

**MINUTES FROM A JOINT WORKING SESSION OF THE ROCKVILLE CITY COUNCIL,
PLANNING COMMISSION & STAFF HELD TUESDAY, FEBRUARY 26, 2008 – 6:30
P.M. – ROCKVILLE CITY HALL**

The meeting was called to order by Mayor Brian Herberg. Attending the meeting was:
City Council: Brian Herberg, Vern Ahles, Jeff Hagen, Susan Palmer, Jim Pflapsen & Don Simon
Planning Commission: Toni Honer, Jerry Bechtold, Dan Hansen, Jerry Tippelt & Steve Dietman
Staff Members present: Rena Weber, Judy Neu & Attorney Jim Mogen.

Also present: Shoreland Ordinance task force members present were: Scott Palmer, Bill Becker, & Paul Wirth.

Mayor Herberg announced that the Special Meeting had been called for the purpose of reviewing the proposed Shoreland Ordinance as well as Transfer of Development Rights and A-10 Ordinances.

Planning Commission Chair Toni Honer reported on the history of the task force and who the members are.

Bill Becker asked members which lake in Stearns County they would like to be on and reported on the water clarity improvements on Pleasant Lake alone. 2005 results were 12' of clarity, 2006 12.5' was the maximum, 2007 it was 17'. Bill believes that with the standards if we implement them, they will be better.

Scott Palmer presented a power point presentation on the need for Shoreland ordinances.

- a) History/Legislation
- b) How does this apply to Rockville
- c) Boundaries of Overlay District
- d) Update of zoning code
- e) Classification of Grand Lake – Eutrophic
- f) Recent Trends
 - Easier access
 - Conversions from cabins to homes
 - Development pressure
 - Technology to work from home
 - Redevelopment of existing lots
 - Impact on Natural Resources
 - What science is teaching us
 - Development Impacts on the Water Cycle
 - Rainwater Management
 - PUD – What are they supposed to be?
 - Water Quality Concerns Addressed by
 - Vegetative Buffers
 - Design Principles-Retain, Restore the Natural Landscape
 - City response – 2006 Task Force formed
 - Shoreland Zoning – MS103F (Statewide Minimum)
 - What the Stakeholders Wanted
 - Better Administration

Attorney Jim Mogen reviewed the specifics of the proposed ordinance overview.

- Goal: To be Administered by the City
- Goal: To protect our lakes
- What is a Shoreland Ordinance?
- Shoreland Ordinance Requirements
- Standards – 6120-2500 to 6120.3900
- Standards – Regular and Alternative

- Shoreland Ordinance Overview
 - a) Executive Summary
 - b) General Applications
 - c) Universal Changes
 - d) Residential Uses
 - e) Pleasant Lake Standards
 - f) Grand Lake Standards
 - g) Commercial Uses
 - h) Industrial Uses
 - i) Public/Semi-Public Uses
 - j) Agricultural Uses
 - k) Extractive Uses
 - l) Access Lots & Shoreline Recreational areas
 - m) Vegetation & Topography
 - n) Stormwater Ordinance
 - o) Impervious Surface Standards

QUESTIONS ASKED WERE:

Susan Palmer asked how the proposed standards affect current properties such as Grand Lake. Jim Mogen indicated that they are a lot of record and would have to go through the variance process, but there are the mitigation options available.

Steve Dietman questioned the feedlot ordinance and what happens if someone quits for a period of time – can they start up again? This will be verified, but it was felt there is a termination date.

Don Simon questioned the buffer zone for fertilizer application. The rule is no application closer than 50' as it is barred and outside of the 50' we ask people to be careful on how it is applied.

Don Simon questioned the erosion control and if rocks can be placed to reduce erosion. This is part of the storm water ordinance and will be allowed.

Mayor Herberg questioned the minimum square footage chart and Stormwater runoff. Will this apply to the residential areas? No – just the Shoreland. The standards in the Stormwater ordinance are integral to the Shoreland ordinance.

Mayor Herberg questioned the Shoreland ordinance and how the Brentwood Hills Development will be affected by the changes? Jim indicated that when the preliminary plat was approved they were given some rights. He will have to check this.

Susan Palmer indicated that this ordinance is very much needed, but she questioned the string line test which was talked about in the Shoreland Standards. This was eliminated in the alternative standards. Is there a way to write the ordinance that says if you can meet the 75' or 100' setback then this is what they should used.

Jim Pflapsen indicated that he felt the string line test is necessary as most of the lakes are developed already.

Jim Mogen indicated that we can put something in the ordinance to cover this and address it through a mitigation process. That is not to say the members of the Planning Commission and City Council can't ask that for more restrictions.

Jerry Tippelt asked if there were restrictions on putting fertilizer on their lawns around the lake shore. There will be no fertilizer in the first 50' shore impact zone.

Susan Palmer suggested that people read the information regarding the Alternative Shoreland standards and how they affect the lake water quality.

Paul Wirth voiced concern that regulating this is more than just saving the ducks and vegetation; it affects our lives, livelihood, etc.

Jim PflEPSen questioned the big power boats and how do you control what they are doing when they turn up the lake bottom.

Toni Honer indicated that you be a good neighbor and talk to them.

Mayor Herberg indicated that he likes what he sees, but would like all members read it thoroughly and bring our questions back to a future meeting.

Don Simon agreed in that it needs to be reviewed, we still want people to develop in Rockville.

Susan Palmer questioned the conservation design standards and where this will be applied. It seems optional at this time.

Jim Mogen indicated that the conservation design standards will be part of the subdivision standards and therefore this is covered under the SP-1. Jim Mogen agreed that what Susan is looking for has not been worked on by the Planning Commission. They are looking at the A-10 idea first and the transfer of development rights. By doing this you are saying that you want more dense development in certain areas and this can be done, but direction from the council is needed.

3/11/08 – Planning Commission Meeting – 7:30 p.m. Joint meeting again to review comments or concerns from City Council. The regular meeting will start at 6:00 p.m.

TRANSFER OF DEVELOPMENT RIGHTS – Jim Mogen explained the moratorium on the transfer of development rights has expired and it was time to address the issue. The ordinance prohibits transfer of development rights unless the property abuts the development area. It also cleans up the language into something that is easier to follow. It is still one per forty and still allows you to move the right to develop. This is a conservative approach from what we came up with 1 ½ years ago. There is no easy way of tweaking the A-40 zoning district to be more dense.

A-10 DISTRICT – Jim Mogen explained that the current zoning ordinance and comp plan does not call for the A-10 District. There is a big difference between A-40 and R-1. The A not R standards allow for hobby farms or larger lots. The intent is to create that zone to address the larger single family developments which will be non-sewered. A-10 would not be planned for areas identified in the comp plan to be developed (along Highway 23 and down to Grand Lake). Property needs to be identified as to where this could go.

ADJOURNMENT – *Motion by Member PflEPSen, second by Member Simon, to adjourn the meeting at 9:03 p.m. Motion carried unanimously.*

VERENA M. WEBER-CMC
ADMINISTRATOR/CLERK

BRIAN HERBERG
MAYOR

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