



AGENDA OF THE PLANNING
COMMISSION
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
August 23, 2018
7:00 P.M.

CALL TO ORDER

APPROVE AGENDA

REGULAR AGENDA

- A. Review/Approve June 28, 2018 Meeting Minutes
- B. Review/Approve July 26, 2018 Meeting Minutes
- C. Discuss Amending Non-Conforming Uses (Sections 300.020.34 & 301.050)* (pp. 3-6)
- D. Discuss Amending Zoning Code Variances and Appeals (Section 304.040)* (pp. 7-12)
- E. Discuss 2040 Comp Plan Draft* (pp. 13-52)
- F. Discuss Amending Impervious Surface Definition (300.020.23)* (pp. 53-54)
- G. Discuss Amending Permit Requirements (203.040)* (pp. 55-56)
- H. Consider Building Permit Escrow Fees / Ordinance Amendments for Damages to Public Property* (pp. 57-66)

ADJOURN

* Denotes items that have supporting documentation provided

MEMORANDUM



Birchwood Village

TO: Birchwood Planning Commission
FROM: Tobin Lay, City Administrator
SUBJECT: 301.050 Non-Conforming Uses

Dear Commissioners,

I reviewed the recording from your last meeting to gather your recommendations for the City Council meeting. In addition to the changes you recommended for 301.050 non-conforming uses, I found additional opportunities for clarification, as follows:

- I adjusted your recommendation for non-conforming uses as demonstrated in the enclosed because Minn. Stat. 462.357 Subd. 1e language did not fit into the existing code as written and because the definition you recommended separated pre-existing from illegal structures and neither term was present in the recommended amendment to Section 301.050.
- I changed the construction of the state law language to fit the rest of the language of 301.050 without changing the law's meaning.
- I also added a definition section referencing readers to Section 300.020.34 for the definition.
- In order to be consistent with your recommended definition, I added two sections in 301.050 separating Pre-Existing from Illegal uses.

Request/Recommendation

Staff requests Commissioners:

- 1) Review friendly amendments to your 301.050 recommendations and
- 2) Amend your recommendation for City Council's review and approval.

Thanks!

Regards,
Tobin Lay

ORDINANCE 2018-05-02

CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTAAN ORDINANCE AMENDING
NON-CONFORMING USES IN CITY CODE

The City Council of the City of Birchwood Village hereby ordains that Section 300.020.34 of Chapter 300 (Land Use) and Section 301.050 of Chapter 301 (Zoning Code: General Provisions) of the Municipal Code of the City of Birchwood Village are hereby amended as follows:

SECTION 300: LAND USE

300.020.34 Non-Conforming Use. ~~Any building, structure or use of land lawfully in existence as of January 1, 1975, or authorized by variance thereafter, which does not conform with the January 1, 1975, Zoning Code, as the same may be amended from time to time.~~**Non-Conforming Pre-Existing Structure or Use:** Any building or structure which was legally existing on January 1, 1975, or authorized by variance thereafter, which would not conform to the applicable conditions if the building or structure were to be erected under this Code. Such a structure or use may be continued but may not be extended, expanded, intensified, or changed unless to a conforming use. **Non-Conforming Illegal Structure, Use, or Lot:** A lot, building, structure, premises, or use illegally established when it was initiated, created, or constructed, which did not conform with the applicable conditions or provisions of the City Code for the area in which the structure or use is located.

SECTION 301: ZONING CODE: GENERAL PROVISIONS301.050. NON-CONFORMING USES.

A. Definition: Non-Conforming Use. See definition in Section 300.20.34

B. Pre-Existing Structures or Uses: A non-conforming use may be continued so long as it remains otherwise lawful, subject to the provisions of paragraphs (1) through (7) below, in order to ensure that the non-conforming use will not be intensified and that, over time, the non-conforming use will, where possible, be brought into conformity with the Zoning Code.

1. A non-conforming use shall not be enlarged, modified, changed, extended (either horizontally or vertically) or structurally altered, unless such changes bring the non-conforming use into conformity with the Zoning Code. (Exception: A non-conforming use, lawfully located within 60% of all required setbacks, may be structurally altered if the alterations do not change the horizontal or vertical dimensions of the structure and otherwise conform to the Zoning Code.)

2. A non-conforming use shall not be moved to any other part of the parcel of land upon which the same was constructed unless the move would bring the structure and its use into conformity with the Zoning Code.

3. ~~If a non-conforming use is damaged or destroyed to an extent of 50% or more of its replacement cost for any reason (including remodeling or rebuilding), according to the estimate of the building inspector as approved by the City Council, any reconstruction must conform to the provisions of the Zoning Code.~~ If any Non-Conforming Pre-Existing Structure or Use is destroyed by fire or other peril to the extent of greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, and no building permit has been applied for within 180 days of when the property is damaged, any replacement or reconstruction must conform to the provisions of the Zoning Code. (Exception: If the non-conforming use that is to be reconstructed came into being as the result of a previously granted variance, the Council, after review, may continue the variance if the owner demonstrates that the conditions under which that variance was granted continue to exist.)

4. Normal maintenance of a structure that represents a non-conforming use is permitted, including necessary non structural repairs and incidental alterations which do not physically extend or intensify the non-conforming use.

5. Notwithstanding paragraph (1) above, a structure representing a non-conforming use may be expanded, provided:

a. That such expansion does not increase the non-conformity in any dimension (vertical or horizontal), does not create a new non-conforming use, and in itself conforms with the Zoning Code; and

b. The sum of the setbacks on either side of the structure is not LESS than 20 feet.

6. When any non-conforming use of land or of a building or structure ~~shall be abandoned~~ ~~or is~~ discontinued for a period in excess of one year, such land, building, or structure shall thereafter be used only as allowed by this Code.

7. No provision of this section shall be interpreted as negating the provisions of 302.015 (Undersized Lots).

C. Illegal Structures, Uses, or Lots: Any replacement or reconstruction of any kind of a Non-Conforming Illegal Structure, Use, or Lot must conform to the provisions of the Zoning Code.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Adopted by the City of Birchwood Village City Council this 11th day of September, 2018

Attest:

Mary Wingfield
Mayor

Tobin Lay
City Administrator-Clerk

MEMORANDUM



Birchwood Village

TO: Birchwood Planning Commission
FROM: Tobin Lay, City Administrator
SUBJECT: 304 Zoning Variances and Appeals

Dear Commissioners,

I reviewed the recording from your last meeting to gather your 304 Variance recommendations for the City Council meeting. I adjusted your recommendation for variances and appeals as demonstrated in the attachment because although you correctly determined in your meeting that the City Council is the Board of Appeals and not the Planning Commission, Section 304 is meant to regulate both of those procedures – it is not a Planning Commission specific ordinance.

An appeals board is still needed if any resident needs to appeal an administrative decision made by myself or any of our other hired officials like the bldg. inspector and engineer, to name a few possible scenarios. If you remove all mention of the appeals process from Section 304 then there will be no ordinance guiding that process, should it ever occur.

Accordingly, I made the following friendly amendments to your recommendations:

- I separated the functions of variances from appeals in your recommendation calling out the authorized body for hearing both and clarifying the procedures for both.
- This means that I added back any sections regarding appeals that your recommendation struck from the ordinance.

See enclosed friendly amendments

Request/Recommendation

Staff requests Commissioners:

- 1) Review enclosed friendly amendments to your recommendations and
- 2) Amend your recommendations for City Council's consideration and approval.

Thanks!

Regards,
Tobin Lay

ORDINANCE 2018-04-01

CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA

AN ORDINANCE AMENDING VARIANCE PROVISIONS IN CITY CODE

The City Council of the City of Birchwood Village hereby ordains that Chapter 304 (Variances and Appeals) of the Municipal Code of the City of Birchwood Village is hereby amended to read as follows:

SECTION 304. ZONING CODE: VARIANCES AND APPEALS.

304.010. BOARD OF APPEALS. ~~The City Council is hereby established as the Board of Appeals (Board) and shall have the power to hear and decide appeals in which it is alleged that there is an error in any administrative order, requirement, decision or determination made in the interpretation or enforcement of the Zoning Code. The Planning Commission is hereby established as the Board of Appeals (Board). When acting as the Board, the Planning Commission will have the power to hear and advise the Council on the following matters:~~

- ~~1. Requests for variances from the literal provisions of the Zoning Code; and~~
- ~~2. Appeals in which it is alleged that there is an error in any administrative order, requirement, decision or determination made in the interpretation or enforcement of the Zoning Code.~~

304.030020. APPEALS OF ADMINISTRATIVE DECISIONS.

1. A person who deems himself aggrieved by an alleged error in any order, requirement, decision or determination made in the interpretation and enforcement of ~~this ordinance~~ the Zoning Code, may appeal to the Board -by filing a written appeal with the City Clerk within 30 days after the date of such order, requirement, decision or determination. The appeal shall fully state the order to be appealed and the relevant facts of the matter.

2. The Board shall conduct a public hearing within 60 days after the filing of a written appeal. The Board shall make its decision after considering the oral and written views of all interested persons expressed at the public hearing.

304.020030. PETITIONS FOR VARIANCES. The Planning Commission is hereby established to hear and advise the Council on requests for variances from the literal provisions of the Zoning Code. The owner or owners -of land to which the variance relates may file a petition for a variance with the Clerk. The petition shall be made on forms provided by the City Clerk. The petition shall be accompanied by plans described below and by all required fees. The City may require the petitioner to submit a certificate by a registered professional land surveyor verifying the location of all buildings, setbacks and building

coverage, and certifying other facts that in the opinion of the City are necessary for evaluation of the petition.

304.040. VARIANCE REQUIREMENTS AND CRITERIA. Petitions for Variances must include all Required Information and demonstrate that Criteria for each Variance are met.

1. Required Information.

- a. Legal description and address of parcel. Name, address, and phone number of applicant (and of the owner if owner is not the applicant).
- b. Plot plan drawn to scale. Elevation contour lines may be required.
- c. ~~Plan showing existing and proposed new and changed structures on the lot. Existing structures on adjacent lots must also be shown.~~
- d. Evidence demonstrating compliance with the Rice Creek Watershed District's and other Governmental Units' regulations may be required. (See Section 303.040.)

2. Criteria for Granting a Variance. ~~Variances may only be granted in Minnesota Statutes, Chapter 462.—Pursuant to Minn. Stat. Sec. 462.357, subd. 6, as it may be amended from time to time, the Planning Commission, acting as a Board of Appeals and Adjustments, may issue variances from the provisions of this zoning code. A variance is a modification or variation of the provisions of this zoning code as applied to a specific piece of property.~~

Variances to the strict application of the provisions of the Code may be granted, however, no variance may be granted that would allow any use that is prohibited within the City. Conditions and safeguards may be imposed on the variances so granted. A variance shall not be granted unless the following criteria are met:

SUBD. 1.

A. Variances shall only be permitted

- i. when they are in harmony with the general purposes and intent of the ordinance and
- ii. when the variances are consistent with the comprehensive plan.

B. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance.

SUBD. 2. "Practical difficulties," as used in connection with the granting of a variance, means that

- ai. Special conditions or circumstances exist which are peculiar to the land, structure, or building involved.
- bii. The condition which result in the need for the variance were not created by the applicant's action or design solution. The applicant shall have the burden of proof for showing that no other reasonable design solution exists.

~~e. The variance is proved necessary in order to secure for the applicant the right or rights that are enjoyed by other owners in the same area of the district.~~

~~diii.~~ The granting of a variance will result in no increase in the amount of water draining from the property.

~~eiv.~~ Granting the variance will not impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City.

~~fv.~~ No variance shall be granted simply because there are no objections or because those who do not object outnumber those who do.

~~gvi.~~ Financial gain or loss by the applicant shall not be considered if reasonable use for the property exists under terms of the Zoning Code.

304.050. VARIANCE HEARING AND RECOMMENDATION BY THE BOARD COMMISSION. ~~4.~~ Within 60 days after the City ~~Clerk~~ determines that a variance petition is complete, and all required fees and information, including plans, drawings and surveys, have been received, ~~or within 60 days after the filing of an appeal of an administrative decision,~~ the Board Commission shall conduct a public hearing and after hearing the oral and written views of all interested persons, the Board Commission shall make its recommendation to the City Council by a majority vote at the same meeting or at a specified future meeting thereof.

304.060. NOTICE OF HEARINGS.

1. Notice of variance hearings shall be mailed not less than ten (10) days before the date of the hearing to the person who filed the petition for variance, to the Minnesota Department of Natural Resources, and to each owner of property situated wholly or partially within 200 feet of the property lines to which the variance relates.

2. A notice of hearing for appeals of administrative decisions shall be published in the official newspaper of the City not less than ten days before the hearing. A notice shall also be mailed to the appellant.

3. No new notice need be given for any hearing which is continued ~~by the Board~~ to a specified future date.

304.070. FINAL DECISION. The Council shall decide all appeals of administrative decisions and petitions for variances ~~and appeals~~. The decision shall be made -not later than 30 days after the date of the hearing.

304.080. FORM OF ACTION TAKEN AND RECORD THEREOF. The Council shall maintain a record of its proceedings relative to the petition for variance or appeal -which shall include the minutes of its meetings and final order concerning the variance petition or appeal of administrative decision. When applicable, notice of the final order shall be sent to the Minnesota Department of Natural Resources within ten (10) days.

304.090. REVOCATION. A violation of any condition set forth or required in granting a variance shall be a violation of this Code and automatically terminates the variance. A variance shall become null and void one year after it was granted, unless made use of within the year or such longer period prescribed by the Council.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Adopted by the City of Birchwood Village City Council this 11th day of September, 2018

Mary Wingfield
Mayor

Attest:

Tobin Lay
City Administrator-Clerk

MEMORANDUM



Birchwood Village

TO: Birchwood Planning Commission
FROM: Tobin Lay, City Administrator
SUBJECT: 2040 Comp Plan Draft

Dear Commissioners,

This agenda item was tabled during your July meeting. As we are already past the original turn-in deadline, it is important for you to review and discuss possible amendments now. As many of you have served the City longer than Bridget and I, there are several questions in our comments that you may be able to answer.

Request/Recommendation

Staff requests Commissioners:

- 1) Read and edit the enclosed draft of the 2040 Comp Plan.

Thanks!

Regards,
Tobin Lay

CHAPTER 1: COMMUNITY CONTEXT

Introduction

The City of Birchwood Village is a small community located on the southwestern shore of White Bear Lake. The community is easily accessible to the greater Twin Cities Metropolitan Area region and is located approximately 13-miles from downtown Saint Paul, 20-miles from downtown Minneapolis and 20-miles from the Minneapolis-Saint Paul International Airport. Because of the community's accessibility, high-quality neighborhoods, and proximity to White Bear Lake the City continues to be a desirable place for residents to live and recreate.

The purpose of this chapter is to provide context from which subsequent chapters of this plan were derived. Included in the following summary is the City's historical setting, existing demographic and socio-economic conditions, and market snapshot. The following sections are used to help inform the Land Use, Parks & Open Space, Transportation and Infrastructure sections of this Comprehensive Plan update.

Location, Historical Setting, Governmental Structure & Community Goals

The City is located on the far western edge of Washington County, and is connected to major roadways including County Road E and I-694. The City's location within the region coupled with the small-town village character, makes the community a highly desirable place for residents to live and recreate. The City is truly a small "village" comprising only 214 acres with an estimated 2016 population of 869 residents. The community's relatively compact land area and small population fosters a small-town, quaint environment with invested long-term residents and strong neighborhoods. As further detailed within Chapter 2: Land Use, the community is designated by the Metropolitan Council as "Suburban," and while this designation accurately describes the City's location within the region it does not reflect the community's character or historical past. As such, providing a brief historical context of the Village is an important way to differentiate the community from other more typical suburban communities.

Historical Setting

First incorporated as a Village in the year 1921, a subsequent act of the State Legislature converted the "Village" to a "City of the Fourth Class." Though the State Statute required Birchwood to evolve from a village into a city, residents continued to strongly associate the character and identity of the community as a "Village." Because of that association, when the City incorporated it amended its name to become Birchwood Village to reflect the residents' continued commitment to its small village character.

Birchwood first developed as a community of summer recreation cottages built by residents of the Saint Paul area in early 1900's. Initial subdivisions were along the lakeshore, which continue to define the land use pattern today. As the City evolved from a vacation town to a place for permanent residences, the housing pattern and development along the shore became more diverse. Many of the historical homes have been extensively remodeled to meet modern lifestyles, while others have been torn down and new homes constructed on lots making for a diverse housing pattern where new and old are successfully integrated.

-THOUGHT
REMODELING
CAN BE
SEEN

Inland from the lakeshore, newer subdivisions away from the lakeshore have larger lots and are more homogeneous in appearance. Though homes are more consistent in appearance, the character of the Village is preserved through how homes were sited to respect the rolling topography and tree canopy that was original to the area.

In addition to the impact of natural features of the community, the historical presence of the streetcar line also impacted the City's land use and development pattern. At one time the City was served by the Twin City Lines streetcar which passed through the Village on its way from Saint Paul to White Bear Lake and Mahtomedi. Because of this old streetcar line, a significant difference in lot sizes between older and newer areas of the community can be seen which reflects the influence of the transportation system in place at the time development occurred.

One of the most defining characteristics of the community is its lack of commercial or business uses, and its commitment to single-family residential and open space uses. This land use pattern extends back to when the community was first developed as a vacation spot and has been reinforced by the City's ordinances as it continued to grow and evolve into a place with permanent residences. *ALSO ITS CENTRALLY LOCATED CITY HALL*

Though the City's historical identity as a vacation town played a significant part in establishing how the community developed, today there are no historically designated resources or properties in Birchwood Village. However, just because no properties have been pursued for historical designation, that is not to say that there are not properties or areas of historical value either at the local or regional level. While the City does not plan to actively pursue formal historical designation, the City is willing to create a policy that addresses preservation in the future if any resources or properties are designated through the State or National registers.

Governmental Structure

Birchwood Village is a City of the Fourth Class, with a City Council form of government. Elected at large, the City Council consists of the Mayor and four council members. Each has ongoing responsibilities between meetings. Several supporting commissions and committees also help to serve the community. These include; the Planning Commission, Parks & Natural Resources Committee, Personnel Committee, Roads and Streets Committee, Water/Utility Committee, and the ~~Website Task Force~~. *- Temporary*

1 FT, 1 PT
*The City has ~~two~~ part-time employees, the City Administrator and a City Treasurer/Deputy Clerk. The elected officials, appointed officials and other residents provide many volunteer hours to the City to perform needed services.

Some municipal services such as sewer maintenance, police and fire protection, and building inspections/planning are contracted ~~primarily from the City of White Bear Lake~~. *primarily from surrounding communities*

Community Context Goals

The community's historical setting, local and government structure all provide background information from which the City can use to plan for its future. To help guide the general direction of the community, the City has identified the following goals and principles for this planning period:

- Maintain the existing character of the community through preservation of the single-family residential land use and neighborhood patterns.

- Preserve and protect the City's natural areas including woodlands, wetlands, and lakes. *EDUCATE COMMUNITY*
- Maintain and improve municipal services to ensure the health, safety and general wellbeing of Birchwood Village residents. *OF ALL AGES*
- Maintain the autonomy of Birchwood Village as governmental entity.
- Preserve the community's identity and character through existing traditions such as the July 4th parade, plant exchange, and village-wide garage sale.
- Work to identify opportunities to reduce energy usage by 1% per year.
- Maintain and monitor all city property, structures and assets.
- Support and increase volunteerism in Birchwood.
- Increase communication of community happenings and projects.
- Prepare for emergencies and explore opportunities to improve the community's resilience and long-term sustainability.

CREATE SAFER WALKING AREAS WITHIN THE VILLAGE CITY STREET

This core set of general goals and principles is like those of the 2020, and 2030 Comprehensive Plans indicating that residents, community members and policy-makers are content to maintain the community in a similar way through this planning period. Throughout the remaining chapters of this Plan, each topic area includes a set of goals and principles to help establish the community's aspirations for the future of the community related to each topic area. The goals and principles are purposefully broad, and the City intends to further refine its strategies for the future, if, and when, opportunities are presented.

Demographic and Socio-Economic Characteristics

Many of the City's demographic and socio-economic characteristics have remained relatively constant over the past decade with little change, with only a couple of exceptions. As demonstrated in subsequent chapters of this Plan, the City is fully developed with primarily single-family residential uses. As a result the number of households in the community has been relatively constant for the past 20 years, and is expected to remain similar through this planning period. However, even with much of the community remaining unchanged, there are some characteristics that are worth noting because they impact this Plan, or future planning efforts in the community if these trends continue. The following snapshot of community characteristics is provided as consideration in this Plan.

Households and Population

The number of households in the City has remained relatively constant for the last 16 years with 357 households in 2000 and 359 in 2016. The new construction and redevelopment in the City has been located primarily on existing lots where an existing home was torn down and replaced by a new (often times larger) construction home. During this same period, the population has decreased approximately 10% from 968 in 2000 to 869 in 2016. The Metropolitan Council forecasts a stabilization in the number of households by the year 2020, but a continued decrease in population due to the age of current residents. The population is likely to decrease as residents age and children leave home resulting in smaller average-person-per-household. The City anticipates no additional net households through 2040, but acknowledges that the tear-down and major remodeling trend is likely to continue.

Table 1-1: Birchwood Village Population and Households (Historical & Projected)

Year	Population	Households	Population
------	------------	------------	------------

- Why is pop. on here twice?

γ

1970	926	235	926
1980	1059	326	1059
1990	1042	364	1042
2000	968	357	968
2010	870	351	870
2016	869	361	869
2020	850	360	850
2030	830	360	830
2040	800	360	800

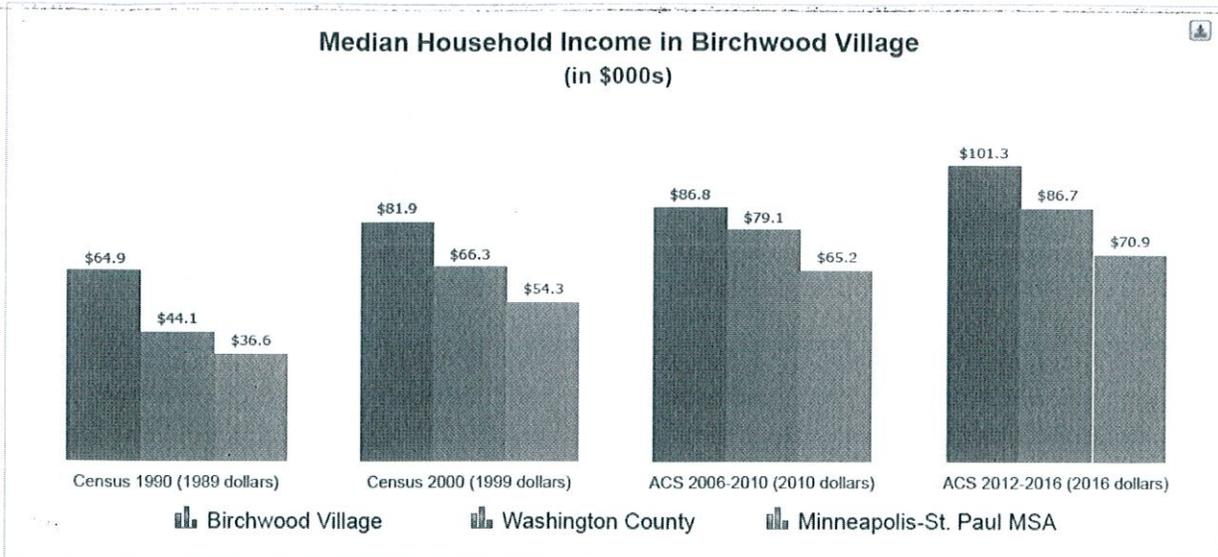
As the City's population ages the community will need to adjust to the needs and demands of its residents, which may change and evolve. For example residents may require improved/increased access to services such as transit, or may desire better trail/sidewalk connections as opposed to programmed park spaces. As these changes occur, the City will need to monitor its public facilities, roadways and parks and may need to adjust programming, access, and delivery of services to better accommodate the city's residents. In addition to public services, the City may face an increase of vacant homes/properties during winter months for those residents that choose to winter in warmer climates, and may experience more demands for ADA accessibility and transportation mode choice. All of these factors can become financially challenging for the City, and for those residents that reach retirement age and are on a fixed-income. These changes will happen over time, and it is important for the City to monitor and understand what changes should be planned for through this planning period.

SHOULD THIS BE A GOAL

Household Income

As shown in Figure 1-1, the City's Median Household Income has been higher than that of Washington County and the Minneapolis-St. Paul MSA since the 1990s. However, additionally? Birchwood's median has outpaced the region over the past decade, which is likely due to the community's adjacency and access to White Bear Lake and accessibility within the region and recovering real estate market. If this trend line continues, it becomes more likely that small homes and cottages will be either torn down or experience major remodeling, further depleting the affordability of the community.

Figure 1-1: Median Household Income in Birchwood Village

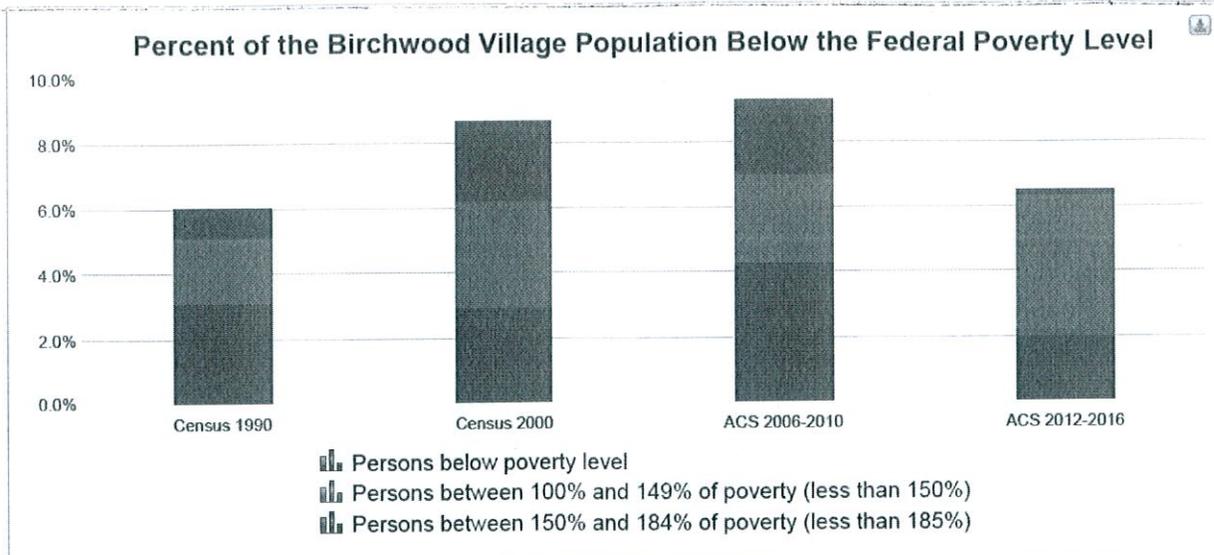


Source: US Census, ACS 2012 - 2016

? The increased value of homes in the community that will naturally occur as a result of increase household incomes will squeeze out many of the traditional summer cottages and residents with lower incomes. As property becomes more and more valuable, and residents age, their disposable income will stabilize or decrease, but their property taxes will increase. This will become one more factor which might force long-time residents to find alternate housing options, which will require them to leave the community because of the lack in diversity in the City's housing stock. reward

The trend of displacement is already emerging as demonstrated on Figure 1-2 which demonstrates the percentage of Birchwood's population at or below the federal poverty level. As demonstrated, the percentage of the City's population rose during the recessionary period (reflected on ACS 2006 - 2010) but has since decreased. While some of this decrease is likely attributed to residents improving their wages or employment since the recession, it also likely represents some of the lower-income residents displacement due to rising housing costs in the community.

Figure 1-2: Percent of Population Below Poverty Level



Source: US Census, ACS 2012-2016

Employment

The City prohibits commercial and industrial development. The City employs two part-time employees and several seasonal, part-time park and recreation employees. Residents may have a business in their home (home occupation) with conditions and proper permits. As seen below in Table 1-2, the employment reflects the City's imposed limitations on commercial and industrial development and does not anticipate any significant changes in employment opportunities in the community.

Table 1-2: Employment in Birchwood Village

YEAR	EMPLOYMENT
2010	25
2020	30
2030	30
2040	30

Source: Metropolitan Council

CHAPTER 2: LAND USE

Introduction

The City of Birchwood Village is a small, fully-developed community located on the southeast shoreline of White Bear Lake. Developed originally as a resort town in the early 1900s, small summer cottages dotted the Lake shoreline and became a destination for Saint Paul residents looking for respite from the City. Naturally as the lakeshore became more developed, other parts of the community began to grow, and small meandering roadways were constructed with summer cottages that were still within proximity to the Lake. Eventually, new regional roadways and infrastructure became available that made it possible for residents to call Birchwood Village their permanent home – not just their summer getaway.

WOOD OR
BAD?

Even though the community transitioned over the course of several decades, much of the existing land use pattern today remains a reflection of the community's historical roots as a resort town. Roadways still meander, easements to provide lake access are co-mingled with existing homes, and many of the original cottages remain just with updates and additions to make them more habitable on a year-round basis.

The land use pattern today is reminiscent of Birchwood's past, and is the foundation for the City's future. The City is planning to stay the same, with only modest enhancements and changes planned only if, and when, opportunities emerge. Generally, the community hopes to maintain the existing character of Birchwood for generations to come. With that objective in mind, the subsequent sections of this Chapter provide a roadmap to preserving the City's land use and neighborhood patterns and does not plan for, nor contemplate, wholesale changes in the community. However, this Plan still provides an opportunity for the community to consider how it might approach change if it presents itself, and to ensure that any redevelopment in the community is completed in a manner that is consistent with the goals and objectives of this Plan.

The intent of this Chapter is to describe the existing and planned land use and neighborhood patterns, and to define how these land use patterns will continue to support the identity and character of the community through this planning period.

Planning Context

The planning context of the 2040 Comprehensive Plan is an important consideration in the preparation of this Land Use chapter and of subsequent sections of this Plan update. Oftentimes communities are unsure of when and why they should undertake a review of their Comprehensive Plan, and particularly their Land Use plan particularly when the community has remained relatively unchanged over many decades. The following sections are provided to help explain why the City initiated this process, and how the regional and local planning context were used to inform the update of this Chapter.

Metropolitan Council Policy Guidelines

As described in Chapter 1: Community Context, the City of Birchwood Village is located on the far western edge of Washington County. As a community located within the 7-County Metropolitan Area, the City is within the Metropolitan Council's jurisdiction which requires communities to prepare an update of their Comprehensive Plans for consistency with regional systems on a decennial basis. In the years preceding the required decennial update, the Metropolitan Council issues a System Statement for every City which describes what updates must be included within each community's Plan.

Each community is assigned a Community Designation based on the geographic location of the community, the existing land use patterns and anticipated growth based on regional trends and planned regional improvements. As previously noted Birchwood is fully developed and its existing land use pattern is predominantly low-density residential uses that are primarily developed with single family residential structures. Communities with this land use pattern are generally designated by the Metropolitan Council as "Suburban." For each community designation, the Metropolitan Council describes the Community's Role with respect to Orderly and Efficient Land Use. The identified Community Roles for Suburban communities are as follows:

- Plan for forecasted population and household growth at overall average densities of at least 5 units per acre, and target opportunities for more intensive development near regional transit investments at densities and in a manner articulated in the 2040 Transportation Policy Plan.
- Identify areas for redevelopment, particularly areas that are well-served by transportation options and nearby amenities and that contribute to better proximity between jobs and housing.
- In collaboration with other regional partners, lead major redevelopment efforts.
- Lead detailed land use planning efforts around regional transit stations and other regional investments.
- Plan for and program local infrastructure needs (for example, roads, sidewalks, sewer, water, and surface water), including those needed to accommodate future growth and implement local comprehensive plans.

Because Birchwood is geographically small, many of the roles identified above are not fully applicable, such as transit and major redevelopment efforts. However, the concept of several of the identified roles are relevant and should be used to help guide the community through this planning period. For example, while there are no significant regional roadway or transit improvement planned within the City, there are improvements planned in adjacent communities that could provide opportunities to the City for a more connected community to the greater region. Additionally, though the City is fully developed that does not preclude someone from potentially redeveloping a parcel or collection of parcels provided that such development is consistent with the Community Roles with respect to density as identified above.

In addition to the Community Designation and correlated Community Roles, the System Statement includes the Metropolitan Council's projected population, households and employment forecasts for the City through this Planning Period. Table 2-1 shows that the Metropolitan Council does not anticipate or project significant changes in the City's land uses as demonstrated by the Household and Employment forecasts. However, the population is anticipated to continue to decrease even as Households and Employment stay relatively flat. With respect to the City's land uses, the decreasing population has the potential to impact what types of facilities, services, park programming, and access may be

IMPACT
TO CITY
BIRCHWOOD?

needed and demanded by residents as the community's population continues to age in the future. These trends were used as a foundation to the subsequent section of this chapter, and other sections of this Plan update.

Table 2-1. Population, Households, and Employment Forecasts

Year	Population	Households	Employment
2020	850	351	25
2030	830	360	30
2040	800	360	30

(Source: 2015 Birchwood Village System Statement - Metropolitan Council)

Community Context

The Regional Context provides a broad overview and structure from which this Plan update was developed, but the local context provides additional refinement to ensure that this Land Use plan reflects the goals and aspirations of the community through this planning period.

To effectively manage and maintain the community's land uses the City has developed a set of policy guidelines to guide the community through this planning period. The following policy guidelines were included within the 2030 Comprehensive Plan and have been updated, where applicable, to reflect the aspirations of the community moving forward through this planning period.

Land Use Policy Guidelines

The following goals will be used to help guide land use decisions in the City through 2040:

1. Maintain the existing character of the community by permitting growth that is consistent with the land use designations contained within this plan.
2. Work to create policies, ordinances and policies that regulate new construction of housing that follows building codes.
3. Create ordinances and policies that promote sustainability of existing and new residential structures through site planning standards that incorporate considerations for natural hydrology, drainage and other unique physical/natural features.
4. Continue to enforce ordinances that prohibit the development of commercial, industrial and high density residential uses.
5. Protect important natural resources from development through proper ordinances and permitting procedures. (e.g. wetland protection ordinances, shoreland protection, significant tree preservation, etc.)
6. Promote maintenance of existing homes, properties and natural areas to maintain the City's character.
7. Maintain the City's high quality and affordable residential neighborhoods.
8. Create ordinances and policies that require the protection of wetlands and lakeshore as part of any new development.
9. Protect and preserve the City's tree canopy and significant healthy trees through the development of a Significant Tree ordinance that establishes maintenance, removal and replacement standards

aren't these the same?

REDUCE INVASIVES?

already done. we do need a comprehensive change to tree disease/inspection or disease though

Existing Land Use

The existing land use pattern reflects Birchwood's commitment to foster, improve and preserve its quaint "Village" and predominantly single-family neighborhood character. Throughout its history, the City has continued to reinforce its Village and "resort" town character by carefully regulating new development and redevelopment of remaining lands to continue the existing low-density residential neighborhood patterns. To that end, the City has prohibited the development of commercial, industrial or high-density housing, and has prioritized the protection of natural resources as part of any new development in the community. With the limitations on development styles, Birchwood Village is almost completely developed with single-family residential uses (88%). Little to no additional residential development has occurred since 2008 because the community is fully developed, and there has been little to no pressure for redevelopment. A few larger lots remain that have the potential to be further subdivided based on current subdivision and zoning standards, but these areas would be required to develop with uses consistent with the existing neighborhood patterns. In addition to the single-family residential uses, the City's remaining land areas are primarily used for right-of-way, institutional and parks/open spaces. The City owns and manages three public parks and one natural area/open space and owns various trail and lake access easements sprinkled through the community that provide connections to the city parks and to White Bear Lake. (See Map 2-2 Existing Land Use).

HOW DO WE ENSURE THIS HAPPENS

WILL DO SO BASED ON SAID GUIDELINES

Generalized Existing Land Use (ELU)

The following definitions are provided for each existing land use as shown on Map 2-2. The following definitions are the Generalized Land Use definitions as provided from the Metropolitan Council. The definitions that follow do not attempt to describe what the current/existing zoning is of a property, or what the planned or allowed uses might be. Rather the following land use designations describe the current and existing use of a property based on a snapshot in time, and help describe and illustrate the current neighborhood patterns of the community.

Single Family Detached – Land use exclusively for residential purposes containing a single dwelling unit that is detached from any other residential dwelling units (i.e., with open space on four sides, includes townhomes).

Seasonal/Vacation – Land used exclusively for residential purposes containing a single dwelling unit that is occupied seasonally or used as a vacation property.

Undeveloped – Land not currently used for any defined purpose that may or may not contain buildings or other structures or has no discernable use based upon the aerial photos or available data. Undeveloped land may include non-protected wetlands or land currently under development.

Park, Recreation or Preserve - Land used for park and recreational assembly (ex: community level ball fields, regional or small urban parks – public or private, playgrounds, rest areas, and other venues – indoor or outdoors – for sporting events or like purposes). Also includes passive activity uses such as park preserves, wildlife refuges, habitat area, public hazards, river walk, DNR owned land, greenways and other public or private preserved land.

Rice Creek
water shed
public
hazards &
river walks

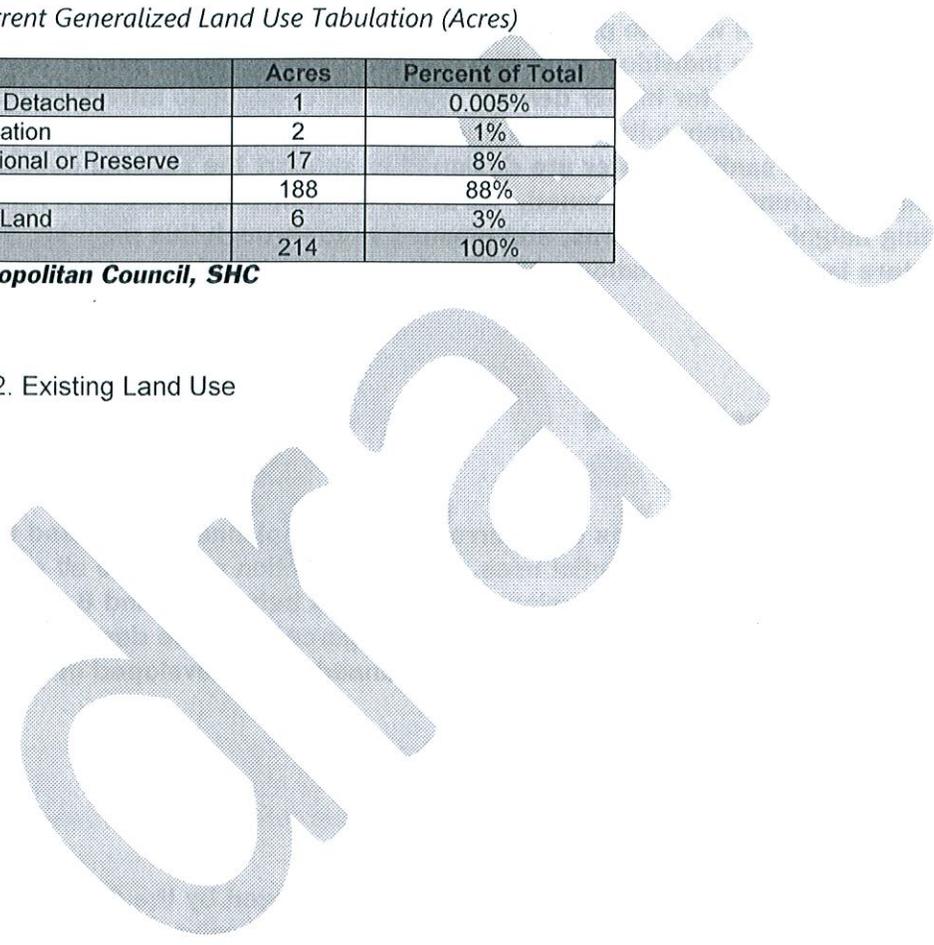
Table 2-2 identifies the existing land uses in the community, and calculates the total acres and percentage composition of each land use.

Table 2-2. Current Generalized Land Use Tabulation (Acres)

Land Use	Acres	Percent of Total
Single Family Detached	1	0.005%
Seasonal/Vacation	2	1%
Park, Recreational or Preserve	17	8%
Institutional	188	88%
Undeveloped Land	6	3%
TOTAL	214	100%

Source: Metropolitan Council, SHC

Insert Map 2-2. Existing Land Use



Future Land Use

As identified in the goals and objectives of this Chapter, the City is committed to maintaining the existing neighborhood patterns and uses in the community. As a fully developed community, Birchwood's focus is primarily on maintaining the existing homes and neighborhoods and ensuring that the existing character and uses continue to define the City through this planning period. Since the community's priority is to remain relatively unchanged through this planning period, the Future Land Use plan contained in this chapter directly responds to the intent of Birchwood to continue to be a primarily single-family residential community.

To that end, the community has guided the majority of its future land uses for low density residential uses, that will work to preserve existing neighborhood patterns even if redevelopment occurs on individual lots. The City does not intend to permit or re-guide any land within the community for higher density residential uses, or to introduce commercial or business uses into the community. This is because current infrastructure including roadways, water, and sanitary sewer are designed to support the existing development and no significant improvements are planned. As such, the future land uses are reflective of the City's existing neighborhood patterns, and planned uses through this planning period. The following future land use designations describe the intended land use patterns for this planning period.

Future Land Use Designations

Low Density Residential (LDR)

This land use designation identifies land currently used or planned to be used for predominantly single-family residential uses. This designation applies to all of the City's existing neighborhoods which are developed at densities between 3 and 6 dwelling units per acre. Any redevelopment, or development of vacant parcels, will be developed at densities consistent with this density designation and are planned to be developed at densities no less than 5 dwelling units per acre.

Institutional

Land that is used for municipal buildings.

Parks/Open Space

Land designated as park or open space is owned and managed by the City of Birchwood Village. Land within this designation is used for active and passive recreational uses, included trails, parks, open spaces and wetland areas.

Right-of-Way (ROW)

Land used exclusively for roadways/right of ways.

Table 2-3. Future Land Use Total Acreage

Future Land Use	Residential Density	Acres	Percent of Total
Low Density Residential	2.5 – 5.0	169.98	78.9%
Institutional	NA	0.80	0.4%

Parks/Open Space	NA	10.29	4.8%
ROW	NA	33.21	15.5%
TOTAL		214.28	100%

Source: City of Birchwood Village, SHC

Table 2-4. Future Land Use Forecast Acreage per Decade

Future Land Use	Residential Density	2020 Acres	2030 Acres	2040 Acres
Low Density Residential	2.5-5.0	169.98	169.98	169.98
Institutional	NA	0.80	0.80	0.80
Parks/Open Space	NA	10.29	10.29	10.29
ROW	NA	33.21	33.21	33.21
Total		214.28	214.28	214.28

Source: City of Birchwood Village, SHC

Insert Map 2-3. Future Land Use Plan

Areas Planned for Change or Redevelopment

How much private open space is still available

The City of Birchwood Village is considered fully developed and the only opportunity for change in the community would be due to redevelopment. The City's Future Land Use plan guides the majority of the land within the community for low density residential uses and plans for the continuation of the existing uses through this planning period. While the existing land use pattern is planned to continue, the City will likely continue to see more modest changes such as remodels and additions. While these activities do not constitute a change in use, remodeling and additions does have the potential to alter the character of the community. In addition, there is the potential for tear downs of existing homes and redevelopment of individual lots or the assembly of a collection of lots for redevelopment. These activities have not occurred frequently, however, depending on market conditions the pressure and interest for redevelopment could become more frequent. If and when redevelopment is proposed, the City will follow this Comprehensive Plan and will continue to reinforce the single-family residential neighborhood patterns of the community. Finally, while there are no currently known development or redevelopment plans, at time of redevelopment the City will continue to prioritize and focus on the preservation, enhancement and protection of the City's natural resources.

List of Maps & Figures to Attached/Included in Chapter:

Figure 2-1: Community Designation

Figure 2-2: Existing Land Use

Figure 2-3: Future Land Use Plan

CHAPTER 3: HOUSING

Introduction

The City's housing stock defines the community's village character since Birchwood is entirely developed for residential use and there are no independent commercial or businesses uses permitted in the community. Because the principal land use is residential understanding the existing housing stock and planning for its future becomes central to the long-term sustainability of the community.

The purpose of this housing chapter is to present and describe the City's existing housing stock, and to use the information as a basis from which to plan for future housing needs in the community. Although the City's households and population are anticipated to stay relatively unchanged over this planning period, that does not mean that there will not be any changes to the housing stock. As described in subsequent sections of this chapter, the City's housing stock is aging which means that maintenance, rehabilitation, remodeling and in some case redevelopment of existing lots are likely to become more prevalent.

Information contained in the following sections is a compilation of data collected primarily from the US Census, American Community Survey and the Metropolitan Council. Because the City is small, sometimes the information from these resources does not adequately describe the challenges and opportunities Birchwood faces, and therefore the data collected from these resources is supplemented with information from the City.

Housing Goals & Principles

An important element of the housing plan is to establish a set of principles and goals to help guide the City through this planning period. The City identified a set of guiding principles as part of the 2030 Comprehensive Plan that have been updated to reflect the community's direction for 2040. The housing principles and goals established by the City are as follows:

1. Continue to support efforts to maintain a balanced housing supply and will focus on opportunities to provide housing for people at all income levels.
2. Embrace and welcome diversity in all of its neighborhoods and will support such diversity in both owner-occupied and renter-occupied housing.
3. Encourage and promote lifecycle housing within the existing housing stock, and in any new or redeveloping areas of the community.
4. Maintain and enhance the existing housing stock and neighborhoods to promote the long-term sustainability of the community.
5. Maintain and support the City's current level of housing affordability. - how?
6. Protect the existing single-family detached housing density and neighborhood quality.

In addition to the City's identified goals and principles, the community must consider and address the housing policies and directives established by the Metropolitan Council for Suburban Communities as described within the 2015 Birchwood Village System Statement. The defined role includes the following housing practices that may be applicable for Birchwood Village:

WHICH LAND?

- ♦ Designate land in the comprehensive plan to support household growth forecasts and address the community's share of the region's affordable housing need through development and redevelopment at a range of densities.
- ♦ Use state, regional, and federal sources of funding and/or financing and development tools allowed by state law to facilitate the development of new lifecycle and affordable housing.
- ♦ Plan for affordable housing that meets the needs of multigenerational households.
- ♦ Invest in and expand regional systems to support redevelopment in communities that partner in the preservation and expansion of housing choices.

Because the City is fully developed there are few, if any, opportunities for redevelopment in the community particularly given the existing land use pattern. However, the City will consider and evaluate any new proposed development for consistency with the Metropolitan Council's roles and the City's identified principles and goals.

Existing Housing Stock

Overview of Birchwood Village's Residential Neighborhoods

The City of Birchwood Village's residential neighborhoods have evolved over time transitioning from primarily seasonal/vacation cottages to permanent residences that now make up the majority of the City's housing stock. Though the community is relatively homogenous in the land use, which is dominated by single-family detached product, there is a little bit of every housing style available in the community. The diversity of housing contributes to the City's 'village' character since no two streets or blocks look the same. Lots and homes were built and developed at different times with some areas filling in over the span of several decades which results in a development pattern that feels more organic, which is a contrast to some of Birchwood's more suburban neighbors. This development pattern has resulted in an existing supply that is both unique and aging. The following existing characteristics of Birchwood's housing supply provide a baseline from which the City can consider potential housing needs and demands.

Housing Stock Statistics

According to the data from the Metropolitan Council and the City of Birchwood Village, there are 369 housing units in the City as of 2016. As a fully developed community, new residential development in Birchwood has been limited since the 1990s, and since 2000 only 15 new units have been constructed which were likely the replacement of an existing home or cabin.

Housing Tenure

Of the 369 units, 342 units (93.2%) are owner-occupied, and 25 units (6.8%) are rented according to data from the Metropolitan Council (Table 3-1).

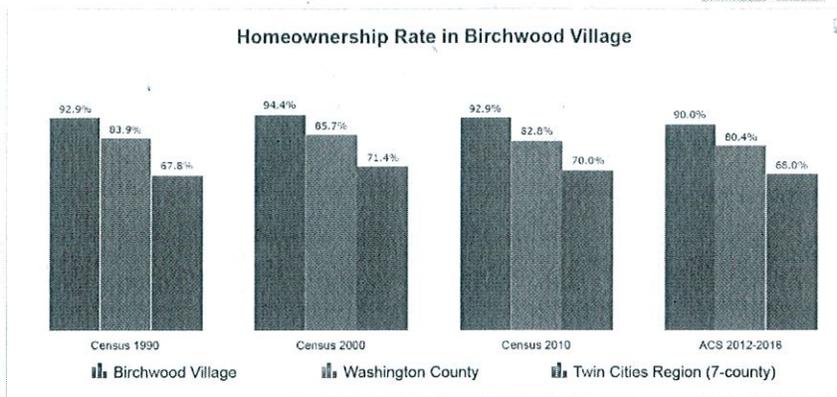
Table 3-1: Housing Tenure 2016

Ownership Units	Rental Units	Total Units
344	25	369

Source: Metropolitan Council

The City's distribution of owner-occupied units to renter-occupied units is significantly higher than the ratios experienced in both Washington County and the 7-county metropolitan area as shown in Figure 3-1. As shown, the Birchwood's home ownership rate was approximately 90% in 2012 as compared to 80% in Washington County and 68% in the 7-County metropolitan area. Some of the reason for Birchwood's higher home ownership rate is likely due to the lack of availability of multi-family housing which is more commonly associated with renter-occupied units, but it is also likely an indicator of relatively high housing values within the existing single-family housing stock.

Figure 3-1. Housing Tenure of City, Washington County and 7-County



Source: Metropolitan Council, US Census, 2012-2016 ACS

Housing Type

Correlated to housing tenure is housing type. Overall, Birchwood Village is not balanced with respect to its housing stock as it is predominantly single-family homes (93%). Even though the housing stock is unbalanced, this is not a cause for concern because of the relatively small number of units and size of the community. There are a limited number of multi-family housing units which provide some housing choice within the community.

Table 3-2: Housing Type

Single-family Units	Multi-family Units	Manufactured Homes	Other	Total Units
350	19	0	0	369

Source: Metropolitan Council

Year Built

Nearly 80% of Birchwood's housing stock (288 units) is more than 45 years old. Because of the age of structures in the community, it will be important to track the conditions of the older homes because they are at-risk of deferred maintenance, which can rapidly result in critical structural problems or accelerate major remodel/tear-downs. At the same time, well-maintained older housing can be an important source of entry-level housing particularly if they have not experienced major remodeling and additions. It will be important for the

City to monitor the condition of the older housing stock considering its desire to maintain housing and neighborhood quality, as well as retain some affordability in the community.

Housing Affordability

The Metropolitan Council considers housing affordable when low-income households are spending no more than 30 percent of their income on housing costs. Households are considered low-income if their income is at or below 80 percent of the metropolitan area's median income (AMI).

In Birchwood, the housing stock is becoming increasingly less affordable, particularly as major remodeling, tear downs and improvements become more prevalent. As of 2016 the Median home value in Birchwood Village was approximately \$321,000, which far exceeds the median 7-County Metropolitan Area sales price of \$247,900 for a single-family home (Minneapolis Association of Realtors). As shown on Map 3-1, the majority of the more expensive housing units are located along the lake frontage, which have experienced the most significant remodeling over the past several decades. However, as of 2016, there remains a portion of the existing housing stock that meets the Metropolitan Council's criteria for affordability as demonstrated in Table 3-3.

Table 3-3: Affordability of Units by Income Level

	Birchwood Village	% of All City Housing Units	Metro Area % of all Housing Units
Units affordable to households with income at or below 30% of AMI	4	1%	6.5%
Units affordable to households with income 31% to 50% of AMI	2	>1%	21.8%
Units affordable to households with income 51% to 80% of AMI	76	20.6%	39.9%
Total Units at or below 80% AMI	82	22.2%	68.3%

Source: Metropolitan Council (2016 and 2017 Metro GIS Regional Parcel Data; US Census, 2012-2016 ACS)

Based on information collected nearly a quarter of the City's owner-occupied units are affordable at or below 80%, which given the City's relatively small size, represents a fairly significant proportion of units. Due to the reasonable rate of affordability, coupled with the City's unlikeliness to redevelop, the Metropolitan Council has not allocated a need for new affordable housing units in Birchwood Village through 2040.

Although Birchwood Village has a reasonable proportion of affordable units per the Metropolitan Council's definition, there are some observable trends that suggest that the cost of housing in the Village could rise rapidly in the community-years making the community less affordable. Market pressure in the for-sale housing market throughout the region has experienced significant increases in the past couple of years. Since Birchwood is dominated by owner-occupied/for-sale housing the regional market trends have the potential to significant impact the community's long-term affordability. The City is likely to continue to face pressure for tear-downs/rebuilds given the proximity to the lake. Not only will increased investor interest raise prices, but new or significant rebuilt homes that are much larger will also result in market wide increases. The trends are important to consider if, and when, new policies are implemented that could impact housing in the community.

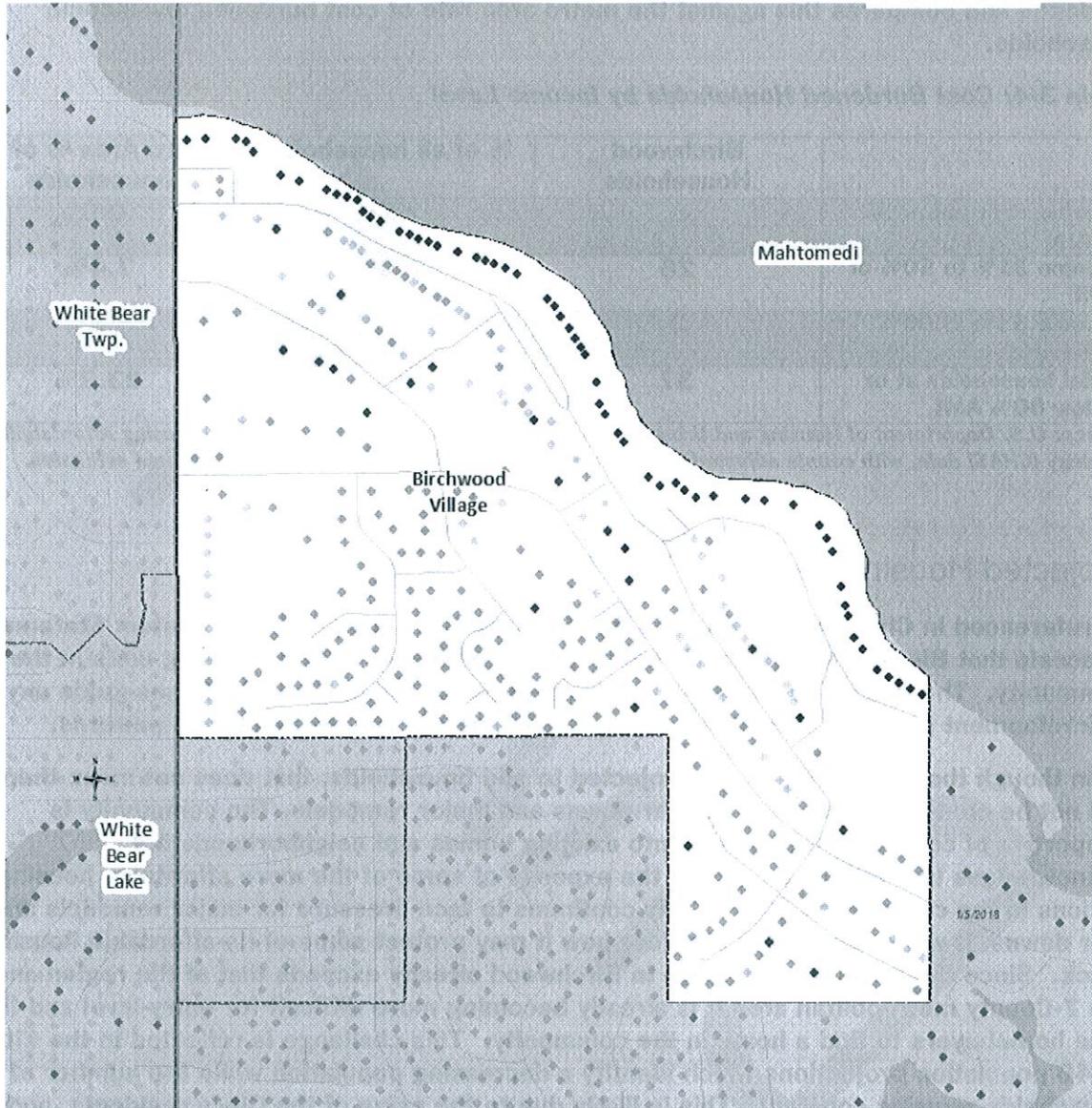
سود

but is it needed?

coming?

Owner-Occupied Housing by Estimated Market Value

Birchwood Village



- County Boundaries
- City and Township Boundaries
- Streets
- Lakes and Rivers

**Owner-Occupied Housing
Estimated Market Value, 2016**

- \$243,500 or Less
- \$243,501 to \$350,000
- \$350,001 to \$450,000
- Over \$450,000

1 in = 0.13 miles

Source: MetroGIS Regional Parcel Dataset, 2016 estimated market values for taxes payable in 2017.

Note: Estimated Market Value includes only homes leasled units with a building on the parcel.

Cost Burdened Households

Cost burden is the proportion of household income spent toward housing and utilities. When lower income households spend more than 30 percent of their income toward housing and utilities this burden is considered excessive because it begins to limit the money available for other essentials such as food, clothing, transportation, and healthcare. Table 3-4 presents the number and percentage of low-income Birchwood households that are cost burdened and compares this against the metro area rate of cost burdened low-income households.

Table 3-4: Cost Burdened Households by Income Level

	Birchwood Households	% of all households	Metro Area % of all households
Income at or below 30% of AMI	8	2.2%	10.0%
Income 31% to 50% of AMI	26	7.0%	7.4%
Income 51% to 80% AMI	3	0.8%	5.8%
Total households at or below 80% AMI	37	10.0%	23.2%

Source: U.S. Department of Housing and Urban Development, 2010-2040 Comprehensive Housing Affordability Strategy (CHAS) data, with counts adjusted to better match Metropolitan Council 2016 household estimates.

Projected Housing Needs

As referenced in Chapter 2: Land Use, the Metropolitan Council's 2015 System Statement forecasts that Birchwood Village will not expand the number of total housing units in the community. The existing community is fully developed, and planned land uses guide any redevelopment to occur consistent with existing land use and neighborhood patterns.

Even though the community is not projected to add households, that does not mean there will not be continued pressure for tear downs and major remodels. The community is supportive of continued investment into existing homes and neighborhoods but acknowledges that this may come at the expense of some of the more affordable housing options in the community. As the City continues to face pressure for major remodels and tear downs, it will evaluate and consider how it may protect some of its affordable housing stock. Since the median home price in Birchwood already exceeds that of the region and the 7-County metropolitan area it is already becoming more difficult for entry-level and first-time homebuyers to find a home in the community. This challenge is reflected in the City's 2040 population projections which identify a decreasing population while the number of households remains constant. This is likely due to the aging of the City's residents, and lack of opportunity for younger family to move into the community. Over this planning period, the City will work to identify ways to encourage a more diverse housing pattern that will support a more diverse demographic to help ensure the long-term sustainability of the housing stock and community overall.

Housing Implementation Program

The housing implementation program for Birchwood Village will seek to support the City in succeeding with its housing goals. There is little space for any new development, so it is a priority that the City maintains the prevailing homes. The following table outlines a variety of resources and tools the City can use to assist in meeting housing needs.

Table 3-5: Implementation Tools

Housing Goal	Tool/Resource/Strategy	Description
Maintain and support the City's current level of housing affordability.	Washington County Community Development Agency (CDA)	Given the limited staff of Birchwood Village, regularly coordinate with the Washington County CDA to best align their resources with the City's housing needs and goals. The CDA has capacity, funding resources, and expertise to assist smaller communities with their housing needs.
	Referrals	Review and update reference procedure and training for applicable staff, including a plan to maintain our ability to refer our residents to any applicable housing programs outside the scope of our local services.
	Foreclosure Prevention	Work with the Washington County CDA and other agencies on foreclosure prevention strategies
Maintain its single family detached housing density.	Zoning and Subdivision Ordinances	Review zoning and subdivision ordinances to identify any regulations that inhibit the housing priorities in this document.
Maintain and enhance the exiting housing stock and neighborhoods to promote the long-term sustainability of the community.	Home ownership rehabilitation, home improvement, and energy-efficient local programs. Housing rehabilitation programs funded locally. Community Clean-Up Days	Work with agencies, including banks, Washington County CDA, etc., to help support resident's efforts to maintain and repair homes.

CHAPTER 5: SURFACE WATER

Introduction & Purpose

This section of the Birchwood Village 2040 Comprehensive Plan serves to outline surface water management in the City for the purpose of conserving, protecting, and maintaining the quality of surface waters, ground water, and natural resources. The City is positioned to follow water management strategies and regulations set forth by the governing watershed district, Rice Creek Watershed District (RCWD). The Metropolitan Surface Water Management Act of 1982 identifies local watershed management organization or watershed districts as the primary organization to prepare and implement comprehensive surface water management plans for local units of government in the seven-county metro area.

The goals of the Metropolitan Surface Water Management Act are to:

- protect, preserve, and use natural surface and groundwater storage and retention systems;
- minimize public capital expenditures needed to correct flooding and water quality problems;
- identify and plan for means to effectively protect and improve surface and groundwater quality;
- establish more uniform local policies and official controls for surface and groundwater management;
- prevent erosion of soil into surface water systems;
- promote groundwater recharge;
- protect and enhance fish and wildlife habitat and water recreational facilities; and
- secure the other benefits associated with the proper management of surface and groundwater.

(source MN Board of Water and Soil Resources, www.bwsr.mn.us)

This ~~plan~~ chapter therefore recognizes that the City of Birchwood Village follows and incorporates by reference the policies, standards, and procedures for surface water management required by the RCWD and that meet the provisions of Minnesota Statutes §473.157 and §103B.235, Minnesota Rules 8410.

Other organizations with jurisdictional influence for surface water management include Washington County, the Metropolitan Council, State of Minnesota Agencies such as the Minnesota Pollution Control Agency (MPCA), the Minnesota Department of Natural Resources (MN DNR), the Minnesota Department of Health (MDH), and the Board of Soil and Water Resources (BWSR), plus Federal Agencies, most notably the Environmental Protection Agency (EPA) where applicable.

Birchwood Village Local Surface Water Management Plan

Plan Summary

As part of Thrive MSP 2040, the Metropolitan Council adopted a water resources policy plan with policies and strategies aimed to achieve the following goal for water management: "To protect, conserve, and utilize the region's groundwater and surface water in ways that protect public health, support economical growth and development, maintain habitat and ecosystem health, and provide for recreational opportunities, which are

MANAGE

1

essential to our region's quality of life." The City of Birchwood Village strives to match this goal through the implementation of policies and practices initiated by the City and also through the goals and policies of the Rice Creek Watershed District. Birchwood Village falls completely within Rice Creek Watershed District (RCWD), and watershed management plans and standards for the RCWD are adopted and incorporated by reference herein.

The single greatest issue facing the City is the problems associated with stormwater runoff—especially runoff into White Bear Lake. Since Birchwood Village is considered built-out, there is little potential for significant increases of impervious surface creating greater rates of runoff if current development and infrastructure patterns are maintained. However, pollutants entering the lakes and wetlands untreated are still an area of concern as much of the area was developed before surface water rose to the level of current concern. The City has plans in place to address such concerns as described to follow. *below 2*

CAN WE CREATE MORE OPEN NON IMPERVIOUS AREAS?

This Section of the 2040 Comprehensive Plan for Birchwood Village serves as the Local Surface Water Management Plan (LSWMP) to guide the protection and management of surface waters, ground water, and related natural resources in the City and meets the requirements of applicable state statutes, the Metropolitan Council, and the local ~~watershed district~~ *RCWD* (Rice Creek Watershed District). The LSWMP is intended to comply with current regulations and requirements of these organizations.

Local Water Management Responsibilities and Related Agreements

The City is wholly within the Rice Creek Watershed District which requires permits for development, redevelopment and land disturbing activities. The Rice Creek Watershed District has adopted rules ~~which~~ *that* require permit applicants to address storm water management, including volume and rate control, water quality, erosion and sediment control, wetlands, and floodplain. The ~~Rice Creek Watershed District~~ *RCWD* is also the designated Local Unit of government for purposes of the State of Minnesota Wetland Conservation Act. Birchwood Village requests RCWD to continue to implement these rules and regulations and issue permits for the City.

Table 5-1. Surface Water Jurisdiction within the City of Birchwood Village

Management Entity	Jurisdiction
US Army Corp of Engineers	All jurisdictional wetlands
MNDNR	DNR protected waters & wetlands extending to the ordinary high-water elevation or top of stream banks
MPCA	Water quality through 401 certification and NPDES
Rice Creek Watershed District <i>RCWD</i>	All wetlands and activities that interact with surface waters
City of Birchwood Village	Activities that affect wetlands and surface water

Plan Revisions and Amendment Procedures

From time to time

To keep current with local practices and policies and address unintended issues, the City may need to revise and update its LSWMP. Written petitions from residents for amendments must be submitted to City staff and provide supporting information for the request. City staff may also propose amendments. Any amendments deemed feasible by the City must be approved by RCWD before adoption into the Plan.

PHYSICAL ENVIRONMENT AND LAND USE

Existing & Future Land Use and Physical Environment

Birchwood Village was incorporated in 1921 and consists of approximately 250 acres on the south shore of White Bear Lake in Washington County and is fully within the jurisdiction of Rice Creek Watershed District. The City is considered fully developed and is home to approximately 800 residents. The existing and future land use is dominated by residential uses, with a small percentage of the land use for right-of-way, roadways, parks and open space. (See Map 2-1. Existing Land Use Map, 2018 and Map 2-2. Existing Zoning Map, 2018.) The population and development in the City is expected to remain relatively unchanged during this planning period, with only small in-fill or redevelopment anticipated at current densities. (See Map 2-3: Future Land Use Map, 2018.)

The physical environment of Birchwood Village is primarily a wooded setting of cottages and homes tucked into the trees and along the lakeshore. Topography is generally flat with small areas of sloped land along the shores of White Bear Lake. There is only one public water body in Birchwood Village outside of adjacent White Bear Lake called Hall's Marsh. (Lost Lake is just outside Birchwood Village boundaries.) A small wetland complex located on the east side of the City between Lake Avenue and Hall Avenue. It is adjacent to the local park in the City, Tighe-Schmitz Park, just inland from the White Bear Lake. Vegetative cover in the City is consistent with lake area communities and described by the Minnesota Land Cover Classification System (MLCCS) (See Map 5-1. Minnesota Land Cover Classification System MLCCS.) More information about the topography, geology, soils, and climate can be found in the Rice Creek Watershed District Watershed Management Plan, accessible online here: <http://www.ricecreek.org>

Hall's Marsh's...

*Where is this S-1 map?
Why not describe it here?*

Surface Water and Stormwater Drainage

Birchwood Village is in the Clearwater Creek sub-watershed of the RCWD. Information about the volumes and rates of stormwater runoff in the City can be found in the RCWD's Watershed Management Plan and the RCWD's hydraulic and hydrologic modeling for this sub-watershed. Map 5-2. RCWD Clearwater Creek Sub-watershed Drainage Map, which illustrates the drainage areas and paths within the sub-watershed. Current modeling does not indicate issues with existing or future increased runoff within the City. More information can also be found online at <http://www.ricecreek.org> in the RCWD Future Conditions Modeling Report, February 2016.

*Where is this map?
S-2 is sump related.*

The City is responsible for following standards that prevent or mitigate pollutants as a result of development, new construction, remodeling or re-development. All new development, new construction, remodeling or re-

MPCA

3

development must conform to the National Urban Runoff Standards (NURP) standards, NPDES-SWPPP, the MS4 Permit, and the Minnesota Pollution Control Agency's best management practices for erosion and sedimentation control. The City's SWPPP and MS4 are included in the Appendix for reference.

Some streets in Birchwood Village are constructed with rural road sections and runoff primarily drains to street edges, swales, and vegetated shoulders. There are several catch basins and swales that drain directly to White Bear Lake. Changes to some of these have improved the quality of runoff water reaching the lake and are described below.

In 1965, in conjunction with the construction of some newly curbed streets, runoff was concentrated to the point where storm sewer culverts became necessary at a few locations to prevent erosion or to conduct runoff through park areas where the presence of open ditches was considered undesirable.

*considered on
none needed*

No additional need for storm sewers was determined until the early 1970's when residential development in new areas began to precipitate concerns about increasing runoff rates. In 1974, in conjunction with the platting of Birchwood Ridge #2, a 20-foot wide public easement was provided to enable future construction of a storm sewer along White Pine Lane and Grotto Street to the lake. In early 1980's, the Priebe Lake Outfall project was constructed in this area by the Rice Creek Watershed District. Priebe Lake lies within the City of White Bear Lake, but the outfall passes through Birchwood Village to Hall's Marsh.

RWD

Public Waters

There are three waterbodies listed by the City as public waters:

- White Bear Lake DNR ID #82-167 OHW 924.7ft
- Hall's Marsh DNR ID #82-480W OHW 924.7ft
- Lost Lake DNR ID #82-124 OHW 925.6ft

Lost Lake is located outside the City boundaries, but some runoff from the immediate area drains to the water body and is therefore included within the City's inventory.

Within the boundaries of Birchwood Village there is only one body of water that is listed on the 303d impaired waters list: White Bear Lake (MPCA www.pca.state.mn.us). The lake is listed as impaired water 82-0167-00 under the use classes of 2B and 3C. Lost Lake is located just outside of the City's south-eastern boundary but is also listed as an impaired water as 82-0134-02 under the use class of 2B and 3C.

Groundwater

The City of Birchwood Village follows regulations and standards for groundwater protection, preservation, and use from various state and local agencies charged with monitoring and regulating water quality and consumption. These agencies include:

- The MPCA, which monitors water quality and enforces laws relating to water pollution.

- The Minnesota Geological Survey which compiles a state inventory of groundwater resources.
- The ~~X~~DNR which regulates the usage rate and volume of drinking water. Domestic water use is regulated with permits. Use in excess of 25 people or use that exceeds 10,000 gallons per day or 1,000,000 gallons per year must obtain a water appropriation permit from the ~~X~~DNR.
- The Minnesota Department of Health (MDH) is responsible for environmental groundwater quality protection and facilitates well abandonment and installation of new wells.
- Rice Creek Watershed District is generally responsible for groundwater protection and use along with their role in cooperating and assisting state agencies in groundwater protection efforts.

either spell out all the agencies or don't.

Washington County developed the Washington County Groundwater Plan that provides a county-wide structure for preserving and protecting the county's groundwater supply. The groundwater plan can be found online at <https://www.co.washington.mn.us/DocumentCenter/View/794>.

Birchwood Village is fully within the ^{CO?}MUS~~S~~ and serviced with municipal water and sanitary sewer. Private septic systems are not a concern for groundwater issues in this area.

EXISTING AND POTENTIAL WATER RESOURCE-RELATED PROBLEMS

Existing Water Resource Problems

As noted, the City is located adjacent to White Bear Lake. White Bear Lake is listed on the MPCA 303d Impaired Waters list for mercury. There are currently state laws that require households to recycle fluorescent lamps, ban items that contain mercury in toys, games, apparel, and thermometers, and require removal prior to demolition of homes. Birchwood Village will promote the proper disposal of items that contain mercury.

Birchwood Village directly discharges storm water runoff to White Bear Lake at several points along the northwest side of the City. At most of these points sediment in the storm water runoff enters the lake without any prior treatment. A program was begun in 2007 to install storm sewer structures with sumps prior to the outlet point. The storm sewer outlets located at the Birch Easement and Elm Easement have had structures installed.

A large amount of storm water runoff enters directly into White Bear Lake at the intersection of East County Line Road and County Road F. This runoff is heavily loaded with nutrients and sediment. The City recently partnered with Ramsey County to install a structure at this location to retard and treat storm water running off County 120 into White Bear Lake.

we did? when?

In recent years, the City has constructed multiple smaller projects to address storm water issues. The first, completed in 2002, consisted of installing a baffle on an outlet from the two catch basins on Oakridge Drive. This baffle is designed to slow down the stormwater velocity coming out of the outlet, which drains into a

swale running along property lines of homes in the City of White Bear Lake. A permanent erosion control blanket was installed along this swale in 2005.

In 2006, the City installed a concrete cable swale along Birch Easement. This swale is designed to remove sediment from the stormwater runoff while it is traveling through the swale, which in turn reduces the amount of sediment entering White Bear Lake. The construction of this concrete swale also created a walking trail along the easement, since it eliminated the need for the existing bituminous swale to convey the stormwater.

is the the riprap b/w Birch & owl Streets?

In 2007, three existing catch basins were removed along Wildwood Avenue and the Elm Beach Easement and replaced with new catch basins that have 4-foot sumps incorporated in them. These 4-foot sumps will trap sediment in the catch basin, which will diminish the amount of sediment entering White Bear Lake. Birchwood has outlined a maintenance schedule to clean structures with sumps every fall and spring.

new raingarden @ Birch Easement Aug 2018

In 2013, the City conducted inspections of all sumps to determine if cleaning or structural maintenance was required. The and condition of each sump can be viewed in the table below. All but three sumps required cleaning, and none required any structural maintenance.

inspections are ongoing - send 2018 inspection.

Table 5-2. 2013 Sump Inspection Report

Number/Location	Depth Below Outlet Pipe	Cleaning Required	Date	Condition of Structure/Maintenance Needed
West of Elm	2'	Yes	4/28/13	OK
165 Wildwood	0	Yes	4/28/13	OK
Hockey Rink	4.5'	No	4/28/13	OK
West of Birch Easement	2'	Yes	4/28/13	OK
At Birch Easement	2'	Yes	4/28/13	OK
At Elm Easement	2'	Yes	4/28/13	OK
East of Elm Easement	6"	Yes	4/28/13	OK
North End of Tighe Schmitz Park	4'	No	4/28/13	OK
Cedar Street and Hall Ave	0.5'	Yes	4/28/13	OK
West side of Grotto Street and Wildwood	2-3'	No	4/28/13	OK

Source: City of Birchwood Village Sump Inspection Report, Dated 4/28/13.

= Grotto here the newest one

The City of Birchwood Village continues to plan for the removal and replacement of existing catch basins with structures that include sumps to promote sediment reduction. There are approximately 12 catch basins/inlets that could be reconstructed at an approximate construction cost of \$5,500 each. To ensure that the project is of adequate size, the City will complete a minimum of three catch basin reconstructions with each project.

Birchwood Village installed a rainwater garden along Birch Easement in 2004. This garden collected substantial sediment from the roadway, which limited the effectiveness of the garden. The installation of the catch basins with sumps will aid in alleviating the amount of sediment entering the garden. The rainwater garden was replanted in 2008 and will be monitored.

The City has two public roadways adjacent to Halls Marsh, Iris Street and Lake Avenue. The roads run alongside the marsh for approximately half of the perimeter and the storm water runoff is directed to the marsh through the existing drainage patterns. There is also a culvert from Tighe-Schmitz Park that directly discharges into Halls Marsh. As part of a future street project, treatment of the storm water runoff is desired in order to promote a reduction in the sediment and nutrient loaded water from entering Halls Marsh. Possible government entities that may be involved with reducing the storm water runoff could be: Mahtomedi, Birchwood Village, Rice Creek Watershed District, and the White Bear Lake Conservation District. *- Wash. Cty. Conserv. Dist.*

In May of 2017, the Washington ~~Conservation~~ District prepared the SE White Bear Lake Stormwater Retrofit Analysis for the Rice Creek Watershed District. This document analyzed and provided a prioritized list (ranked by cost effectiveness) of stormwater retrofit recommendations to improve the treatment of stormwater runoff in several drainage areas connected to White Bear Lake, Lost Lake and Lake Washington. The analysis considers all of Birchwood Village's runoff areas (catchments) and provides a detailed analysis with recommendations. Note that these catchments are not official and were created in order to rank practices more effectively by geographic area. The existing stormwater management practices within each catchment were analyzed for the annual pollutant loading of the following: Total Phosphorous (TP), Total Suspended Solids (TSS), and Water Quality Volume (WQV). (See Map 5-3, Catchment Analysis Map)

Table 5-3. Catchment Analysis Results

Project Rank	Catchment ID Lake-##	Retrofit Type	Projects Identified	TP Reduction (lb/yr)	TSS Reduction (lb/yr)	Volume Reduction (ac-ft/yr)	Total Cost	Annual Operations & Maintenance (2017 Dollars)	S Cost /lb-TP/year (10-year)	S Cost/ton-TSS/year (10-year)
1	LOST-01	Increased Street Sweeping to 4x per year	1	2.78	1209	0.00	\$784	\$0	\$28	\$130
2	WBL-02	Increased Street Sweeping to 4x per year	1	1.30	520	0.00	\$672	\$0	\$56	\$258
3	WBL-10	Increased Street Sweeping to 4x per year	1	1.07	464	0.00	\$820	\$0	\$77	\$354
4	WBL-04	Increased Street Sweeping to 4x per year	1	0.96	416	0.00	\$781	\$0	\$81	\$375
5	WBL-03	Increased Street Sweeping to 4x per year	1	0.50	216	0.00	\$798	\$0	\$160	\$739
6	WBL-05	Increased Street Sweeping to 4x per year	1	0.29	128	0.00	\$730	\$0	\$252	\$1,140
7	WBL-05	Increased Street Sweeping to 4x per year	1	0.26	114	0.00	\$721	\$0	\$277	\$1,265

8	WBL-04	BMP 29: Expand SAFL Baffle to Grit Chamber	1	1.99	691	0.00	\$8,100	\$200	\$528	\$3,730
9	WBL-03	BMP 0: Pipe Repair + Grit Chamber	2	2.28	1012	0.00	\$15,325	\$200	\$760	\$3,424
10	WBL-02	BMP 5: BioFiltration Basin	1	2.86	851	0.71	\$17,658	\$450	\$775	\$5,208
11	WBL-10	BMP 6: BioFiltration Basin in Park	1	3.81	849	0.95	\$23,050	\$750	\$802	\$7,197
12	WBL-06	BMP 31: Infiltration Basin South of Cedar Lower	1	1.23	464	0.19	\$9,104	\$225	\$923	\$4,894
13	WBL-05	BMP 4: BioFiltration Basin	1	1.53	588	0.99	\$10,291	\$400	\$934	\$4,861
14	WBL-04	BMP2: BioFiltration Basin in Front Yard	1	2.91	871	1.19	\$23,554	\$200	\$1,167	\$5,868
15	WBL-02	BMP:38-42: Swale with Riprap Sump	1	1.23	395	0.33	\$9,308	\$900	\$1,485	\$9,270
16	WBL-04	BMP3: Expand Swale and Sump	2	0.40	169	0.34	\$5,000	\$100	\$1,508	\$7,101
17	WBL-04	BMP30: Bioinfiltration Basin in Woods	1	1.27	478	0.64	\$18,950	\$200	\$1,648	\$8,766
18	WBL-06	BMP 33: Infiltration Basin North of Cedar	1	0.73	321	0.34	\$9,920	\$300	\$1,763	\$8,050
19	WBL-06	BMP 31 +32 ALT Combined	2	1.49	583	0.68	\$21,894	\$600	\$1,873	\$9,569
20	WBL-06	BMP 32: Infiltration Basin South of Cedar Upper	1	0.57	236	0.31	\$14,940	\$375	\$3,262	\$15,839
21	WBL-03	BMP 1: Curb Cut Raingarden	1	0.70	65	0.00	\$20,086	\$525	\$3,619	\$77,957
22	WBL-02	Typical Shoreline Restoration	20	3.00	500	0.00	\$73,400	\$5,850	\$4,397	\$52,760

Source: RCWD Management Plan, 2010

GOALS AND POLICIES

Water Sustainability Goals

The water sustainability goals of Birchwood Village are in part shaped by the policy designations the City is required to meet as part of the Metropolitan Council's Thrive MSP 2040 Water Sustainability Policy as provided within the 2015 Birchwood Village System Statement. Birchwood Village falls into the Suburban Community Designation and with that includes the following water sustainability practices:

- Implement best management practices to control and treat storm water as redevelopment opportunities arise.
- Explore alternative water supply to ensure adequate water resources beyond 2040.

Surface Water Management Policies

1. Designate wetland alteration and mitigation requirements consistent with the Wetlands Conservation Act to Rice Creek Watershed District. *Do we HAVE MORE WETLANDS TO DESIGNATE?*
2. Implement the Rice Creek Watershed District's Watershed Management Plan.
3. Enforce the Minnesota Pollution Control Agency's urban best management practices, titled Protecting Water Quality in Urban Areas to reduce non-point source pollutant loadings in storm water runoff.
4. Require that storm water ponds meet the design standards of the National Urban Runoff Program; and
5. Enforce shore land management regulations of the Minnesota Department of Natural Resources.
6. Implement MS4 Permit and SWPPP best management practices.
7. The City of Birchwood reviews all building and land disturbance permits under one acre. Rice Creek Watershed District reviews permits required for land development plans greater than 1 acre or having shoreland disturbance. Before the City gives its final approval the resident must obtain the required permits from the watershed district.
8. The City requests the RCWD continue to implement its rules and regulations and issue permits within the municipal boundaries of Birchwood Village.

General Standards for the City to meet compliance with RCWD rules and regulations include the following:

1. When possible, existing natural drainage ways, wetlands and vegetated soil surfaces must be used to convey, store, filter, and retain storm water runoff before discharge to public waters.
2. Development must be planned and conducted in a manner that will minimize the extent of the disturbed areas, runoff, velocities, erosion potential, and reduce and delay runoff volumes.
3. When development density, topographic features, and soil and vegetation conditions are not sufficient to adequately handle storm water runoff using natural features and vegetation, various types of constructed facilities such as diversions, settling basins, skimming devices, dikes, waterways, and ponds may be used.

FOR NEW CONSTRUCTION SOME CITIES ARE MANDATING RAIN GARDENS

NPDES Phase II

Birchwood Village is required to have a Municipal Separate Storm Sewer System (MS4) permit through the MPCA's National Pollutant Discharge Elimination System (NPDES) Phase II Program of the Minnesota Pollution Control Agency (MPCA). MS4 Permits are required for communities with urban development and populations over 10,000, or with urban development and populations over 5,000, that have potential to discharge to valuable or polluted waters.

In accordance with an MS4 Permit, Birchwood Village is required at a minimum to implement six control measures:

- Public Education and Outreach
- Public Participation/Involvement
- Illicit Discharge Detection and Elimination
- Construction Site Stormwater Runoff Control
- Post-Construction Stormwater Management
- Pollution Prevention/Good Housekeeping for Municipal Operations

For more information on the MS4 Permit requirements, see the MPCA's rules online at www.pca.state.mn.us

Official Controls

Specific standards for land use development require:

- Impervious surface to be limited to 25 percent of the lot area
- No increase in the rate of storm water runoff from the parcel
- Gutters and downspouts to have drain leaders routed to pervious areas
- No clear cutting of trees
- Natural vegetative buffer at shore land and wetland

Specific standards for infrastructure development require:

- New storm water outfalls to public waters or wetlands to provide for filtering or settling of suspended solids before discharge.
- Storm water detention facilities to be designed according to the most current technology, as recommended by the MPCA.

The City requires a grading and filling permit to minimize and control storm water runoff, prevent erosion and trap sediment during construction. Provisions in the City code address size of disturbed area, length of exposure, use of temporary ground cover, use of runoff control devices such as silt fences, location of storage piles, and placement of fill material.

The City of Birchwood Village maintains official controls for the purposes of water management and environment protection within their Municipal Code.

PUT IN GOALS

Commented [JH1]: Tobin – do you have a shoreland ordinance, or other related ordinances?

Commented [TL2R1]: Most of Birchwood lies in the shoreland area – I don't believe there is a standalone shoreland ordinance but rather it is integrated throughout the code book – I emailed the DNR to confirm.

Education Program

As part of Birchwood Village's commitment to education, and an important component of the MS4 Permit compliance, the City will continue to organize education programs for increased public awareness and participation in local surface water management. Opportunities will continue to be presented for residents, business owners, developers, and others to help improve strategies and implementation for increasing water quality and reducing runoff in all areas of the City. Example programs may include:

- Wetland buffer delineation and management
- Best management practices for storm water infiltration
- Best management practices for storm water runoff reduction and control
- Invasive species control
- Conservation easements
- Sustainable groundwater recharge

Collaboration with Agencies & Organizations

There are a number of local, state, and federal agencies that have rules and regulations related to local water management. The City recognizes the roles of these other agencies and will cooperate, coordinate, and when possible partner with these agencies.

This ~~Plan~~ chapter recognizes the many agencies and organizations ~~are~~ involved with regulating surface water management. It is the intention of Birchwood Village to cooperate, collaborate, and coordinate efforts with these agencies to achieve successful water management within the City. Each of these organizations hosts various resources, plans, data, rules, and regulations for water management at the related website:

Federal

- Environmental Protection Agency www.epa.gov
- US Army Corps of Engineers www.mvp.usace.army.mil
- US Fish and Wildlife Service www.fws.gov

State

- Minnesota Environmental Quality Board www.eqb.state.mn.us
- Minnesota Department of Natural Resources www.dnr.state.mn.us
- Minnesota Pollution Control Agency www.pca.state.mn.us
- Minnesota Department of Health www.health.state.mn.us
- Board of Water and Soil Resources www.bwsr.state.mn.us
- Minnesota Department of Agriculture www.mda.state.mn.us

County

- Washington County <http://www.co.washington.mn.us/>
- Washington Conservation District <http://www.mnwcd.org/>

Regional

List of Figures:

Existing Land Use Map, 2018 (Chapter 2)

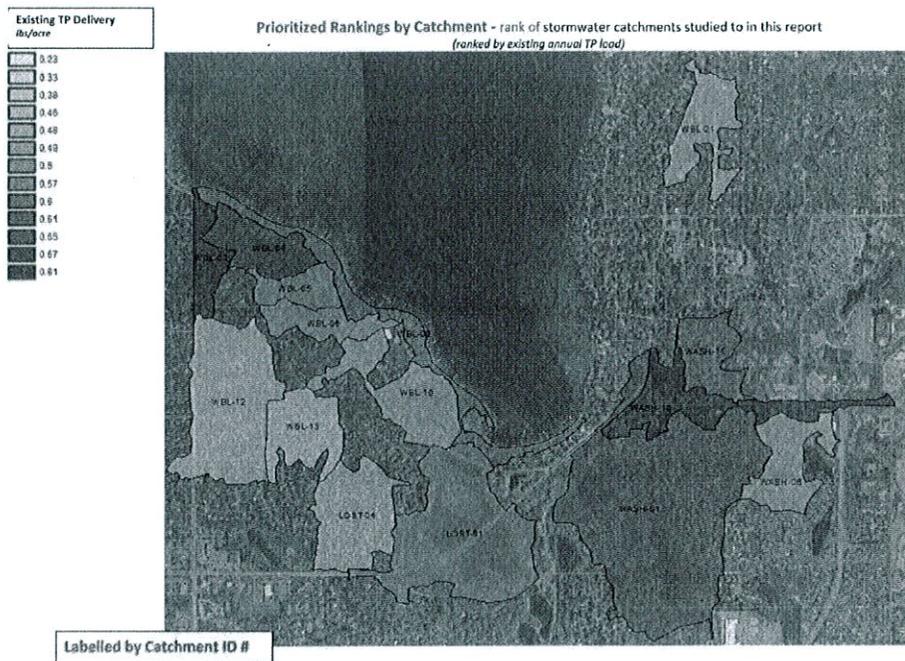
Future Land Use Map, 2018 (Chapter 2)

Existing Zoning Map (Chapter 2)

Map 5-1. Minnesota Land Cover Classification System MLCCS

Map 5-2. RCWD Clearwater Creek Sub-watershed Drainage Map

Map 5-3. Catchment Analysis Map (source RCWD Management Plan, 2010)



CHAPTER X: TRANSPORTATION

Introduction

The purpose of the Transportation chapter is to guide development, maintenance, and improvement of Birchwood Village's transportation network. This chapter addresses the City's existing and planned transportation system based on existing and future land use patterns.

The City's transportation network consists primarily of roadways and trails, but given the City's regional context, also considers adjacent transit and airports that serve the community's residents. These systems work in harmony to move people within and through the City connecting residents to local and regional destinations.

The following sections address each component of the City's transportation system and plans for potential system improvements, maintenance and management utilizing the existing and planned land uses. As a predominantly residential community the City's transportation system is critical to maintain and plan for because residents rely on the system to provide access to jobs, services, shopping, and other amenities that are not contained within the community. As such, the information contained in this Chapter not only addresses system components that are fully contained within the City but also describes regional transportation components that provide access and services to Birchwood's residents.

Roadways

Existing and Planned Roads

residents of the
The City of Birchwood Village's ~~residents~~ primarily rely on the local and regional roadways to travel to adjacent job centers, services and retail locations. Internal to the City, all roadways are local roads providing access to residences, opens paces and park. There are no streets within the City that are under State or County jurisdiction, and all local roadways are managed and maintained by the City. The City of Birchwood Village manages 4.2 miles of bituminous surfaced streets, and one gravel roadway (Grotto Street) located east of Wildwood Avenue which ~~approximately 0.03 miles~~. Connecting the City to the region is East County Line Road, located along the west border of Birchwood, which is jointly owned by Washington County and Ramsey County. There are several areas with dedicated street right-of-way that has not been improved and functions today mostly as open space/trail easement areas. These areas are known as ~~Birch, Ash, Elm, Dellwood, Park Avenue and Highwood Street~~.
TOUCHED MOST LESS IMPROVED

*SPEEDS
SET
FOR
SAFETY
WALK-
ABILITY
OPPORTUN-
ITIES TO
MAKE
SAFE*

As stated within the Land Use chapter, the City of Birchwood's future land use plan is consistent with the existing land use plan and no significant changes are proposed. Since no redevelopment areas or significant development are contemplated within the City, there are no new roadways or planned functional classification changes within the City during this planning period. As shown on Map 5-1, the Existing and Planned Functional Classification of Roadways is planned to stay the same between now and 2040.

Functional Classification Definitions

*?
not table 5-1?*

The Metropolitan Council, in coordination with County and State agencies, has established a functional classification system for roadways serving the Twin Cities Metropolitan Area. This system establishes a hierarchy of roads to match road function with capacity and purpose. The functional classification system for roadways is broken down into four categories: principle arterials, minor arterials, collectors and local roadways. There are only two functional classifications of roadways in the City: Minor Arterials and Local Roadways. The following definitions are provided for the two classifications affecting the community:

Minor Arterials

The minor arterial system supplements the principal arterial system and provides connections to the principal arterial system. Minor arterials also support access to major traffic generators, including regional job concentrations and freight terminals, and between rural centers within and just outside the region. Minor arterials should serve medium-to-short trips, including arterial bus rapid transit, limited-stop bus, and local bus service. In the urban service area the emphasis of minor arterials is on supplementing principal arterial mobility as opposed to providing direct access to land, and only concentrations of commercial, industrial, or residential land uses should have direct access to them. Minor arterials should connect to principal arterials, other minor arterials and collectors. Connections to some local streets are acceptable. Minor arterials are designed to carry higher volumes of general traffic than other local roads and these design characteristics often create a barrier for bicycle and pedestrian travel. Priority should be placed on addressing these barriers in areas with pedestrian traffic, such as within regional job concentrations, within local centers, and along major transit routes. Minor arterials are generally under MnDOT or county jurisdiction. East County Line Road falls within this classification. It is denoted as Other Arterial by the Metropolitan Council.

Local/City Roads

Local roads connect blocks and land parcels, and the primary emphasis is on land access. In most cases, local roads connect to other local roads and collectors. In some cases, they connect to minor arterials. Local roads serve short trips at low speeds. Local roads serve local travel for pedestrians and bicyclists. Transit is occasionally a consideration for local roads, depending on the surrounding land uses. All streets except for E County Line Road within Birchwood Village fall under this classification.

NOT START TO BE A PART OF BIKE LINKS

Transportation Analysis Zones

To support transportation planning efforts in the region the Metropolitan Council requires communities to identify their projected population, households and employment by decade for each Transportation Analysis Zone (TAZ) located within their community. The City of Birchwood Village includes only one TAZ, which is projected to remain relative consistent over each decade since no significant growth or redevelopment is projected. Table X-X identifies the City's TAZ forecasts by decade through 2040.

Table 5-1: Transportation Analysis Zone Forecasts

TAZ 1146	2020	2030	2040
Population	850	830	800
Households	351	360	360
Employment	25	30	30

Source: 2015 Birchwood Village Metropolitan Council System Statement

Roadway Considerations through 2040

Birchwood's street infrastructure is the largest asset and liability in the City's public works system and requires ongoing and routine maintenance. The City's streets consist of two to three inches of bituminous surfacing over four to five inches of aggregate base. Bituminous overlays of the streets have been completed in the past, and as a result the bituminous surface may be thicker than three inches on some roadways or in some areas. The City has relatively low traffic volumes, and there are no commercial or business uses in the community which helps minimize wear and tear on the roadways. The planned land uses are expected to remain consistent with the existing land uses, and therefore traffic volumes are anticipated to remain the same or be reduced as the City's population is projected to shift slightly lower during this planning period.

To maintain and manage the City's roadways, the City plans for and provides adequate budget during its annual budget process. ~~In the past~~ the City has initiated multi-year programs for seal coating to ensure all roadways are managed and maintained on a regular and consistent basis.

and crack sealing

continue to

~~In addition to the seal coating projects, it will be necessary to start the process of crack sealing the streets. It is recommended that the streets be crack sealed every three years. Some additional as-needed repairs may emerge along the bituminous roadways. These necessary repairs could be a result of severe weather conditions and utility repairs. Because the City's population is less than 5,000 there is no state aid available to help manage and maintain any local roadways, and budgeting and costs must be absorbed by the City and its residents. The City will continue to monitor and plan for needed improvements to its roadways through this planning period.~~

EDUCATE PUBLIC ON THIS

mention the Roads & Streets Committee?

~~Highway surface improvement project taking place from 2019-2024 in the vicinity of Birchwood Village have been identified by the Metropolitan Council in the Birchwood Village 2015 Systems Statement. The only identified pavement project is the resurfacing of East County Line Road south of MN-244, which continue north post 2024. (See Map 5-X)~~

Met Council has identified Hwy Surface Imp. project in the BV 2015 Systems Statement to take place from 2019-2024.

Bicycling & Walking

As the region continues to grow it will become increasingly more important for residents to have transportation mode choice to help reduce overall reliance on vehicles. Though Birchwood Village is not easily accessible to mass transit services, the City is perfectly positioned to improve and create opportunities for residents to be connected to regional bike and trail infrastructure.

Bicycling

LAKE LINKS?

Currently Birchwood Village has no designated bicycling infrastructure such as dedicated bicycle trails or on-road bicycle lanes. Though the City does not provided dedicated bike lanes on its roadways, residents primarily feel that the existing roads are multi-purpose that can safely accommodate bikers, walkers and auto traffic.

To supplement the use of the local roadways for bike users, the City will contemplate the direction of the Metropolitan Council's desire for the City to explore how it could plan for a more specific connection into the planned Regional Bicycle Transportation Network (RBTN).

Lake Links Trail

The Metropolitan Council has identified a RBTN Tier 1 search corridor in the City along Wildwood Avenue (See Map 5-X). According to the Metropolitan Council's 2040 Regional Parks Policy Plan a Tier 1 (high priority) network is identified where bicycle travel is greatest, population and job densities are highest, and where there were the most opportunities to connect regional job concentrations and activity centers with population and the regional transit system. The RBTN alignment passes through Birchwood Village going east-west. Given this aligned corridor, Birchwood Village will seek to plan for the implementation of bicycle supporting facilities through 2040 to establish a connection to the RBTN. Improved bicycle infrastructure was identified by residents as an important consideration in the 2017 Park Survey, and it is likely that planning for a more connected bikeway into the region will be supported by area residents.

This is already part of the Lake Links Trail

Sidewalks & Pedestrian Ways

There are no sidewalks within Birchwood Village. Limited discussion has been heard regarding sidewalk improvements along East County Line Road, but this roadway is not under the jurisdiction of the City. As the roadway exists today, the road drainage includes a series of ditches and culverts that would make construction of trail or sidewalk improvement difficult in this area. It may be possible to construct storm sewer to accommodate runoff, but any improvements would need significant coordination with the Washington and Ramsey County.

~~A crushed granite trail was constructed in Tighe Schmitz Park in 2007. This trail winds through the entire park providing Birchwood a safe and unique pedestrian route for residents of all ages. Pedestrians also utilize a narrow bituminous surface between upper and lower Birch Street as a path. The City maintains Ash and Grotto walkways as wood chip paths. Generally, residents walk on local roadways which are seen as multi-purpose and shared facilities for pedestrians, bicyclists and auto traffic.~~

IS THIS TRAIL

no more. Parks Survey 2017 develop more pathways

Mass Transit

Birchwood Village's Transit Market Area is Market Area III as designated by the Metropolitan Council. This Market Area is described having moderate density but tends to have a less traditional street grid that can limit the effectiveness of transit. ~~Transit service in this area is primarily commuter express bus service with some fixed-route local service providing basic coverage. Public dial-a-ride services are available where fixed-route service is not viable.~~

no fixed bus routes

The following transit services are currently available to Birchwood residents (See Map 5-X):

- White Bear Lake Area Transportation Service (Lake Area Bus)
- Route 270 and Route 219, operated by Metro Transit

no more

METRO MOBILITY?

Transit Link is a small bus service that provides a dial-a-ride service for trips that cannot be completed on regular transit routes. Metro Mobility is another service but is limited to certified riders who are unable to use regular fixed-route buses due to disability or health concern.

There are no park-and-rides or other transit facilities located in the City.

Aviation

The nearest major commercial airport that serves Birchwood residents is the Minneapolis-St. Paul International Airport that is located approximately 16-miles southwest of the City. The nearest airport is the Lake Elmo airport which is a general aviation facility operated by the Metropolitan Airports Commission.

Several private light planes operate off the surface of White Bear^{Lake?} year-round. The lake is adequate in size for light activity and MnDOT Aeronautics has designated it as appropriate for seaplane operations. The City acknowledges this designation and accepts present seaplane activity, but would object to large scale operations.

There are no existing height barriers for seaplane operation within the City. Municipal Code restricts the height of structures per Code 302.045. Any variance which would result in a structure having a height of more than 200 feet would be considered an aviation hazard and require approval of MnDOT and the notification of the FAA. The City will use proper notice and protocol to the FAA for any proposed construction or variance which could affect navigable airspace. *max. extreme structure height is 35 ft.*

Freight

There are no railways, barge facilities and truck or intermodal freight terminals within Birchwood Village. Since there is no commercial development allowed within the City, there are no nodes or areas that generate freight movement.

MEMORANDUM



Birchwood Village

TO: Birchwood Planning Commission
FROM: Tobin Lay, City Administrator
SUBJECT: Impervious Surface Definition

Dear Commissioners,

It seems an important piece was overlooked when 302.050 Impervious Surfaces was amended in City Code last year.

According to feedback I've received from Chair Doug Danks and City Engineer Thatcher, there was discussion about pervious pavers during that process and whether or not they should be treated as pervious or impervious. The decision made at that time was that it depended on the paver product and that the City Engineer should be the person authorized to make that call. Unfortunately, that decision was not included in the written amendments.

In order to rectify this omission, I have prepared the enclosed Ordinance 2018-08-01 for your consideration and approval. Please see if you agree with the enclosed and that it properly puts into writing the intent of 302.050.

Request/Recommendation

Staff requests Commissioners:

- 1) Review enclosed Ordinance 2018-08-01 and
- 2) Recommend City Council approve accordingly.

Thanks!

Regards,
Tobin Lay

ORDINANCE 2018-08-01

**CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING IMPERVIOUS SURFACE
PROVISIONS IN CITY CODE**

The City Council of the City of Birchwood Village hereby ordains that Section 300.020.23 of Chapter 300 (Land Use) of the Municipal Code of the City of Birchwood Village is hereby amended as follows:

SECTION 300: LAND USE

300.020.23 Impervious Surface. A ground surface covered or compacted with material so as to substantially retard the entry of water into the soil, and to cause water to remain on the surface or to run off the surface in greater quantities or at an increased rate of flow than would occur if there was a natural soil surface.

Impervious surfaces shall include improvements utilizing concrete, asphalt, gravel, or other non-porous materials. Examples of impervious surfaces include, but are not limited to, roads, driveways, parking areas, sidewalks, patios, rooftops, and covered decks. Examples of impervious surfaces resulting from compacting are unpaved or ungraveled driveways and parking areas.

EXCEPTION 1: Open decks and walkways with open joints at least ¼ inch wide per 8 inch wide board, and areas beneath overhangs less than 2 feet wide, if bare or vegetated soil is beneath the decks or walkways or overhangs, shall not be considered impervious surfaces.

EXCEPTION 2: Unless otherwise considered pervious by the City Engineer using applicable industry standards.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Adopted by the City of Birchwood Village City Council this 9th day of October, 2018

Attest:

Mary Wingfield
Mayor

Tobin Lay
City Administrator-Clerk

MEMORANDUM



Birchwood Village

TO: Birchwood Planning Commission
FROM: Tobin Lay, City Administrator
SUBJECT: Permit Requirements

Dear Commissioners,

It has been brought to my attention that the language of 203.040 is overbroad for what it requires a permit. As written, almost any work would require a permit, even painting. The State building code is not nearly so broad and there are no inspection guidelines for many of the jobs that would fall under the current reading of Birchwood's code.

Councilmember LaFoy requested and City Council Members agreed to have the Commission review 203.040 (enclosed) and make recommendations for appropriate amendments. These amendments should narrow what jobs require a permit while making sure appropriate jobs are covered.

Request/Recommendation

City Council requests Commissioners:

- 1) Review and make recommendations for amendments to Section 203.040 Permit Requirements.

Thanks!

Regards,
Tobin Lay

203.040. PERMITS REQUIRED.

1. No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, convert, or demolish any building or structure in the City or cause the same to be done, without first obtaining from the city a separate building permit for each such building or structure.

2. It shall be unlawful for any person, partnership, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, convert, demolish, equip, use, occupy or maintain any building or structure in the City of Birchwood Village or cause the same to be done contrary to, or in violation of any of the provisions of this Code. Any person, partnership, firm or corporation violating any of the provisions of this Code shall be guilty of a misdemeanor, and shall be guilty of a separate offense for each and every day, or portion thereof, during which any violation of the provisions of this Code is committed, continued or permitted.

MEMORANDUM



Birchwood Village

TO: Birchwood Planning Commission
FROM: Tobin Lay, City Administrator
SUBJECT: Building Permit Escrow Fees

Dear Commissioners,

The City Council continues to wait for a recommendation regarding how to repair damages to the City's ROW by residents and contractors. This agenda item was tabled during your July Commission meeting.

Mayor Wingfield plans to bring up this topic to the City Council again at their September 11, 2018 meeting. I have enclosed the following materials she has plans to introduce to the Council in September:

- Proposed Birchwood Escrow Fee Schedule
- City of Grant Escrow Fee Schedule
- City of Afton Escrow Fee Schedule

Request/Recommendation

Staff requests Commissioners:

- 1) Review and discuss the proposed remedies; and
- 2) Make recommendations to the City Council.

Thanks!

Regards,
Tobin Lay

**CITY OF BIRCHWOOD VILLAGE FEE SCHEDULE
ADDITIONAL CHARGES FOR ESCROW AMOUNTS**

An escrow amount will be required at the time application fees and the application is received by the City's Consultant.

Subdivision	\$7000
Lot Split	N/A
Variance	\$3000
Conditional Use Permit (Amended and new)	\$3000
Conditional Use Permit (Renewal)	N/A
All Other Land uses	\$1000
Grading Permit Fees (under 100 cu. Yards)	\$200
(100+ cu. Yards)	\$3000

*Unused escrow amounts will be returned to the applicant

*For additional information, see also the Escrow Account Policies Form.



**Ordinance No. 2018-57
2018 FEE SCHEDULE
FEES, CHARGES, AND ESCROW**

CITY OF GRANT

Mailing Address: P.O. Box 577
Willernie, Minnesota 55090
Town Hall: 111 Wildwood Road
Phone: (651) 426-3383 Fax: (651) 429-1998
E-mail: clerk@cityofgrant.us

Make checks payable to City of Grant.

Under State and local planning laws, any property owner may petition for rezoning and/or platting. The City, upon receipt of such a petition, will process the application in accordance with the procedures and provisions of the ordinances.

The City charges the petitioner a filing fee for this processing, as well as requiring that he/she pay all costs the City may incur in processing and "hearing" the application. An escrow amount will be required at the time application fees and the application is received by the City's Consultant.

<i>For Each Application</i>	<i>Application Fees</i>	<i>Escrow*</i>	<i>TOTAL</i>
Minor Subdivision	\$400	\$4,000	\$400 plus \$4,000 escrow
Major Subdivision	\$1,000 + \$25 per lot	\$7,000	\$1,000 + \$25 per lot plus \$7,000 escrow
Variance	\$400	\$3,000	\$400 plus \$3,000 escrow
Conditional Use Permit (CUP) (Amended and New)	\$400	\$3,000	\$400 + \$3,000 escrow
Conditional Use Permit (CUP) Annual Review Fee	N/A		N/A
All other Land Use Issues	\$100	\$1,000	\$100 + \$1,000 escrow
Certificate of Compliance (COC)	\$50	\$900**	\$50 + \$950 escrow**
COC Amendment	\$50	\$200	\$50 + \$200 escrow
Grading Permit Fees	\$150 for 50 - 100 Cubic yards \$300 <100 Cubic Yards	No Escrow \$1500- \$3000 Escrow	Required Dependent upon number of yards

- * Unused escrow amounts will be returned to the applicant.
- * COC Escrow required only for issues that require City Planner analysis or review. Examples include:
 - Accessory buildings in front of the primary structure
 - Projects involving issues related to animal units per grazable acres
 - Buildings meeting the state definition of an "agricultural building"
 - Other complex zoning issues requiring Planner analysis or review
- * For additional information, see also the Escrow Account Policies Form.
- Permits applied for after work has begun will be two times the standard fee.

Below are listed other permits required for various activities in the City of Grant.

<i>Other Permits</i>	<i>Permit Fees</i>
Sign Permit	\$50
Charitable Gambling Operations	\$100

Permit	
Demolition Permit	\$100
Mann Lake Parking Permit	\$10/resident OR \$50/non-resident
Burn Permits	\$10

Below are listed other fees associated with City services.

False Alarm Fees	Commercial	Residential
False Fire Alarms (Alarms 1-2)	No Charge	No Charge
False Fire Alarms (Alarms 3+)	Actual cost of response Minimum charge: \$50 Maximum charge: \$400	Varies with actual cost

Other False Alarms	Commercial	Residential
Alarms 1-2	No Charge	No Charge
Alarms 3-6	\$60 each	\$50 each
Alarms 7+	\$100 each	\$75 each

Permit/Escrow Fees	Application Fee	Escrow Fee
Qwest	\$200	\$3,000
Comcast	\$200	\$3,000
Koch Pipeline	\$200	\$3,000
Xcel Energy (gas/electric)	\$0	\$0

Liquor License Fees	Fee
On-Sale Liquor	\$2,000
On-Sale Sunday	\$200
On-Sale Beer 3.2	\$200
Off-Sale Liquor	\$200

Miscellaneous Fees	Fee
Subdivision Ordinance-Copy	\$20
Zoning Ordinance-Copy	\$25
Comprehensive Plan-Copy	\$10
Special Assessment	\$20
Dishonored Check	\$40
Copies	.25 per page
Notary Fee – Non-resident	\$5.00
Solicitor's License Fee	\$75
Meeting DVD-Copy	\$10
Wetland Review Specialist	\$100/\$500 Escrow
MLCCS Review Fee	\$75
Driveway Permit	\$50
Preapplication Meeting/Planner	\$300

Chapter 3

CITY FEE SCHEDULE

ARTICLE I. FEES, CHARGES AND EXPENSES 3

 DIVISION 1. GENERALLY 3

 Section 3-1. Schedule for Fees, Charges and Expenses 3

 Section 3-2. Establishment of Fees 3

 Section 3-3. Fees Posted & Available 3

 Section 3-4 - 3-35. Reserved 3

 DIVISION 2. CITY FEE SCHEDULE 3

 Section 3-36. Administratively Issued Permits 3

 Section 3-37. Building Permits 3

 Section 3-38. Conditional Use Permit 4

 Section 3-39. Licenses, Fees & Other Permits 4

 Section 3-40. Miscellaneous Fees 5

 Section 3-41. Park Fees 5

 Section 3-42. Zoning Fees 5

 Section 3-43. After-The-Fact Fees 6

 Section 3-44. Attachment A. Building Permit Fee Table 6

 Section 3-45 – 3-65. Reserved 7

CITY FEE SCHEDULE

ARTICLE I. FEES, CHARGES AND EXPENSES

DIVISION 1. GENERALLY

Section 3-1. Schedule for Fees, Charges and Expenses.

Fees and charges, as well as expenses incurred by the City for engineering, planning, attorney and other services related to the processing of applications shall be established by this Ordinance and collected by the City Administrator for deposit in the City's accounts. Fees shall be established as follows. The Council may establish charges for public hearings, special meetings, or other such Council or Planning Commission actions as are necessary to process applications. (Ord. 07-2010, 7/20/10)

Section 3-2. Establishment of Fees.

Fees shall be established as follows. The Council may establish charges for Staff time, use of consultants, public hearings, special meetings, or other such Council or Planning Commission actions as are necessary to process applications. The Fee Schedule shall be established and adopted from time to time by the City Council by Resolution.

Section 3-3. Fees Posted & Available.

A copy of any Resolution adopted by the City Council establishing the specific fees authorized herein shall be posted or otherwise available at City Hall during normal business hours. (Ord. 03-2010, 3/16/10)

Section 3-4 - 3-35. Reserved.

DIVISION 2. CITY FEE SCHEDULE

Section 3-36. Administratively Issued Permits.

Fees are in addition to any building permit fees.

	<u>FEE</u>	<u>ESCROW</u>
Administrative Permit	\$150	\$600
Animal Kennel	\$60	\$200
Design Review	\$50	
Fence *	\$60	\$1,000
Grading Permit **	\$100	\$1,000
Moving/Relocating Structure	\$75	
Sign Permit	\$150	\$200
Sign Permit –Temporary / Renewal	\$25	
Tennis Court	\$60	\$1,000
Vegetative Cutting / debris removal		\$200

Section 3-37. Building Permits.

Building permits, other than those specified below, are based on project valuation. (Please refer to Attachment A: Building Permit Fee Table – attached.)

	<u>FEE</u>	<u>ESCROW</u>
Demolition Permit	\$110	\$250
Exterior Door Replacement	\$110	
Mechanical		
A/C, Water or Garage Heater,		
Gas Lines, Soft Water System	\$55	
Furnace, HVAC, Fireplace	\$110	
Plumbing		

AFTON CODE

Commercial: 1% of the project valuation; \$75 minimum.

Residential:

One Bathroom incl. rough-ins	\$60
Each Additional Bathroom	\$10
Roof replacement	\$110
Swimming Pool - Building Permit	\$110
Admin Permit - Fence Fee and Escrow required	*
Grading Permit - Often required	**
Siding Replacement	\$110
Utility Permit	\$250
Window Replacement	\$110
Other Permit Not Specified	\$110

Section 3-38. Conditional Use Permit.

As a land use issue, Conditional Use Permit applications must be heard by the Planning Commission and will be either approved or denied by City Council.

	<u>FEE</u>	<u>ESCROW</u>
Conditional Use Permit	\$250	\$600
Conditional Use Permit –Tower Structures	\$250	\$8,000
Conditional Use Permit - Amended	\$250	\$350
Conditional Use Permit - Renewal	\$250	\$350
Conditional Use Permit/Renewal/Amendment		
To increase Impervious Surface over		
35% in Industrial District	\$250	\$1,000

Section 3-39. Licenses, Fees & Other Permits.

	<u>FEE</u>	<u>ESCROW</u>
A. Annual Licenses:		
Adult Entertainment License	\$10,000 per year	
Adult Entertainment Investigation	\$1,500	
Aircraft (Unpowered/Powered Vehicles)	\$100	
Charitable Gambling	10% of net gambling profits payable monthly	
Commercial Fertilizer License (Lawns) ¹	\$200	\$1,000 ¹
Commercial Fertilizer Permit	\$100	
Golf Cart		
Individual	\$25	
Business		
Includes first two carts	\$50	
Additional carts/each	\$10	
Pawnbroker / secondhand dealer license	\$100 per year	
Pawnbroker Investigation: Actual cost	\$3,000 maximum	
Peddler / Solicitor License	\$50	
Liquor Licenses		
On Sale	\$1,400	
Off Sale	\$150	
Sunday	\$200	
2 A.M. Closing	\$100	
On Sale Wine Only	\$750	

¹ Also requires \$1,000 Corporate Bond

AFTON CODE

Major Subdivision: Sketch Plan & Preliminary Plat (required for more than 3 lots and PAUDs)

0 - 5 Acres	\$500 + \$100 per lot	\$2,500
> 5 - 40 Acres	\$1,000 + \$100 per lot	\$5,000
> 40 - 80 Acres	\$2,000 + \$100 per lot	\$7,500
> 80 Acres	\$5,000 + \$100 per lot	\$10,000
Final Plat	\$250	\$1000

Park Dedication Fee:

Residential 7.5% of the predevelopment value of the property being subdivided, subject to a minimum fee of \$5,000 per dwelling unit and a maximum fee of \$10,000 per dwelling unit, or that portion of land which could be purchased with the amount of park dedication fee payment owed by the subject subdivision on a per dwelling unit basis.

Commercial	\$1,500 ⁴	
Industrial	\$1,500 ⁵	
Previously Created Lots	\$500 ²	
Rezoning		
Comprehensive Plan	\$350	\$1,500
Ag Preserve Certification	\$50	
From Ag Preserve to Agricultural	\$150	
Variance	\$250	\$600
Variance Extension	\$250	\$350
Street Permit:		
Street Opening	\$150 + ⁵	Waived if Franchise
Street Vacation	\$250	\$500

Section 3-43. After-The-Fact Fees.

In any case in which a property owner/contractor/developer/applicant has moved forward with a project involving grading, filling, construction, etc., prior to obtaining the required permit, CUP, variance, or other regulatory approval, the fees associated with the project will be tripled.
(Ord. 06-2010, 6/15/10)

Section 3-44. Attachment A. Building Permit Fee Table.

BUILDING PERMIT FEE TABLE 2010				Adopted 2/19/13
Value	MN Surcharge	Plan Review/ Inspections	City Fee	Permit Total
\$1,000.00	\$5.00	\$75.00	\$30.00	\$110.00
\$2,000.00	\$5.00	\$75.00	\$30.00	\$110.00
\$3,000.00	\$5.00	\$75.00	\$30.00	\$110.00
\$4,000.00	\$5.00	\$75.00	\$30.00	\$110.00
\$5,000.00	\$5.00	\$75.00	\$30.00	\$110.00
\$6,000.00	\$5.00	\$75.00	\$30.00	\$110.00
\$7,000.00	\$5.00	\$75.00	\$40.50	\$120.50
\$8,000.00	\$5.00	\$75.00	\$57.00	\$137.00
\$9,000.00	\$5.00	\$75.00	\$73.50	\$153.50
\$10,000.00	\$5.00	\$75.00	\$90.00	\$170.00
\$11,000.00	\$5.50	\$75.00	\$106.50	\$187.00
\$12,000.00	\$6.00	\$75.00	\$123.00	\$204.00
\$13,000.00	\$6.50	\$78.00	\$136.50	\$221.00
\$14,000.00	\$7.00	\$84.00	\$147.00	\$238.00
\$15,000.00	\$7.50	\$90.00	\$157.50	\$255.00

⁴ Per acre for all land which comprises the Subdivision

⁵ \$150.00 plus \$40.00 per 100 feet

CITY FEE SCHEDULE

\$16,000.00	\$8.00	\$96.00	\$168.00	\$272.00
\$17,000.00	\$8.50	\$102.00	\$178.50	\$289.00
\$18,000.00	\$9.00	\$108.00	\$189.00	\$306.00
\$19,000.00	\$9.50	\$114.00	\$199.50	\$323.00
\$20,000.00	\$10.00	\$120.00	\$210.00	\$340.00
\$25,000.00	\$12.50	\$150.00	\$262.50	\$425.00
\$50,000.00	\$25.00	\$300.00	\$525.00	\$850.00
\$100,000.00	\$50.00	\$600.00	\$1,050.00	\$1,700.00
\$150,000.00	\$75.00	\$900.00	\$1,575.00	\$2,550.00
\$200,000.00	\$100.00	\$1,200.00	\$2,100.00	\$3,400.00
\$250,000.00	\$125.00	\$1,500.00	\$2,625.00	\$4,250.00
\$300,000.00	\$150.00	\$1,800.00	\$3,150.00	\$5,100.00
\$350,000.00	\$175.00	\$2,100.00	\$3,675.00	\$5,950.00
\$400,000.00	\$200.00	\$2,400.00	\$4,200.00	\$6,800.00
\$401,000.00	\$200.50	\$2,406.00	\$4,210.50	\$6,817.00
\$450,000.00	\$225.00	\$2,700.00	\$4,725.00	\$7,650.00
\$500,000.00	\$250.00	\$3,000.00	\$5,250.00	\$8,500.00
\$550,000.00	\$275.00	\$3,300.00	\$5,775.00	\$9,350.00
\$600,000.00	\$300.00	\$3,600.00	\$6,300.00	\$10,200.00
\$650,000.00	\$325.00	\$3,900.00	\$6,825.00	\$11,050.00
\$700,000.00	\$350.00	\$4,200.00	\$7,350.00	\$11,900.00
\$750,000.00	\$375.00	\$4,500.00	\$7,875.00	\$12,750.00
\$800,000.00	\$400.00	\$4,800.00	\$8,400.00	\$13,600.00
\$850,000.00	\$425.00	\$5,100.00	\$8,925.00	\$14,450.00
\$900,000.00	\$450.00	\$5,400.00	\$9,450.00	\$15,300.00
\$950,000.00	\$475.00	\$5,700.00	\$9,975.00	\$16,150.00
\$1,000,000.00	\$500.00	\$6,000.00	\$10,500.00	\$17,000.00

PROJECTS VALUED OVER \$1,000,000

Single Family Homes:

\$5000.00 for the first 1 million, and \$3.00 for each additional \$1000 or any fraction thereof.

Examples:

\$1,001,000.00	\$500.50	\$5,003.00	\$10,510.50	\$16,014.00
\$1,500,000.00	\$750.00	\$6,500.00	\$15,750.00	\$23,000.00
\$2,000,000.00	\$1,000.00	\$8,000.00	\$21,000.00	\$30,000.00

Multifamily, Commercial, or Industrial Property:

The Inspection Fee for Projects in excess of \$1 million will be 1% of the Project Value.

Section 3-45 – 3-65. Reserved.

(Ord. 07-2010, 7/20/10; Ord. 04-2013, 2/19/13; Ord. 01-2016, 1/19/16)