



MEMO

Date: March 2, 2016
To: Alexandria Town Board
From: Ben Oleson, Hometown Planning
Zoning Administrator, Alexandria Township
Re: Zoning Administrator's Report

Dear Town Board Members:

The Planning Commission held its regular meeting on February 22, 2015. There was one public hearing regarding a proposed ordinance amendment, for which the Planning Commission is passing on their recommendations to the Town Board.

Attachments, drawings and photos related to the applications are available at: www.hometownplanning.com. Public comments (if any) are also at the same location.

PUBLIC HEARING #1

Application: Zoning Ordinance Amendment to Sections VII (Definitions) and addition of a new Section (V.X) to allow for up to 100% credit against impervious coverage for areas covered by pervious paver systems in non-shoreland areas as a conditional use.

Applicant: Alexandria Township

Background Information:

- **Proposal:** To amend the Township Zoning Ordinance to allow for up to 100% credit against impervious coverage for areas covered by pervious paver systems in non-shoreland areas only.

The proposed ordinance would largely match what was already in place for Douglas County in its shoreland areas. Based on input from the MN Department of Natural Resources (DNR), the Township is not able to allow for credit for the use of pervious pavers in shoreland areas without going through a special process of review. Outside of shoreland areas however, the Township is free to do so in accordance with Minnesota Statutes.

The Planning Commission has recommended approval of the proposed changes, with one key change from what the County has in place - an overall cap on the amount of lot coverage when adding together impervious surfaces plus any pervious pavers that are used. The proposed cap is 30% lot coverage (the normally required cap is 25%).

Town Board Direction: The Town Board can accept the recommendation of the Planning Commission, render a modified decision on the application, or send the request back to the Planning Commission for further review if additional information is needed.

Planning Commission Action: The Planning Commission has unanimously recommended approval of the proposed ordinance amendments as presented below.

PROPOSED ORDINANCE AMENDMENT

SECTION VII: DEFINITIONS

IMPERVIOUS SURFACE - any surface ~~not able to absorb liquid.~~ Examples of impervious surfaces include, but are not limited to, concrete, bituminous, tar, wood ~~(including wood decking), plastic, compacted gravel, roof tops, and modular stone (including landscaping block and retaining walls)~~ Areas underlain with semi-permeable landscaping fabric ~~shall not be considered impervious.~~

Deleted: that retards the entry of water into the soil and causes water to run off the surface in greater quantities and at an increased rate of flow than prior to development.

Deleted: , areas

Deleted: plastic or other liners (including

Deleted:). Permeable or porous pavement systems or other materials designed to allow infiltration of water may not be considered pervious for the purposes of this ordinance.

SECTION V.X: CREDITS AGAINST IMPERVIOUS COVERAGE (new section)

If installed consistent with the following requirements, landowners in non-shoreland areas (see Section V.L.2 for regulations applicable in shoreland areas) may be given up to a 100% credit against their impervious surface coverage for the installation of pervious pavement systems, including modular pavers, pervious concrete, pervious asphalt and other constructed surfaces with a base and subbase of imported material that is designed to allow for the movement of stormwater through the surface and into the natural soil underneath. Such approval requires a conditional use permit and the Township may approve a lesser credit, or no credit at all, after taking into consideration site-specific factors such as the ability of natural soils to accept water from the pervious pavement system, depth to groundwater, and whether the property and/or surrounding area is already subject to flooding.

1. For the purposes of meeting impervious surface limits in non-shoreland areas, up to one hundred (100) percent of the total area covered by pervious pavement systems may be considered pervious by conditional use permit provided that:

- a. Total lot coverage, when adding all impervious surfaces together with any areas covered by pervious pavers (assuming no credit), does not exceed thirty (30) percent of the lot.
- b. The pervious pavement system shall be designed and certified by a registered engineer or landscape architect and installed by someone qualified in the particular system used, or the installation shall be overseen by a product representative to ensure its proper long-term function;
 - (1) The pervious pavement designer shall include maintenance instructions to the property owner along with a maintenance schedule, with a copy to the Township to be filed along with the permit;

- (2) The design of the pervious paver system shall include features or methods intended to direct stormwater runoff away from the system if such runoff would be likely to carry sediments or other debris that would plug the system.
- c. When constructed facilities are used for storm water management, documentation must be provided by a qualified individual that they are designed and installed consistent with the field office technical guide of the local soil and water conservation districts.
 - d. New constructed storm water outfalls to public waters must provide for filtering or settling of suspended solids and skimming of surface debris before discharge.
 - e. Impervious Surface Replacement.
 - (1) Purpose: The purpose of the regulations in this subsection is to prevent excessive amount of runoff that will be generated during a rainstorm by an enlarged impervious area. Such excessive runoff causes erosion and transport of pollutants to public waters thereby degrading water quality. Existing properties exceeding the standards for impervious surface coverage present a distinct management challenge from that of newly developed properties and there is a need to establish clear and consistent guidelines for how re-development of these lots may occur.
 - (2) Standards: Parcels that exceed the maximum allowed impervious surface may construct additional impervious surfaces without a variance or conditional use permit if the proposed new impervious surface meets all setback, height and other regulations of this ordinance and if one of the two following conditions are met:
 - (a) The applicant removes existing impervious surfaces at a ratio of one and one-half (1.5) square feet removed for every one (1) square foot added and restores these areas to a permeable surface.
 - (b) The applicant removes existing impervious surfaces at a 1:1 ratio and restores those areas to a permeable surface and in addition, submits a comprehensive stormwater management plan that emphasizes infiltration and onsite retention of stormwater for at least the two year 24-hour storm event through a combination of methods including buffer strips, swales, rainwater gardens, and other low impact development methods. The stormwater management plan must be designed by a registered engineer or landscape architect and installed as designed by a qualified professional.
 - e. Specific Requirements: The applicant must provide the following evidence, in conjunction with meeting one of the two standards listed in (d).ii. above:
 - (1) Sufficient evidence must be provided to indicate that the exceedance of the impervious surface coverage did not come about from unpermitted or disallowed actions at the time it was installed or constructed.
 - (2) A survey shall be submitted showing calculations of the exact dimensions of all existing impervious surfaces and of the lot before and after completion of the project. This survey must be submitted and approved by the Zoning Administrator¹ before any work may begin on the project;

¹ Amended 12/17/2007 (Resolution #07-20)

- (3) In replacing existing impervious surfaces with surfaces designed to be permeable or porous, the applicant must give priority to replacing those surfaces closest to wetlands/water bodies or those surfaces where the replacement is most likely to improve storm water management;
- (4) A pervious pavement system shall be designed and certified by a registered engineer or landscape architect and installed by someone qualified in the particular system used, or the installation shall be overseen by a product representative to ensure its proper long-term function;
- (5) A pervious pavement system shall be set back from structures having basements, septic system leach fields, steep slopes and wells at least 10 feet unless otherwise designed by a registered engineer so as to prevent impacting these features;
- (6) A pervious pavement design shall include maintenance instructions to the property owner along with a maintenance schedule, with a copy to the Township to be filed along with the permit;
- (7) All best management practices must be compatible with local stormwater management plans and NPDES Phase II stormwater permits, where required;
- (8) If, in the removal of existing impervious surfaces, the total lot coverage falls below the maximum coverage allowed by this ordinance, the applicant must thereafter conform to the standards of this ordinance.
- (9) The design of the pervious paver system shall include features or methods intended to direct stormwater runoff away from the system if such runoff would be likely to carry sediments or other debris that would plug the system.

NOTE: Text highlighted in grey represents language not included in Douglas County language. All other text matches that of Douglas County.

If you have questions or concerns on the items in this report or any other issues, please do not hesitate to contact us. You can reach me by email at oleson@hometownplanning.com or by phone at 888-439-9793.

Sincerely,

HOMETOWN PLANNING



Ben Oleson
 Planning and Zoning Administrator

