities.** Equipment and associated facilities for generating electric power or devices
92 for converting wind energy to electrical energy as identified and defined under Minnesota
93 Statutes, section [216E](#).
- 94 y. **Essential services.** Underground or overhead gas, electrical, communications, steam, or water
95 distribution, collection, supply, or disposal systems, including storm water. Essential services
96 include poles, wires, mains, drains, pipes, conduits, cables, fire alarm boxes, traffic signals,
97 hydrants, navigational structures, aviation safety facilities or other similar equipment and
98 accessories in conjunction with the systems. Essential services does not include buildings,
99 treatment works as defined in Minnesota Statutes, chapter [115.01](#), electric power facilities or
100 transmission services.
- 101 z. **Feedlot.** Having the meaning given for animal feedlots under Minnesota Rules chapter [7020](#).
- 102 aa. **Floodplain.** Having the meaning given the meaning given under Minnesota Rules chapter [6120](#).

- 103 ab. **Fully reconstructs.** The reconstruction of an existing impervious surface that involves site grading
 104 and subsurface excavation so that soil is exposed. Mill and overlay and other resurfacing
 105 activities are not considered fully reconstructed.
- 106 ac. **Hard-surface trail.** A trail surfaced in asphalt, crushed aggregate, or other hard surface, for multi-
 107 purpose use, as determined by local, regional, or state agency plans.
- 108 ad. **Historic property.** An archaeological site, standing structure, site, district, or other property that is:
- 109 1. Listed in the National Register of Historic Places or the State Register of Historic Places or
 110 locally designated as a historic site under Minnesota Statutes, section 471;
- 111 2. determined to meet the criteria for eligibility to the National Register of Historic Places or
 112 the State Register of Historic Places as determined by the director of the Minnesota
 113 Historical Society; or
- 114 3. An unplatted cemetery that falls under the provisions of Minnesota Statutes, section 307, in
 115 consultation with the Office of the State Archaeologist.
- 116 ae. **Impervious surface.** A constructed hard surface that either prevents or retards the entry of water
 117 into the soil and causes water to run off the surface in greater quantities and at an increased rate
 118 of flow than prior to development. Examples include rooftops, decks, sidewalks, patios, parking
 119 lots, storage areas, and driveways, including those with concrete, asphalt, or gravel surfaces.
- 120 af. **Intensive vegetation clearing.** The removal of all or a majority of the trees or shrubs in a contiguous
 121 patch, strip, row, or block.
- 122 ag. **Interim use.** A use having the meaning given under Minnesota Statutes, section [394](#) and [462](#).
- 123 ah. **Land alteration.** An activity that exposes the soil or changes the topography, drainage, or cross
 124 section of the land, excluding gardening or similar minor soil disturbances.
- 125 ai. **Local government.** Counties, cities, and townships.
- 126 aj. **Local park agencies.** ~~Intentionally deleted. Anoka County Parks is the implementing agency for~~
 127 ~~Regional Parks within Ramsey.~~
- 128 ak. **Lot.** Having the meaning given under Minnesota Rules chapter [6120](#).
- 129 al. **Lot width.** The shortest distance between lot lines measured at both the ordinary high water level
 130 and at the required structure setback from the ordinary high water level. See Figure 3.
 131
 132

Figure 3. Lot Width



133

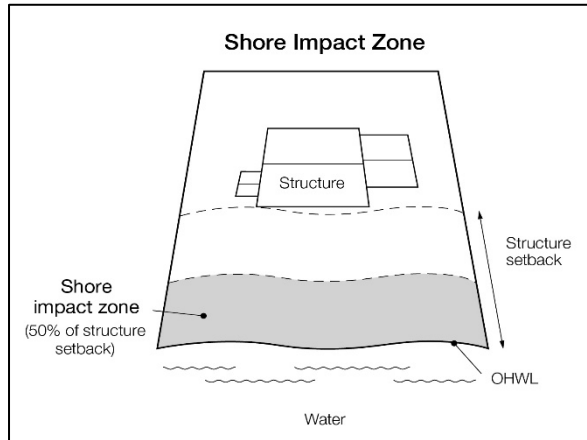
- 134 am. **Marina.** Having the meaning given under Minnesota Rules chapter [6115](#).
- 135 an. **Mississippi River Corridor Critical Area (MRCCA).** The area within the River Corridor Boundary (See
136 Section 117-148(b)6bs) (*Definitions - River Corridor Boundary*).
- 137 ao. **Mississippi River Corridor Critical Area (MRCCA) Plan.** A chapter or other element in the City of
138 Ramsey comprehensive plan.
- 139 ap. **Mooring facility.** Having the meaning given under Minnesota Rules chapter [6115.0170](#).
- 140 aq. **Native plant community.** A plant community that has been identified as part of the Minnesota
141 Biological Survey or biological survey issued or adopted by a local, state, or federal agency.
- 142 ar. **Natural-surface trail.** A trail composed of native soil and rock or compacted granular stone, primarily
143 intended for hiking, equestrian, or mountain bike use, as determined by local, regional, or state
144 agency plans.
- 145 as. **Natural vegetation.** Any combination of ground cover, understory, and tree canopy that, while it
146 may have been altered by human activity, continues to stabilize soils, retain and filter runoff,
147 provide habitat, and recharge groundwater.
- 148 at. **Nonconformity.** Having the meaning given under Minnesota Statutes, section [394.22](#).
- 149 au. **Nonmetallic mining.** Construction, reconstruction, repair, relocation, expansion, or removal of any
150 facility for the extraction, stockpiling, storage, disposal, or reclamation of nonmetallic minerals
151 such a stone, sand, and gravel. Nonmetallic mining does not include ancillary facilities such as
152 access roads, bridges, culverts, and water level control structures. For purposes of this subpart,
153 “facility” includes all mine pits, quarries, stockpiles, basins, processing structures and equipment,
154 and any structures that drain or divert public waters to allow mining.
- 155 av. **Off-premise advertising signs.** Those signs that direct attention to a product, service, business, or
156 entertainment venue that is not exclusively related to the premises where the sign is located.
- 157 aw. **Ordinary high water level (OHWL).** Having the meaning given under Minnesota Statutes, section
158 [103G.005](#).
- 159 ax. **Overlay district.** A zoning district that is applied over one or more previously established zoning
160 districts, establishing additional or stricter standards and criteria for covered properties in
161 addition to those of the underlying zoning district. Overlay districts are often used to protect
162 historic features and natural resources such as shoreland or floodplain.
- 163 ay. **Parcel.** Having the meaning given under Minnesota Statutes, section [116G.03](#).
- 164 az. **Patio.** A constructed hard surface located at ground level with no railings and open to the sky.
- 165 ba. **Picnic shelter.** A roofed structure open on all sides, accessory to a recreational use.
- 166 bb. **Planned unit development.** A method of land development that merges zoning and subdivision
167 controls, allowing developers to plan and develop a large area as a single entity, characterized by
168 a unified site design, a mix of structure types and land uses, and phasing of development over a
169 number of years. Planned unit development includes any conversion of existing structures and
170 land uses that utilize this method of development.
- 171 bc. **Plat.** Having the meaning given under Minnesota Statutes, sections [505](#) and [515B](#).
- 172 bd. **Port.** A water transportation complex established and operated under the jurisdiction of a port
173 authority according to Minnesota Statutes, section 458.

- 174 be. **Primary conservation areas.** Key resources and features, including shore impact zones, bluff impact
175 zones, floodplains, wetlands, gorges, areas of confluence with tributaries, natural drainage
176 routes, unstable soils and bedrock, native plant communities, cultural and historic properties,
177 and significant existing vegetative stands, tree canopies, and other resources identified in local
178 government plans.
- 179 bf. **Private facilities.** Private roads, driveways, and parking areas, private water access and viewing
180 facilities, decks and patios in setback areas, and private signs.
- 181 bg. **Professional engineer.** An engineer licensed to practice in Minnesota.
- 182 bh. **Public facilities.** Public utilities, public transportation facilities, and public recreational facilities.
- 183 bi. **Public recreation facilities.** Recreational facilities provided by the state or a local government and
184 dedicated to public use, including parks, scenic overlooks, observation platforms, trails, docks,
185 fishing piers, picnic shelters, water access ramps, and other similar water-oriented public
186 facilities used for recreation.
- 187 bj. **Public river corridor views.** Views toward the river from public parkland, historic properties, and
188 public overlooks, as well as views toward bluffs from the ordinary high water level of the
189 opposite shore, as seen during the summer months and documented in the MRCCA plan/chapter
190 of the comprehensive plan.
- 191 bk. **Public transportation facilities.** All transportation facilities provided by federal, state, or local
192 government and dedicated to public use, such as roadways, transit facilities, railroads, and
193 bikeways.
- 194 bl. **Public utilities.** Electric power facilities, essential services, and transmission services.
- 195 bm. **Public waters.** Having the meaning given under [Minnesota Statutes, section 103G.005](#).
- 196 bn. **Readily visible.** Land and development that are easily seen from the ordinary high water level of the
197 opposite shore during summer months.
- 198 bo. **Resource agency.** A federal, state, regional, or local agency that engages in environmental, natural,
199 or cultural resource protection or restoration activities, including planning, implementation, and
200 monitoring.
- 201 bp. **Retaining wall.** A vertical or nearly vertical structures constructed of mortar and rubble masonry,
202 rock, or stone regardless of size, vertical timber pilings, horizontal timber planks with piling
203 supports, sheet pilings, poured concrete, concrete blocks, or other durable materials.
- 204 bq. **Rock Riprap.** Natural coarse rock placed or constructed to armor shorelines, streambeds, bridge
205 abutments, pilings and other shoreline structures against scour, or water or ice erosion.
- 206 br. **River corridor boundary.** The boundary approved and adopted by the Metropolitan Council under
207 Minnesota Statutes, section [116G.06](#), as approved and adopted by the legislature in Minnesota
208 Statutes, section [116G.15](#), and as legally described in the Sate Register, volume 43, pages 508 to
209 518.
- 210 bs. **River-dependent use.** The use of land for commercial, industrial, or utility purposes, where access to
211 and use of a public water feature is an integral part of the normal conduct of business and where
212 the use is dependent on shoreline facilities.
- 213 bt. **Selective vegetation removal.** The removal of isolated individual trees or shrubs that are not in a
214 contiguous patch, strip, row, or block and that does not substantially reduce the tree canopy or
215 understory cover.

216
217
218
219
220
221

- bu. **Setback.** A separation distance measured horizontally.
- bv. **Shore impact zone.** Land located between the ordinary high water level of public waters and a line parallel to it at a setback of 50 percent of the required structure setback or, for agricultural use, 50 feet landward of the ordinary high water level. See Figure 4.

Figure 4. Shore Impact Zone



222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247

- bw. **Shoreline facilities.** Facilities that require a location adjoining public waters for ingress and egress, loading and unloading, and public water intake and outflow, such as barge facilities, port facilities, commodity loading and unloading equipment, watercraft lifts, marinas, short-term watercraft mooring facilities for patrons, and water access ramps. Structures that would be enhanced by a shoreline location, but do not require a location adjoining public waters as part of their function, are not shoreline facilities, such as restaurants, bait shops, and boat dealerships.
- bx. **Special purpose units of government.** The University of Minnesota, the St. Paul Port Authority, watershed management organizations established under Minnesota Statutes, chapter 103B, watershed districts established under Minnesota Statutes, chapter 103D, and any other unit of government other than local government or a state or regional agency.
- by. **State or regional agency.** The Metropolitan Airports Commission, Minnesota Historical Society, University of Minnesota, Department of Natural Resources, Department of Transportation, Metropolitan Council and other state agencies.
- bz. **Steep slope.** A natural topographic feature with an average slope of 12 to 18 percent, measured over a horizontal distance equal to or greater than 50 feet, and any slopes greater than 18 percent that are not bluffs.
- ca. **Storm water management facilities.** Facilities for the collection, conveyance, treatment, or disposal of storm water.
- cb. **Structure.** A building, sign, or appurtenance thereto, except for aerial or underground utility lines, such as sewer, electric, telephone, or gas lines, and utility line towers, poles, and other supporting appurtenances.
- cc. **Subdivision.** Having the meaning given under Minnesota Statutes, section [462.352](#).
- cd. **Subsurface sewage treatment system.** Having the meaning given under Minnesota Rules, part [7080.1100](#).
- ce. **Transmission services.**

- 248 1. Electric power lines, cables, pipelines, or conduits that are:
- 249 (i) used to transport power between two points, as identified and defined under Minnesota
- 250 Statutes, section [216E.01, subdivision 4](#); or
- 251 (ii) For mains or pipelines for gas, liquids, or solids in suspension, used to transport gas,
- 252 liquids, or solids in suspension between two points; and
- 253 2. Telecommunication lines, cables, pipelines, or conduits.
- 254 cf. **Treeline.** The more or less continuous line formed by the tops of trees in a wooded area when
- 255 viewed from a particular point. The treeline is determined during all seasons as if under full
- 256 foliage.
- 257 cg. **Twin Cities Metropolitan area.** The area over which the Metropolitan Council has jurisdiction
- 258 according to Minnesota Statutes, section [473.121 subdivision 2](#).
- 259 ch. **Variance.** Having the meaning given under [Minnesota Statutes, section 394.22](#).
- 260 ci. **Water access ramp.** A boat ramp, carry-down site, boarding dock, and approach road, or other
- 261 access that allows launching and removal of a boat, canoe, or other watercraft with or without a
- 262 vehicle and trailer.
- 263 cj. **Water-oriented accessory structure.** A small building or other improvement, except stairways,
- 264 fences, docks, and retaining walls, that, because of the relationship of its use to public waters,
- 265 needs to be located closer to public waters than the normal structure setback. Examples include
- 266 gazebos, screen houses, fish houses, pump houses, and detached decks and patios.
- 267 ck. **Water quality impact zone.** Land within the shore impact zone or within 50 feet of the boundary of
- 268 a public water, wetland, or natural drainage way, whichever is greater.
- 269 cl. **Wetland.** Having the meaning given under Minnesota Statutes, section [103G.005](#).
- 270 cm. **Wharf.** Having the meaning given under Minnesota Rules, part [6115.0170](#).

271 (c) **ADMINISTRATION**

- 272 1. **Purpose.** The purpose of this Section is to identify administrative provisions to ensure this Section is
- 273 administered consistent with its purpose.
- 274 2. **Permits.** A permit is required for the construction of buildings or building additions (including
- 275 construction of decks and signs), the installation and/or alteration of sewage treatment systems,
- 276 vegetation removal consistent with Section 117-148(i) (Vegetation Management) and land alterations
- 277 consistent with Section 117-148(j) (Land alteration standards and stormwater management).
- 278 3. **Variations.** Variations to the requirements under this Section may only be granted in accordance with
- 279 [Minnesota Statutes, Section 462.357](#) and must consider the potential impacts of variations on primary
- 280 conservation areas, public river corridor views, and other resources identified in the MRCCA plan. In
- 281 reviewing the variance application, the City of Ramsey shall:
- 282 a. Evaluate the impacts to these resources. and if negative impacts are found, require conditions to
- 283 mitigate the impacts that are related to and proportional to the impacts, consistent with Section
- 284 117-148(c)5 (Conditions of Approval) and
- 285 b. Make written findings that the variance is consistent with the purpose of this Section, as follows.
- 286 (1) The extent, location and intensity of the variance will be in substantial compliance with the
- 287 MRCCA Plan;

- 288 (2) The variance is consistent with the character and management purpose of the MRCCA
 289 district in which it is located;
- 290 (3) The variance will not be detrimental to PCAs and PRCVs nor will it contribute to negative
 291 incremental impacts to PCAs and PRCVs when considered in the context of past, present and
 292 reasonable future actions; and
- 293 (4) The variance will not negatively impact (other MRCCA plan-identified resources).
- 294 4. **Conditional and interim use permits.** All conditional and interim uses, required under this Section, must
 295 comply with Minnesota Statutes, section [462.3595](#) and must consider the potential impacts on primary
 296 conservation areas, public river corridor views, and other resources identified in the MRCCA plan. In
 297 reviewing the application, the City of Ramsey shall:
- 298 a. Evaluate the impacts to these resources and if negative impacts are found, require conditions to
 299 mitigate the impacts that are related to and proportional to the impacts, consistent with Section
 300 117-148(c)5 (Conditions of approval); and
- 301 b. Make written findings that the conditional use is consistent with the purpose of this Section, as
 302 follows.
- 303 (1) The extent, location and intensity of the conditional use will be in substantial compliance
 304 with the MRCCA Plan;
- 305 (2) The conditional use is consistent with the character and management purpose of the MRCCA
 306 district in which it is located;
- 307 (3) The conditional use will not be detrimental to PCAs and PRCVs nor will it contribute to
 308 negative incremental impacts to PCAs and PRCVs when considered in the context of past,
 309 present and reasonable future actions; and
- 310 (4) The conditional use will not negatively impact (other MRCCA plan-identified resources).
- 311 5. **Conditions of Approval.** The City of Ramsey shall evaluate the impacts to PCAs, PRCVs, and other
 312 resources identified in the MRCCA Plan, and if negative impacts are found, require conditions to mitigate
 313 the impacts that are related to and proportional to the impacts. Mitigation may include:
- 314 (1) Restoration of vegetation identified as “vegetation restoration priorities” identified in the
 315 MRCCA plan.
- 316 (2) Preservation of existing vegetation;
- 317 (3) Stormwater runoff management;
- 318 (4) Reducing impervious surface;
- 319 (5) Increasing structure setbacks;
- 320 (6) Wetland and drainageway restoration and/or preservation; and
- 321 (7) And other conservation measures.
- 322 6. **Application materials.** Applications for permits and discretionary actions required under this Section
 323 must submit the following information unless the Zoning Administrator determines that the information
 324 is not needed.
- 325 a. A detailed project description; and
- 326 b. Scaled maps and plans, dimensional renderings, maintenance agreements, and other materials
 327 that identify and describe:

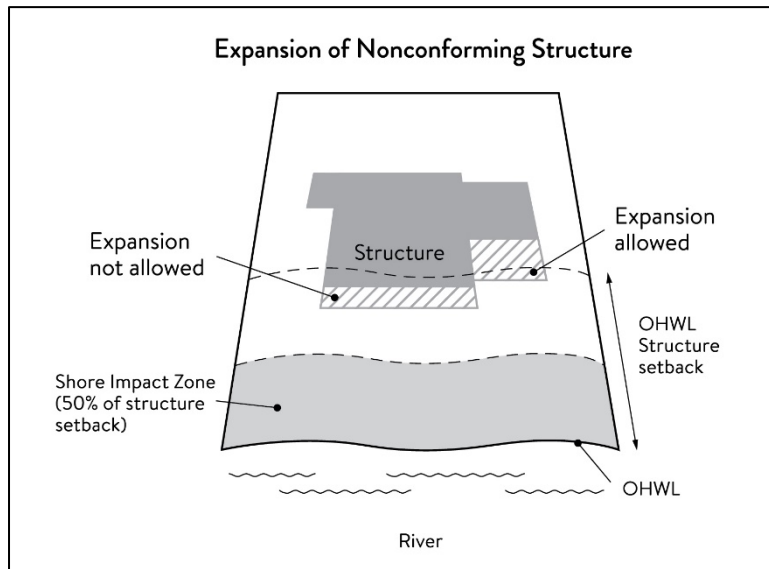
- 328 (1) Primary conservation areas;
- 329 (2) Public river corridor views;
- 330 (3) Buildable area;
- 331 (4) Existing and proposed topography and drainage patterns;
- 332 (5) Proposed storm water and erosion and sediment control practices;
- 333 (6) Existing and proposed vegetation to be removed and established;
- 334 (7) Ordinary high water level, blufflines, and all required setbacks;
- 335 (8) Existing and proposed structures;
- 336 (9) Existing and proposed impervious surfaces; and
- 337 (10) Existing and proposed subsurface sewage treatment systems.

338 7. **Nonconformities.**

- 339 a. All legally established nonconformities as of the date of this ordinance may continue consistent
340 with [462.357 Subd. 1e](#) .
- 341 b. New structures erected in conformance with the setback averaging provisions of Section 117-
342 148(f)3d (Structure and impervious surface placement) are conforming structures.
- 343 c. Site alterations and expansion of site alterations that were legally made prior to the effective
344 date of this ordinance are conforming. Site alterations include vegetation, erosion control, storm
345 water control measures, and other nonstructural site improvements.
- 346 d. Legally nonconforming principal structures that do not meet the setback requirements of Section
347 117-148(f)3 (Structure and impervious surface placement) may be expanded laterally provided
348 that:
 - 349 (1) The expansion does not extend into the shore or bluff impact zone or further into the
350 required setback than the building line of the existing principal structure (See Figure 5); and
 - 351 (2) The expanded structure's scale and bulk is consistent with that of the original structure and
352 existing surrounding development.
- 353

354

Figure 5. Expansion of Nonconforming Structure



355

356

8. **Notifications.**

357

358

a. Amendments to this Section and to the MRCCA plan must be submitted to the Commissioner as provided in Minnesota Rules, part 6106.0070, Subp. 3, Items B – I.

359

360

361

b. Notice of public hearings for discretionary actions, including conditional and interim use permits, variances, appeals, rezonings, preliminary plats, final subdivision plats, master plans, and PUDs, must be sent to the following entities at least thirty (30) days prior to the hearing:

362

(1) The Commissioner in a format prescribed by the DNR;

363

(2) National Park Service; and

364

365

366

(3) where building heights exceed the height limits specified in Section 117-148(f)2 (Structure height) as part of the conditional use or variance process, adjoining local governments within the MRCCA, including those with overlapping jurisdiction and those across the river.

367

368

369

c. Notice of final decisions for actions in Section 117-148(c)7 (Nonconformities), including findings of fact, must be sent to the Commissioner, the National Park Service, and adjoining local governments within the MRCCA within ten (10) days of the final decision.

370

371

d. Requests to amend district boundaries must follow the provisions in Minnesota Rules, part 6106.0100, Subp. 9, Item C.

372

373

e. The DNR will be notified at time of application submittal of master plans, PUDs, preliminary, and final plats

374

375

376

377

9. **Accommodating disabilities.** Reasonable accommodations for ramps or other facilities to provide persons with disabilities access to the persons' property, as required by the federal Americans with Disabilities Act and the federal Fair Housing Act and as provided by [Minnesota Rules, chapter 1341](#), must:

378

a. Comply with Sections 117-148(f) to (l); or

379

380

b. If Sections 117-148(f) to (l) cannot be complied with, ramps or other facilities are allowed with an administrative permit provided:

381 (1) The permit terminates on either a specific date or upon occurrence of a particular event
382 related to the person requiring accommodation; and

383 (2) Upon expiration of the permit, the ramp or other facilities must be removed.

384 (d) **MRCCA DISTRICTS**

385 1. **Purpose.** The purpose of this Section is to establish districts under which building height and structure
386 placement are regulated to protect and enhance the Mississippi River’s resources and features
387 consistent with the natural and built character of each district.

388 2. **District description and management purpose.** The MRCCA within the City of Ramsey is divided into the
389 following MRCCA Districts:

390 a. Rural and Open Space (ROS).

391 (1) Description. The ROS District is characterized by rural and low-density development patterns
392 and land uses, and includes land that is riparian or visible from the river, as well as large,
393 undeveloped tracts of high ecological and scenic value, floodplain, and undeveloped islands.
394 Many primary conservation areas exist in the district.

395 (2) Management purpose. The ROS District must be managed to sustain and restore the rural
396 and natural character of the corridor and to protect and enhance habitat, parks and open
397 space, public river corridor views, and scenic, natural, and historic areas.

398 b. River Neighborhood (RN).

399 (1) Description. The RN District is characterized by primarily residential neighborhoods that are
400 riparian or readily visible from the river or that abut riparian parkland. The district includes
401 parks and open space, limited commercial development, marinas, and related land uses.

402 (2) Management purpose. The RN District must be managed to maintain the character of the
403 river corridor within the context of existing residential and related neighborhood
404 development, and to protect and enhance habitat, parks and open space, public river corridor
405 views, and scenic, natural, and historic areas. Minimizing erosion and the flow of untreated
406 storm water into the river and enhancing habitat and shoreline vegetation are priorities in the
407 district.

408 c. Separated from River (SR).

409 (1) Description. The SR District is characterized by its physical and visual distance from the
410 Mississippi River. The district includes land separated from the river by distance, topography,
411 development, or a transportation corridor. The land in this district is not readily visible from
412 the Mississippi River.

413 (2) Management purpose. The SR district provides flexibility in managing development without
414 negatively affecting the key resources and features of the river corridor. Minimizing negative
415 impacts to primary conservation areas and minimizing erosion and flow of untreated storm
416 water into the Mississippi River are priorities in the district. The RTC district must be managed
417 in a manner that allows continued growth and redevelopment in historic downtowns and
418 more intensive redevelopment in limited areas at river crossings to accommodate compact
419 walkable development patterns and connections to the river. Minimizing erosion and the flow
420 of untreated storm water into the river, providing public access to and public views of the
421 river, and restoring natural vegetation in riparian areas and tree canopy are priorities in the
422 district.

423 3. **MRCCA district map.** The locations and boundaries of the MRCCA districts established by this Section are
424 shown on MRCCA Overlay District map which is incorporated herein by reference. The district boundary
425 lines are intended to follow the center lines of rivers and streams, highways, streets, lot lines, and
426 municipal boundaries, unless a boundary line is otherwise indicated on the map. Where district
427 boundaries cross unsubdivided property, the district boundary line is determined by use of dimensions
428 or the scale appearing on the map.

429 (e) **SPECIAL LAND USE PROVISIONS**

- 430 1. **Purpose.** To identify development standards and considerations for land uses that have potential to
431 negatively impact primary conservation areas and public river corridor views.
- 432 2. **Underlying zoning.** Uses within the MRCCA are generally determined by underlying zoning, with
433 additional provisions for the following land uses:
- 434 a. **Agricultural use.** Perennial ground cover is required within 50 feet of the ordinary high water
435 level and within the bluff impact zone.
 - 436 b. **Feedlots.** New animal feedlots and manure storage areas are prohibited. Existing animal feedlots
437 and manure storage areas must conform with [Minnesota Rules, chapter 7020](#).
 - 438 c. **Forestry.** Tree harvesting and biomass harvesting within woodlands, and associated
439 reforestation, must be consistent with recommended practices in [Conserving Wooded Areas in
440 Developing Communities: Best Management Practices in Minnesota](#).
 - 441 d. **Nonmetallic mining.** Nonmetallic mining requires a conditional use permit or interim use permit
442 issued by the local government, subject to the following:
 - 443 (1) New nonmetallic mining is prohibited within the shore impact zone and bluff impact zone
444 and within the required structure setback from the bluffline and OHWL;
 - 445 (2) Processing machinery must be located consistent with setback standards for structures as
446 provided in Section 117-148(f)3 (Structure and impervious surface placement);
 - 447 (3) Only one barge loading area, which must be limited to the minimum size practicable, is
448 permitted for each mining operation;
 - 449 (4) New and, where practicable, existing nonmetallic mining operations must not be readily
450 visible and must be screened by establishing and maintaining natural vegetation. The
451 unscreened boundaries of nonmetallic mining areas are limited to only the barge loading
452 area;
 - 453 (5) A site management plan must be developed by the operator and approved by the local
454 government before new nonmetallic mining commences. Operations must be consistent
455 with the site plan throughout the duration of operations at the site. The site management
456 plan must:
 - 457 (i) Describe how the site will be developed over time with an emphasis on minimizing
458 environmental risk to public waters;
 - 459 (6) Explain where staged reclamation may occur at certain points during the life of the site;
 - 460 (7) Address dust, noise, storm water management, possible pollutant discharges, days and
461 hours of operation, and duration of operations; and
 - 462 (8) Describe any anticipated vegetation and topographic alterations outside the pit, and
463 reclamation plans consistent with the stated end use for the land; and;

- 464 (9) Existing and new nonmetallic mining operations must submit land reclamation plans to the
465 local government compatible with the purposes of this ordinance.
- 466 f. **River-dependent uses.** River-dependent uses must comply with the following design standards:
- 467 (1) Structures and parking areas, except shoreline facilities and private roads and conveyances
468 serving river-dependent uses as provided in Section 117-148(l) (Exemptions), must meet the
469 dimensional and performance standards in this Section must be designed so that they are not
470 readily visible, and must be screened by establishing and maintaining natural vegetation;
- 471 (2) Shoreline facilities must comply with [Minnesota Rules, chapter 6115](#) and must:
- 472 (i) be designed in a compact fashion so as to minimize the shoreline area affected; and
- 473 (ii) minimize the surface area of land occupied in relation to the number of watercraft or
474 barges to be served; and
- 475 (3) Dredging and placement of dredged material are subject to existing federal and state permit
476 requirements and agreements.
- 477 g. **Wireless communication towers.** Wireless communication towers require a conditional or
478 interim use permit and are subject to the following design standards:
- 479 (1) The applicant must demonstrate that functional coverage cannot be provided through co-
480 location, a tower at a lower height, or a tower at a location outside of the MRCCA;
- 481 (2) The tower must not be located in a bluff or shore impact zone; and
- 482 (3) Placement of the tower must minimize impacts on public river corridor views.
- 483 (4) Comply with the general design standards in Section 117-148(h)2 (General design standards).
- 484 (f) **STRUCTURE HEIGHT AND PLACEMENT AND LOT SIZE**
- 485 1. **Purpose.** To establish standards that protect primary conservation areas and public river corridor views
486 from development impacts and ensure that new development is sited consistent with the purpose of the
487 MRCCA.
- 488 2. **Structure height.** Structures and facilities must comply with the following standards unless identified as
489 exempt in Section 117-148(l) (Exemptions).
- 490 a. Structures and facilities must comply with the following standards unless identified as exempt in
491 Section 117-148(l) (Exemptions).
- 492 (1) ROS District: 35 feet.
- 493 (2) RN District: 35 feet.
- 494 ~~(3) RTC District: 48 feet (or lower), provided tiering of structures away from the Mississippi
495 River and from blufflines is given priority, with lower structure heights closer to the river and
496 blufflines, and that structure design and placement minimizes interference with public river
497 corridor views. Structures over 48 feet (or lower) and up to (fill in a max. height) are
498 allowed as a conditional use according to Section 6.23.~~
- 499 (4) SR District: Height is determined by underlying zoning, provided the allowed height is
500 consistent with that of the mature treeline, where present, and existing surrounding
501 development, as viewed from the OWHL of the opposite shore.

502 ~~(5) UM District: 65 feet, provided tiering of structures away from the Mississippi River and from~~
503 ~~blufflines is given priority, with lower structure heights closer to the river and blufflines, and~~
504 ~~that structure design and placement minimize interference with public river corridor views.~~
505 ~~Structures over 65 feet (or lower) and up to (fill in a max. height) are allowed as a~~
506 ~~conditional use according to Section 6.23.~~

507 ~~(6) UC District: Height is determined by underlying zoning, provided tiering of structures away~~
508 ~~from the Mississippi River and blufflines is given priority, with lower structure heights closer~~
509 ~~to the river and blufflines, and structure design and placement minimize interference with~~
510 ~~public river corridor views.~~

511 b. Height is measured on the side of the structure facing the Mississippi River.

512 c. In addition to the conditional use permit requirements of Section 117-148(c)4, (Conditional and
513 interim use permits) criteria for considering whether to grant a conditional use permit for
514 structures exceeding the height limits must include:

515 (1) Assessment of the visual impact of the proposed structure on public river corridor views,
516 including views from other communities;

517 (2) Determination that the proposed structure meets the required bluff and OHWL setbacks;

518 (3) Identification and application of techniques to minimize the perceived bulk of the proposed
519 structure, such as:

520 (i) Placing the long axis of the building perpendicular to the river;

521 (ii) Stepping back of portions of the facade;

522 (iii) Lowering the roof pitch or use of a flat roof;

523 (iv) Using building materials or mitigation techniques that will blend in with the natural
524 surroundings such as green roofs, green walls, or other green and brown building
525 materials;

526 (v) Narrowing the profile of upper floors of the building; or

527 (vi) Increasing the setbacks of the building from the Mississippi River or blufflines;

528 (vii) Identification of techniques for preservation of those view corridors identified in the
529 MRCCA Plan; and

530 (viii) Opportunities for creation or enhancement of public river corridor views.

531 3. **Structure and impervious surface placement.**

532 a. Structures and impervious surface must not be placed in the shore or bluff impact zones unless
533 identified as an exemption in Section 117-148(l) (Exemptions).

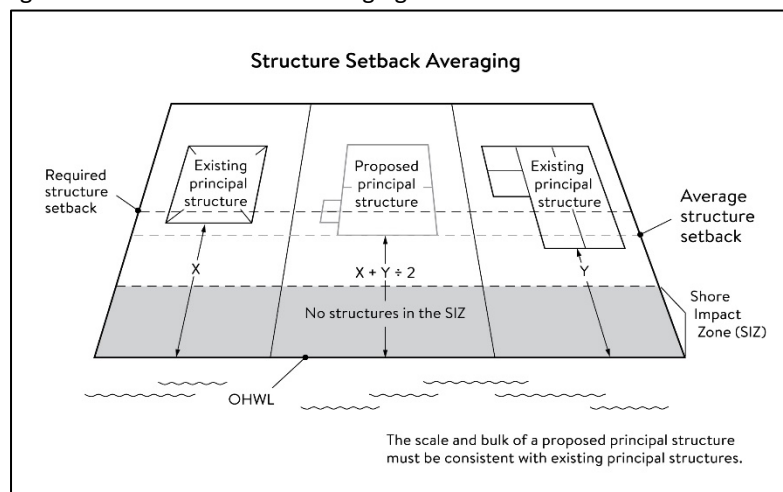
534 b. Structures and facilities must comply with the following OHWL setback provisions unless
535 identified as exempt in Section 117-148(l) (Exemptions).

536 (1) ROS District: 200 feet from the Mississippi River ~~and 150 feet from the Minnesota and~~
537 ~~Vermillion Rivers.~~

538 (2) RN District: 100 feet from the Mississippi River and 75 feet from the Rum River.

- 539 c. Structures and facilities must comply with the following bluffline setback provisions unless
 540 identified as exempt in Section 117-148(l) (Exemptions):
- 541 (1) ROS District: 100 feet.
- 542 (2) RN District: 40 feet.
- 543 (3) SR District: 40 feet.
- 544 d. Where principal structures exist on the adjoining lots on both sides of a proposed building site,
 545 the minimum setback may be altered to conform to the average of the adjoining setbacks,
 546 provided that the new structure's scale and bulk riverward or bluffward of the setbacks required
 547 under Section 117-148(f)3 (Structure and impervious surface placement) consistent with
 548 adjoining development. See Figure 6.
- 549
- 550

Figure 6. Structure Setback Averaging



- 551
- 552 e. Subsurface sewage treatment systems, including the septic tank and absorption area, must be
 553 located at least 75 feet from the ordinary high water level of the Mississippi River and all other
 554 public waters.
- 555 4. **Lot size and buildable area.**
- 556 a. The width of lots abutting the Mississippi River in the ROS District must be at
 557 least 200 feet, unless alternative design methods are used that provide greater
 558 protection of the riparian area.
- 559 b. All new lots must have adequate buildable area to comply with the setback
 560 requirements of Section 117-148(f)3 (Structure and impervious surface
 561 placement) so as to not require variances to use the lots for their intended purpose.

562

563

564 g. **PERFORMANCE STANDARDS FOR PRIVATE FACILITIES**

- 565 1. **Purpose.** To establish design standards for private facilities that are consistent with best management
 566 practices and that minimize impacts to primary conservation areas, public river corridor views and other
 567 resources identified in the MRCCA plan.

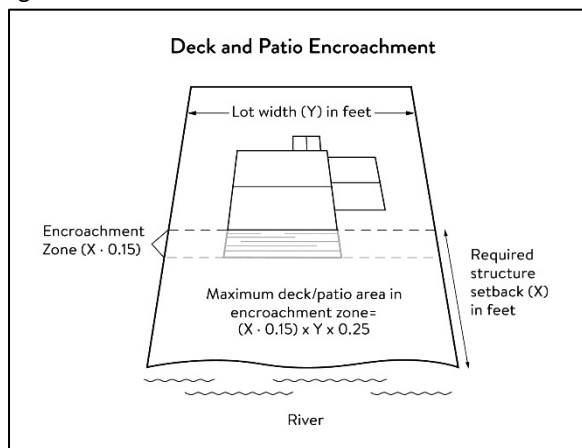
- 568 2. **General design standards.** All private facilities must be developed in accordance with the vegetation
569 management and land alteration requirements in Sections 117-148(i) (Vegetation management) and
570 117-148(j) (Land alteration standards and stormwater management).
- 571 3. **Private roads, driveways, and parking areas.** Except as provided in Section 117-148(l) (Exemptions),
572 private roads, driveways and parking areas must:
- 573 a. Be designed to take advantage of natural vegetation and topography so that they are not readily
574 visible;
- 575 b. Comply with structure setback requirements according to Section 117-148(f)3 (Structure and
576 impervious surface placement); and
- 577 c. Not be placed within the bluff impact zone or shore impact zone, unless exempt under Section
578 117-148(l) (Exemptions) and designed consistent with Section 117-148(f)2 (General design
579 standards).
- 580 4. **Private water access and viewing facilities.**
- 581 a. Private access paths must be no more than:
- 582 (1) Eight feet wide, if placed within the shore impact zone; and
583 (2) Four feet wide, if placed within the bluff impact zone.
- 584 c. Private water access ramps must:
- 585 (1) Comply with Minnesota Rules, chapters [6115.0210](#) and [6280.0250](#); and
586 (2) Be designed and constructed consistent with the applicable standards in Design Handbook
587 for Recreational Boating and Fishing Facilities.
- 588 c. Design and construction of private stairways, lifts, and landings are subject to the following
589 standards:
- 590 (1) Stairways and lifts must not exceed four feet in width on residential lots. Wider stairways
591 may be used for commercial properties and residential facilities held in common, if approved
592 by Conditional Use Permit;
- 593 (2) Landings for stairways and lifts on residential lots must not exceed 32 square feet in area.
594 Landings larger than 32 square feet area allowed for commercial properties and residential
595 facilities held in common, if approved by Conditional Use Permit;
- 596 (3) Canopies or roofs are prohibited on stairways, lifts, or landings;
597 (4) Stairways, lifts, and landings must be located in the least visible portion of the lot whenever
598 practical; and
- 599 E. Ramps, lifts, mobility paths, or other facilities for persons with physical disabilities are allowed
600 for achieving access to shore areas according to Section 7.43 A. – D, and as provided under
601 Section 117-148(c)9 (Accommodating disabilities).
- 602 d. One water-oriented accessory structure is allowed for each riparian lot or parcel less than 300
603 feet in width at the ordinary high water level, with one additional water-oriented accessory
604 structure allowed for each additional 300 feet of shoreline on the same lot or parcel. Water-
605 oriented accessory structures are prohibited in the bluff impact zone and must:
- 606 (1) not exceed 12 feet in height;
607 (2) not exceed 120 square feet in area; and

608 (3) be placed a minimum of 10 feet from the ordinary high water level.

609 5. **Decks and patios in setback areas.** Decks and at-grade patios may encroach into the required setbacks
610 from the ordinary high water level and blufflines without a variance, when consistent with Sections 117-
611 148(i) (Vegetation management) and 117-148(j) (Land alteration standards and stormwater
612 management), provided that:

- 613 a. The encroachment of the deck or patio into the required setback area does not exceed 15
614 percent of the required structure setback;
- 615 b. the area of the deck or patio that extends into the required setback area occupies no more than
616 25 percent of the total area between the required setback and the 15 percent using the formula:
617 [required setback depth (feet) x 0.15 x lot width (feet) = maximum total area]
- 618 c. The deck or patio does not extend into the bluff impact zone. See Figure 7.
619
620

Figure 7. Deck and Patio Encroachment



621
622 6. **Off-premise and directional signs.**

- 623 a. Off-premise advertising signs must:
- 624 (1) Meet required structure placement and height standards in Section 117-148(f) (Structure
625 height and placement and lot size).
- 626 (2) Not be readily visible
- 627 b. Directional signs for patrons arriving at a business by watercraft must comply with the following
628 standards:
- 629 (1) They must be consistent with [Minnesota Statutes, section 86B.115](#).
- 630 (2) Only convey the location and name of the establishment and the general types of goods and
631 services available, if located in a shore impact zone.
- 632 (3) Be no greater than ten feet in height and 32 square feet in surface area; and
- 633 (4) If illuminated, the lighting must be shielded to prevent illumination out across the river or to
634 the sky.
- 635 7. Fences. Fences between principal structures and the river are allowed provided that fences are:
636 a. Not higher than six feet.

637 b. Not located within 40 feet of slopes greater than 12%.

638 c. Not located in the regulatory floodplain.

639

640 (h) **PERFORMANCE STANDARDS FOR PUBLIC FACILITIES**

641 1. **Purpose.** To establish design standards for public facilities that are consistent with best management
642 practices and that minimize impacts to primary conservation areas, public river corridor views and other
643 resources identified in the MRCCA plan. Public facilities serve the public interest by providing public
644 access to the Mississippi River corridor or require locations in or adjacent to the river corridor and
645 therefore require some degree of flexibility.

646 2. **General design standards.** All public facilities must be designed and constructed to:

647 a. Minimize visibility of the facility from the river to the extent consistent with the purpose of the
648 facility;

649 b. Comply with the structure placement and height standards in Section 117-148(f) (Structure height
650 and placement and lot size), except as provided in Section 117-148(l) (Exemptions);

651 c. Be consistent with the vegetation management standards in Section 117-148(i) (Vegetation
652 Management) and the land alteration and storm water management standards in Section 117-
653 148(j) (Land alteration standards and stormwater management), including use of practices
654 identified in [Best Practices for Meeting DNR General Public Waters Work Permit GP 2004-0001](#),
655 where applicable;

656 d. Avoid primary conservation areas, unless no alternative exists. If no alternative exists, then
657 disturbance to primary conservation areas must be avoided to the greatest extent practicable,
658 and design and construction must minimize impacts; and

659 e. Minimize disturbance of spawning and nesting times by scheduling construction at times when
660 local fish and wildlife are not spawning or nesting.

661 3. **Right-of-way maintenance standards.** Right-of-way maintenance must comply with the following
662 standards:

663 a. Vegetation currently in a natural state must be maintained to the extent feasible;

664 b. Where vegetation in a natural state has been removed, native plants must be planted and
665 maintained on the right-of-way; and

666 c. Chemical control of vegetation must be avoided when practicable, but when chemical control is
667 necessary, chemicals used must be in accordance with the regulations and other requirements of
668 all state and federal agencies with authority over the chemical's use.

669 4. **Crossings of public water or public land.** Crossings of public waters or land controlled by the commissioner
670 are subject to approval by the commissioner according to Minnesota Statutes, sections [84.415](#) and
671 [103G.245](#).

672 5. **Public utilities.** Public utilities must comply with the following standards:

673 a. High-voltage transmission lines, wind energy conversion systems greater than five megawatts, and
674 pipelines are regulated according to Minnesota Statutes, chapter [216E](#), [216F](#), and [216G](#)
675 respectively; and

- 676 b. If overhead placement is necessary, utility facility crossings must minimize visibility of the facility
677 from the river and follow other existing right of ways as much as practicable.
- 678 c. The appearance of structures must be as compatible as practicable with the surrounding area in a
679 natural state with regard to height and width, materials used, and color.
- 680 d. Wireless communication facilities, according to Section 117-148(e)2g (Wireless communication
681 towers).
- 682 6. **Public transportation facilities.** Public transportation facilities shall comply with structure placement and
683 height standards in Section 117-148(f) (Structure height and placement and lot size). Where such
684 facilities intersect or about two or more MRCCA districts, the least restrictive standards apply. Public
685 transportation facilities must be designed and constructed to give priority to:
- 686 a. Providing scenic overlooks for motorists, bicyclists, and pedestrians;
- 687 b. Providing safe pedestrian crossings and facilities along the river corridor;
- 688 c. Providing access to the riverfront in public ownership; and
- 689 d. Allowing for use of the land between the river and the transportation facility.
- 690 7. **Public recreational facilities.** Where such facilities intersect or about two or more MRCCA districts, the least
691 restrictive dimensional standards apply. Public transportation facilities must be designed and
692 constructed to give priority to:
- 693 a. Buildings and parking associated with public recreational facilities must comply with the structure
694 placement and height standards in Section 117-148(f) (Structure height and placement and lot
695 size), except as provided in Section 117-148(l) (Exemptions);
- 696 b. Roads and driveways associated with public recreational facilities must not be placed in the bluff or
697 shore impact zones unless no other placement alternative exists. If no alternative exists, then
698 design and construction must minimize impacts to shoreline vegetation, erodible soils and
699 slopes, and other sensitive resources.
- 700 c. Trails, access paths, and viewing areas associated with public recreational facilities and providing
701 access to or views of the Mississippi River are allowed within the bluff and shore impact zones if
702 design, construction, and maintenance methods are consistent with the best management
703 practice guidelines in [Trail Planning, Design, and Development Guidelines](#).
- 704 (1) Hard-surface trails are not allowed on the face of bluffs with a slope exceeding 30
705 percent. Natural surface trails are allowed, provided they do not exceed eight feet in width.
- 706 (2) Trails, paths, and viewing areas must be designed and constructed to minimize:
- 707 (i) Visibility from the river;
- 708 (ii) Visual impacts on public river corridor views; and
- 709 (iii) Disturbance to and fragmentation of primary conservation areas.
- 710 d. Public water access facilities must comply with the following requirements:
- 711 (1) Watercraft access ramps must comply with Minnesota Rules chapters [6115.0210](#) and
712 [6280.0250](#); and
- 713 (2) Facilities must be designed and constructed consistent with the standards in Design
714 Handbook for Recreational Boating and Fishing Facilities.

715 e. Public signs and kiosks for interpretive or directional purposes are allowed in the bluff or shore
716 impact zones, provided they are placed and constructed to minimize disturbance to these areas
717 and avoid visual impacts on public river corridor views.

718 f. Public stairways, lifts, and landings must be designed as provided in Section 117-148(g)4c
719 (Stairways, lifts and landings).

720 (i) **VEGETATION MANAGEMENT**

721 1. **Purpose.** To establish standards that sustain and enhance the biological and ecological functions of
722 vegetation; preserve the natural character and topography of the MRCCA; and maintain stability of bluffs
723 and steep slopes and ensure stability of other erosion-prone areas.

724 2. **Applicability.** This section applies to:

725 a. Shore impact zones;

726 b. Areas within 50 feet of a wetland or natural drainage way;

727 c. Bluff impact zones;

728 d. Areas of native plant communities; and

729 e. Significant existing vegetative stands identified in the MRCCA plan.

730 3. **Activities allowed without a vegetation permit.**

731 a. Maintenance of existing lawns, landscaping and gardens;

732 b. Removal of vegetation in emergency situations as determined by the City of Ramsey;

733 c. Right-of-way maintenance for public facilities meeting the standards Section 117-148(h)3 (Right
734 of way maintenance standards);

735 d. Agricultural and forestry activities meeting the standards of Sections 117-148(e)2 (Underlying
736 zoning);

737 e. Selective vegetation removal, provided that vegetative cover remains consistent with the
738 management purpose of the MRCCA District, including:

739 (1) Vegetation that is dead, diseased, dying, or hazardous;

740 (2) To prevent the spread of diseases or insect pests;

741 (3) Individual trees and shrubs; and

742 (4) Removal of invasive non-native species.

743 4. **Activities allowed with a vegetation permit.**

744 a. The following intensive vegetation clearing activities are allowed with a vegetation permit:

745 (1) Clearing of vegetation that is dead, diseased, dying, or hazardous;

746 (2) Clearing to prevent the spread of diseases or insect pests;

747 (3) Clearing to remove invasive non-native species.

748 (4) Clearing to prepare for restoration and erosion control management activities consistent
749 with a plan approved by City of Ramsey.

750 (5) The minimum necessary for development that is allowed with a building permit or as an
751 exemption under Section 117-148(l) (Exemptions).

- 752 b. Conditions of vegetation permit approval:
- 753 (1) Development is sited to minimize removal of or disturbance to natural vegetation;
- 754 (2) Soil, slope stability, and hydrologic conditions are suitable for the proposed work as
- 755 determined by a professional engineer or City of Ramsey;
- 756 (3) Clearing is the minimum necessary and designed to blend with the natural terrain and
- 757 minimize visual impacts to public river corridor views;
- 758 (4) Any native plant communities removed are replaced with vegetation that provides
- 759 equivalent biological and ecological functions consistent with an approved vegetation
- 760 restoration plan as provided in Section 117-148(i)6 (Vegetation restoration plan). If replaced,
- 761 priorities for restoration are stabilization of erodible soils, restoration or enhancement of
- 762 shoreline vegetation, and revegetation of bluffs or steep slopes visible from the river;
- 763 (5) All other vegetation removed is restored with natural vegetation to the greatest extent
- 764 practicable consistent with an approved vegetation restoration plan as provided in Section
- 765 117-148(i)6 (Vegetation restoration plan). Priorities for replacement are the same as under
- 766 Section 117-148(i)4 (Activities allowed with a vegetation permit);
- 767 (6) Any disturbance of highly erodible soils is replanted with deep-rooted vegetation with a high
- 768 stem density;
- 769 (7) Vegetation removal activities are conducted so as to expose the smallest practical area of
- 770 soil to erosion for the least possible time;
- 771 (8) Areas of vegetation restoration priorities identified in the MRCCA plan are restored, if
- 772 applicable; and
- 773 (9) Any other condition determined necessary to achieve the purpose of this section.
- 774 5. **Prohibited activities.** All other intensive vegetation clearing is prohibited.
- 775 6. **Vegetation restoration plan.**
- 776 a. Development of a vegetation restoration plan and reestablishment of natural vegetation is required:
- 777 (1) As a condition of a vegetation permit issued under Section 117-148(i)4b (conditions of
- 778 vegetation permit), items (4) and (5);
- 779 (2) Upon failure to comply with any provisions in this section; or
- 780 (3) As part of the planning process for subdivisions as provided in Section 117-148(k)
- 781 (Subdivision and land development standards).
- 782 b. The vegetation restoration plan must satisfy the application submittal requirements in 117-148(c)6
- 783 (Application Materials), and:
- 784 (1) Include vegetation that provides suitable habitat and effective soil stability, runoff retention,
- 785 and infiltration capability. Vegetation species, composition, density, and diversity must be
- 786 guided by nearby patches of native plant communities and by [Native Vegetation](#)
- 787 [Establishment and Enhancement Guidelines](#);
- 788 (2) Be prepared by a qualified individual; and
- 789 (3) Include a maintenance plan that includes management provisions for controlling invasive
- 790 species and replacement of plant loss for three years.

791 c. A certificate of compliance will be issued after the vegetation restoration plan requirements have
792 been satisfied.

793
794 (j) **LAND ALTERATION STANDARDS AND STORMWATER MANAGEMENT**

795 1. **Purpose.** To establish standards that protect water quality from pollutant loadings of sediment,
796 nutrients, bacteria, and other contaminants; and maintain stability of bluffs, shorelines, and other areas
797 prone to erosion.

798 2. **Land alteration permit.**

799 a. Within the bluff impact zone, land alteration is prohibited, except for the following which are
800 allowed by permit.

801 (1) Erosion control consistent with Section 117-148(j)6 (Conditions of land alteration permit
802 approval);

803 (2) The minimum necessary for development that is allowed as an exception under Section 117-
804 148(l) (Exemptions); and

805 (3) Repair and maintenance of existing buildings and facilities.

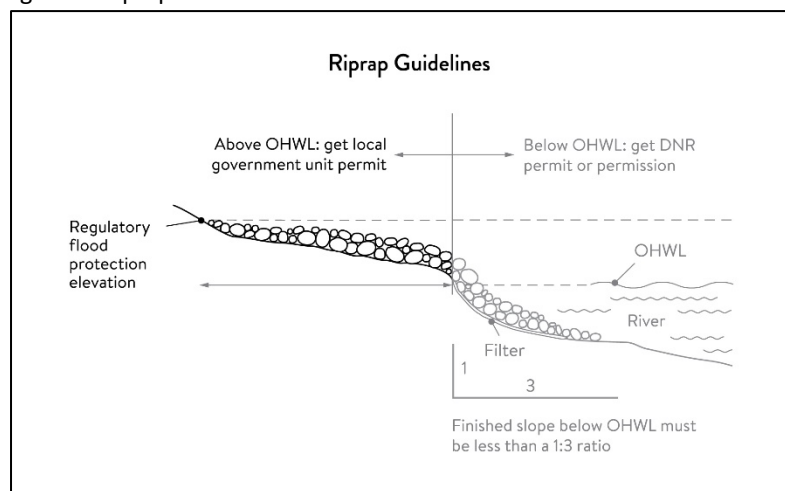
806 b. Within the water quality impact zone, land alteration that involves more than ten cubic yards of
807 material or affects an area greater than 1,000 square feet requires a permit.

808 3. **Rock riprap, retaining walls, and other erosion control structures.**

809 a. Construction, repair, or replacement of rock riprap, retaining walls, and other erosion control
810 structures located at or below the OHWL must comply with Minnesota Rules, chapters
811 6115.0215, subpart 4, item E, and 6115.0216, subpart 2. Work must not proceed until approved
812 by the commissioner. See Figure 8.

813
814

Figure 8. Riprap Guidelines



815
816 b. Construction or replacement of rock riprap, retaining walls, and other erosion control structures
817 within the bluff impact zone and the water quality impact zone are allowed with a permit
818 consistent with provisions of Section 117-148(j)6 (Conditions of land alteration permit approval)
819 provided that:

- 820 (1) If the project includes work at or below the OHWL, the commissioner has already approved
821 or permitted the project.
- 822 (2) The structures are used only to correct an established erosion problem as determined by the
823 City of Ramsey.
- 824 (3) The size and extent of the structures are the minimum necessary to correct the erosion
825 problem and are not larger than the following, unless a professional engineer determines
826 that a larger structure is needed to correct the erosion problem:
- 827 (i) Retaining walls must not exceed five feet in height and must be placed a minimum
828 horizontal distance of ten feet apart; and
- 829 (ii) Riprap must not exceed the height of the regulatory flood protection elevation.
- 830 c. Repair of existing rock riprap, retaining walls, and other erosion control structures above the OHWL
831 does not require a permit provided it does not involve any land alteration under Section 117-
832 148(j)2 (Land alteration permit).
- 833 4. **Stormwater management.**
- 834 a. In the bluff impact zone, storm water management facilities are prohibited, except by permit if:
- 835 (1) There are no alternatives for storm water treatment outside the bluff impact zone on the
836 subject site;
- 837 (2) The site generating runoff is designed so that the amount of runoff reaching the bluff impact
838 zone is reduced to the greatest extent practicable;
- 839 (3) The construction and operation of the facility does not affect slope stability on the subject
840 property or adjacent properties; and
- 841 (4) Mitigation based on the best available engineering and geological practices is required and
842 applied to eliminate or minimize the risk of slope failure.
- 843 b. In the water quality impact zone, development that creates new impervious surface, as allowed
844 by exemption in Section 117-148(l) (Exemptions), or fully reconstructs existing impervious
845 surface of more than 10,000 square feet requires a storm water permit or approved storm water
846 plan. Multipurpose trails and sidewalks are exempt if there is down gradient vegetation or a filter
847 strip that is at least five feet wide.
- 848 c. In all other areas, storm water runoff must be directed away from the bluff impact zones or
849 unstable areas.
- 850 5. **Development on steep slopes.** Construction of structures, impervious surfaces, land alteration,
851 vegetation removal, or other construction activities are allowed on steep slopes if:
- 852 a. The development can be accomplished without increasing erosion or storm water runoff;
- 853 b. The soil types and geology are suitable for the proposed development; and
- 854 c. Vegetation is managed according to the requirements of Section 117-148(i) (Vegetation
855 management).
- 856 6. **Conditions of land alteration permit approval.**
- 857 a. Temporary and permanent erosion and sediment control measures retain sediment onsite consistent
858 with best management practices in the [Minnesota Stormwater Manual](#);

- 859 b. Natural site topography, soil, and vegetation conditions are used to control runoff and reduce
860 erosion and sedimentation;
- 861 c. Construction activity is phased when possible;
- 862 d. All erosion and sediment controls are installed before starting any land disturbance activity;
- 863 e. Erosion and sediment controls are maintained to ensure effective operation;
- 864 f. The proposed work is consistent with the vegetation standards in Section 117-148(i) (Vegetation
865 Management); and
- 866 g. Best management practices for protecting and enhancing ecological and water resources identified in
867 [Best Practices for Meeting DNR General Public Waters Work Permit GP 2004-0001](#).
- 868 7. **Compliance with other plans and programs.** All development must:
- 869 a. Be consistent with Minnesota Statutes, chapter 103B, and local water management plans completed
870 under chapter 8410;
- 871 b. Meet or exceed the wetland protection standards under Minnesota Rules, chapter 8420; and
- 872 c. Meet or exceed the floodplain management standards under Minnesota Rules, chapter 6120. 5000 –
873 6120.6200
- 874 **(k) SUBDIVISION AND LAND DEVELOPMENT STANDARDS**
- 875 1. **Purpose.**
- 876 a. To protect and enhance the natural and scenic values of the MRCCA during development or
877 redevelopment of the remaining large sites
- 878 b. To establish standards for protecting and restoring biological and ecological functions of primary
879 conservation areas on large sites; and
- 880 c. To encourage restoration of natural vegetation during development or redevelopment of large sites
881 where restoration opportunities have been identified in MRCCA Plans.
- 882 2. **Applicability.**
- 883 a. The design standards in this section apply to subdivisions, planned unit developments and master-
884 planned development and redevelopment of land involving ten or more acres for contiguous
885 parcels that abut the Mississippi River and 20 or more acres for all other parcels, including
886 smaller individual sites within the following developments that are part of a common plan of
887 development that may be constructed at different times:
- 888 (1) Subdivisions;
- 889 (2) Planned unit developments; and
- 890 (3) Master-planned development and redevelopment of land.
- 891 b. The following activities are exempt from the requirements of this section:
- 892 (1) Minor subdivisions consisting of three or fewer lots;
- 893 (2) Minor boundary line corrections;
- 894 (3) Resolutions of encroachments;
- 895 (4) Additions to existing lots of record;

- 896 (5) Placement of essential services; and
- 897 (6) Activities involving river-dependent commercial and industrial uses.
- 898 3. **Application materials.** Project information listed in Section 117-148(c)6 (Application Materials) must be
899 submitted for all proposed developments.
- 900 4. **Design standards.**
- 901 a. Primary conservation areas, where they exist, must be set aside and designated as protected
902 open space in quantities meeting the following as a percentage of total parcel area:
- 903 (1) CA-ROS District: 50%;
- 904 (2) CA-RN District: 20%;
- 905 ~~(3) CA-RTC, CA-UM, and CA-UC Districts: 10%; and~~
- 906 (4) CA-SR District: 10% if the parcel includes native plant communities or provides feasible
907 connections to a regional park or trail system, otherwise no requirement.
- 908 b. If the primary conservation areas exceed the amounts specified in Section 117-148(k)4a above,
909 then protection of native plant communities and natural vegetation in riparian areas shall be
910 prioritized.
- 911 c. If primary conservation areas exist but do not have natural vegetation (identified as restoration
912 priorities in the MRCCA Plan), then a vegetation assessment must be completed to evaluate the
913 unvegetated primary conservation areas and determine whether vegetation restoration is
914 needed. If restoration is needed, vegetation must be restored according to Section 117-148(i)6b
915 (under Vegetation restoration plan).
- 916 d. If primary conservation areas do not exist on the parcel and portions of the parcel have been
917 identified in the MRCCA plan as a restoration area, vegetation must be restored in the identified
918 areas according to Section 117-148(i)6b (under Vegetation restoration plan) and the area must
919 be set aside and designated as protected open space.
- 920 e. Storm water treatment areas or other green infrastructure may be used to meet the protected
921 open space requirements if the vegetation provides biological and ecological functions.
- 922 f. Land dedicated under this Section for public river access, parks, or other open space or public
923 facilities may be counted toward the protected open space requirement.
- 924 g. Protected open space areas must connect open space, natural areas, and recreational areas,
925 where present on adjacent parcels, as much as possible to form an interconnected network.
- 926 5. **Permanent protection of designated open space.**
- 927 a. Designated open space areas must be protected through one or more of the following methods:
- 928 (1) Public acquisition by a government entity for conservation purposes;
- 929 (2) A permanent conservation easement, as provided in Minnesota Statutes, chapter 84C;
- 930 (3) A deed restriction; and
- 931 (4) Other arrangements that achieve an equivalent degree of protection.
- 932 b. Permanent protection methods must ensure the long-term management of vegetation to meet
933 its biological and ecological functions, prohibit structures, and prohibit land alteration, except as
934 needed to provide public recreational facilities and access to the river.

935 (I) **EXEMPTIONS**

936 1. **Purpose.** To provide exemptions to structure placement, height and other standards for specific river or
 937 water access dependent facilities as provided in [Minnesota Statutes 116G.15 Subd. 4.](#)

938 2. **Applicability.**

939 a. Uses and activities not specifically exempted must comply with this Section. Uses and activities
 940 exempted under shore impact zone and bluff impact zone must comply with the vegetation
 941 management and land alteration standards in Sections 117-148(i) (Vegetation management) and
 942 117-148(j) (Land alterations standards and stormwater management).

943 b. Uses and activities in Section 117-148(l)3 below are categorized as:

944 A. **Exempt – E.** This means that the use or activity is allowed;

945 B. **Exempt if no alternative - (E).** This means that the use or activity is allowed only if no
 946 alternatives exist; and

947 C. **Not exempt - N.** This means that a use or activity is not exempt and must meet the
 948 standards of this ordinance.

949 3. **Use and activity exemptions classification.**

950 a. General uses and activities.

Use or Activity	Set backs	Height Limits	SIZ	BIZ	Applicable standards with which the use or activity must comply
Industrial and utility structures requiring greater height for operational reasons (such as elevators, refineries and railroad signaling towers)	N	E	N	N	Structure design and placement must minimize interference with public river corridor views.
Barns, silos, and farm structures	N	E	N	N	
Bridges and bridge approach roadways	E	E	E	(E)	Section 117-148(h) (Performance standards for public facilities)
Wireless communication towers	E	E	N	N	Section 117-148(e)2f (River-dependent uses)
Chimneys, church spires, flag poles, public monuments, and mechanical stacks and equipment	N	E	N	N	
Historic properties and contributing properties in historic districts	E	E	E	E	Exemptions do not apply to additions or site alterations

951

952

953 b. Public utilities.

Use or Activity	Set backs	Height Limits	SIZ	BIZ	Applicable standards with which the use or activity must comply
Electrical power facilities	E	E	E	(E)	Section 117-148(h) (Performance standards for public facilities)
Essential services (other than storm water facilities)	E	E	E	(E)	Section 117-148(h) (Performance standards for public facilities)
Storm water facilities	E	N	E	(E)	Section 117-148(j) (Land alteration standards and stormwater management)

Use or Activity	Set backs	Height Limits	SIZ	BIZ	Applicable standards with which the use or activity must comply
Wastewater treatment	E	N	E	N	Section 117-148(h) (Performance standards for public facilities)
Public transportation facilities	E	N	(E)	(E)	Section 117-148(h) (Performance standards for public facilities)

954

955

c. Public recreational facilities.

Use or Activity	Set backs	Height Limits	SIZ	BIZ	Applicable standards with which the use or activity must comply
Accessory structures, such as monuments, flagpoles, light standards, and similar park features	E	E	(E)	(E)	Section 117-148(h) (Performance standards for public facilities); within BIZ, only on slopes averaging less than 30%. Exemptions do not apply to principal structures.
Picnic shelters and other open-sided structures	E	N	(E)	N	Section 117-148(h) (Performance standards for public facilities)
Parking lots	(E)	N	(E)	(E)	Section 117-148(h) (Performance standards for public facilities); within BIZ, only within 20 feet of toe of bluff; not on face of bluff; and must not affect stability of bluff
Roads and driveways	(E)	N	(E)	(E)	Section 117-148(h) (Performance standards for public facilities)
Natural-surfaced trails, access paths, and viewing areas	E	N	E	E	Section 117-148(h) (Performance standards for public facilities)
Hard-surfaced trails and viewing platforms	E	N	E	(E)	Section 117-148(h) (Performance standards for public facilities); within BIZ, only on slopes averaging less than 30%
Water access ramps	E	N	E	(E)	Section 117-148(h) (Performance standards for public facilities)
Public signs and kiosks for interpretive or directional purposes	E	N	E	(E)	Section 117-148(h) (Performance standards for public facilities)

956

957

958

959

960

d. River-dependent uses.

Use or Activity	Set backs	Height Limits	SIZ	BIZ	Applicable standards with which the use or activity must comply
Shoreline facilities	E	N ¹	E	(E)	Section 117-148(e)2f (River dependent uses). Exemptions do not apply to buildings, structures, and parking areas that are not part of a shoreline facility
Private roads and conveyance structures serving river-dependent uses	E	N ¹	E	(E)	Section 117-148(e)2f (River dependent uses)

961
962

e. Private residential and commercial water access and use facilities.

Use or Activity	Set backs	Height Limits	SIZ	BIZ	Applicable standards with which the use or activity must comply
Private roads serving 3 or more lots	(E)	N	N	(E)	Section 117-148(g) (Performance standards for private facilities); in BIZ, only on slopes averaging less than 30%. Exemption does not apply to private roads serving fewer 3 lots or to private driveways and parking areas
Access paths	E	N	E	E	Section 117-148(g) (Performance standards for private facilities)
Water access ramps	E	N	E	N	Section 117-148(g) (Performance standards for private facilities)
Stairways, lifts, and landings	E	N	E	E	Section 117-148(g) (Performance standards for private facilities)
Water-oriented accessory structures	E	N	E	N	Section 117-148(g) (Performance standards for private facilities)
Patios and decks	E	N	N	N	Section 117-148(g)5 (Decks and patios in setback area)
Directional signs for watercraft (private)	E	N	E	N	Section 117-148(g)6 (Off premise and directional signage); exemption does not apply to off-premise advertising signs
Temporary storage of docks, boats, and other equipment during the winter months	E	N	E	N	
Erosion control structures, such as rock riprap and retaining walls	E	N	E	(E)	Sections 117-148(j)3 (Rock riprap, retaining walls, and other erosion control measures), 117-148(j)5 (Development on steep slopes) and 117-148(j)6 (Conditions of land alteration permit approval)
Flood control structures	E	N	E	(E)	Section 117-148(j) (Land alteration standards and stormwater management)

963

¹ River-dependent commercial, industrial, and utility structures are exempt from height limits only if greater height is required for operational reasons.

