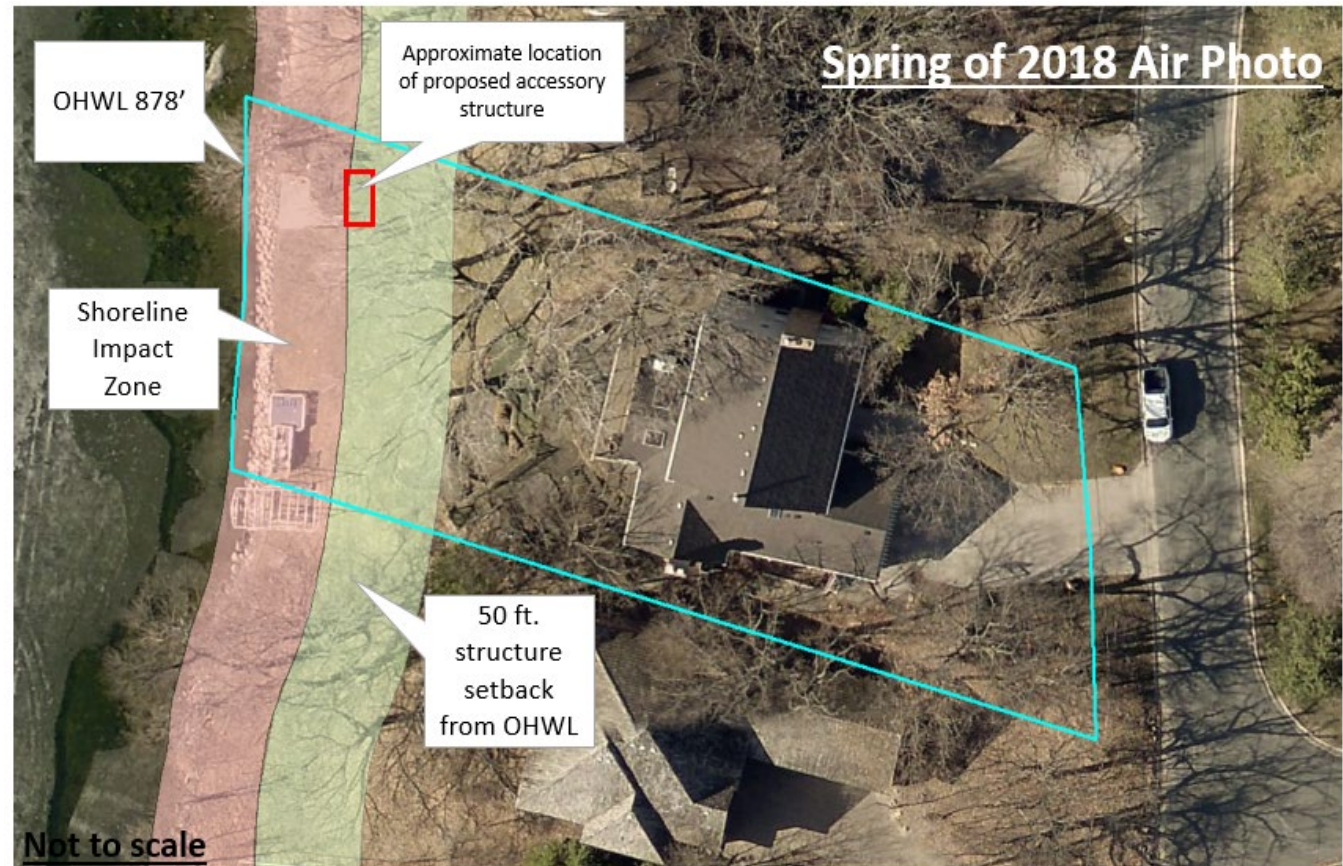


Planning Case #21-008 – Public Hearing Required

Applicant: City of Arden Hills

Request: Zoning Code Amendment to Section 1355 (Shoreland) Regarding Accessory Structures



Background

- September 2020 – Kye Samuelson requested a Variance to construct an accessory structure within the Shore Impact Zone of Lake Johanna.
- October 2020 – the Planning Commission voted to table the request to allow the Applicant to revise their plans to better conform to the Shoreland Ordinance.
- December 2020 – the Planning Commission reviewed and discussed the updated application. The Commission voted 4-3 to approve the planning case.
- January 2021 – the City Council voted unanimously to table this planning case to allow them to review the existing OHWL accessory structure size standards.
- February 2021 – the City Council directed staff to draft ordinance language to increase the size of accessory structures located within the OHWL.
- April 2021 – the City Council reviewed the proposed amendment to the zoning code and directed staff to bring the draft language to the Planning Commission for review.
- May 2021 – the Planning Commission voted unanimously to recommend approval with and amendment.

Approvals

- The Applicant is requesting an amendment to Section 1355 of the Zoning Code (Shoreland Regulations) Regarding Accessory Structures.

Chapter 13, Zoning Code Review

- Section 1330.03 Subd. 5, E states:
 - Lakeshore lots are permitted 1 accessory storage shed within the required structure setback from the OHWL, provided that it is not located within the Shore Impact Zone.
 - The Shore Impact Zone is the land located between the OHWL and a line parallel to it at a setback of 50 percent of the structure setback.

Chapter 13, Zoning Code Review

- The structure setback standards vary depending on the lake classification as established by Minnesota Regulations, Part 6120.3300, and the Protected Waters Inventory Map for Ramsey County.

Lake	OHWL	Lake Classification	Structure Setback	Shore Impact Zone Width
Lake Johanna	878 ft.	General	50 ft.	25 ft.
Little Johanna	NA	Recreational	75 ft.	35ft.
Lake Josephine	884.4 ft.	General	50 ft.	25 ft.
Karth Lake	934.95 ft.	General	50 ft.	25 ft.

Chapter 13, Zoning Code Review

- Section 1330.03 Subd. 5, E states:
 - Accessory structures within the OHWL shall not exceed 64 square feet in size or 8' by 8' and 8' in height measured to the highest point of the structure
 - Accessory structures shall not used for human habitation or contain a water supply or sewage treatment facilities.
 - No more than 2 accessory structures shall be permitted and the structures shall not exceed 728 square feet in floor area.
 - Accessory structures shall not occupy more than 25 percent of the rear yard.
 - The exterior finish of accessory structures shall be compatible in appearance and material used with the principal structure.

Redlined Shoreland Regulations Amendment

- E. Lakeshore lots may be permitted one (1) accessory storage shed within the required structure setback from the ordinary high water level, provided that it complies with the following provisions:
1. The structure or facility is not located within the Shore Impact Zone.
 2. The structure or facility does not exceed ~~64~~100 square feet in size and eight (8) feet in height, measured to the highest point of the structure.
 3. The maximum width of the structure, as viewed from the water, does not exceed 10 feet.
 4. The structure or facility is not designed or used for human habitation and does not contain a water supply or sewage treatment facilities.
 5. The structure or facility shall be constructed of material architecturally similar in design, texture, and color to the principal structure on the lot; the design shall be reviewed by the City Planner prior to issuance of building permits.
 6. The structure shall be screened a minimum of 50 percent by opaque vegetation or topography on the three walls seen from the lake with ecologically suited landscaping landward of the ordinary high water level from the lake.
 7. The roof shall not be used as a deck or storage area.
 8. The structure or facility is not a boathouse or boat storage structure as defined under Minnesota Statutes, Section 103G.245.

Clean Shoreland Regulations Amendment

- E. Lakeshore lots may be permitted one (1) accessory storage shed within the required structure setback from the ordinary high water level, provided that it complies with the following provisions:
1. The structure or facility is not located within the Shore Impact Zone.
 2. The structure or facility does not exceed 100 square feet in size and eight (8) feet in height, measured to the highest point of the structure.
 3. The maximum width of the structure, as viewed from the water, does not exceed 10 feet.
 4. The structure or facility is not designed or used for human habitation and does not contain a water supply or sewage treatment facilities.
 5. The structure or facility shall be constructed of material architecturally similar in design, texture, and color to the principal structure on the lot; the design shall be reviewed by the City Planner prior to issuance of building permits.
 6. The structure shall be screened a minimum of 50 percent by opaque vegetation or topography on the three walls seen from the lake with ecologically suited landscaping landward of the ordinary high water level from the lake.
 7. The roof shall not be used as a deck or storage area.
 8. The structure or facility is not a boathouse or boat storage structure as defined under Minnesota Statutes, Section 103G.245.

Public Notice

- A Zoning Code Amendment requires a public hearing. A public hearing notice for this planning case was published in the Pioneer Press on May 13, 2021.
- The City has received three public comments regarding this case.
 - Concern about increase in maximum square footage
 - Inquiry about how maximum height will be measured
 - Concern about the maximum width of the structure viewed from the water
 - Concern about conflicting statement is provisions 1 and 5

Proposed Motion Language

- Approval: Motion to approve Planning Case 21-008 for a Zoning Code Amendment to Chapter 13 of the Arden Hills City Code to permit accessory storage sheds of up to 100 square feet in size and 8 feet in height within the required structure setback from the ordinary high water level as presented in the May 24, 2021 Report to the City Council.
- Approval with amendments: Motion to approve Planning Case 21-008 for a Zoning Code Amendment to Chapter 13 of the Arden Hills City Code to permit accessory storage sheds of up to 100 square feet in size and 8 feet in height within the required structure setback from the ordinary high water level as presented in the May 24, 2021 Report to the City Council with amendments: *a specific reason should be included with amendments.*

Proposed Motion Language

- Denial: Motion to deny Planning Case 21-008 for a Zoning Code Amendment to Chapter 13 of the Arden Hills City Code to permit accessory storage sheds of up to 100 square feet in size and 8 feet in height within the required structure setback from the ordinary high water level: *findings to deny should specifically reference the reasons for denial.*
- Table: Motion to table Planning Case 21-008 for a Zoning Code Amendment to Chapter 13 of the Arden Hills City Code to permit accessory storage sheds of up to 100 square feet in size and 8 feet in height within the required structure setback from the ordinary high water level: *the City Council should identify a specific reason and/or information request should be included with a motion to table.*

Questions?

Planning Case 21-008 – Zoning Code Amendment to Section 1355 (Shoreland) Regarding
Accessory Structures

