



## Bassett Creek Watershed Management Commission

# MEMO

To: BCWMC Commissioners  
 From: Laura Jester, Administrator  
 Date: November 11, 2019

**RE: Status of Ordinance Updates in Member Cities**

Included in the 2015 Bassett Creek Watershed Management Plan are requirements for cities to adopt certain ordinances and enforce buffer standards to protect and improve water resources. The status of ordinance adoption for each city is presented in Table 1 below. (The exact BCWMC Policy language can be found starting on page 2.)

Table 1. Status of adoption and enforcement of applicable ordinances/requirements for each member city.

City	Floodplain Ordinance	Shoreland Ordinance	Stream Buffer Requirements	Wetland Buffer Requirements	Wetland Protection Ordinance
<b>Crystal</b>	Drafted; working on codification	No ordinance required by DNR	Drafted; working on codification	Drafted; working on codification	Drafted; working on codification
<b>Golden Valley</b>	Adopted 2016	Last adopted 1986. Plans to update in 2020.	Currently enforced thru stormwater mgmt ordinance and permits, development agreements & conditions, drainage and utility easements, and conservation easements, where applicable	Currently enforced thru stormwater mgmt ordinance and permits, development agreements & conditions, drainage and utility easements, and conservation easements, where applicable	No Ordinance. However, completed 2015 citywide wetland assessment; require MnRAM or similar, and wetland buffers with all wetland applications and all projects impacting wetlands.
<b>Medicine Lake</b>	Adopted	Being drafted; first quarter 2020 expected adoption	Not applicable	Being drafted; first quarter 2020 expected adoption	Not covered in ordinance

<b>City</b>	<b>Floodplain Ordinance</b>	<b>Shoreland Ordinance</b>	<b>Stream Buffer Requirements</b>	<b>Wetland Buffer Requirements</b>	<b>Wetland Protection Ordinance</b>
<b>Minneapolis</b>	Last updated 11/2016. Not consistent w/ BCWMC requirements	Adopted May 2000	Not included in ordinance; maintenance of existing buffers addressed by shoreland ordinance	Equivalent ordinance adopted 10/2014	Not covered in ordinance
<b>Minnetonka</b>	Ordinance updated 3/2008; should be updated to reference BCWMC floodplain	Ordinance updated 11/2018	Not applicable	Draft Ordinance 2019-05	Not covered in ordinance
<b>New Hope</b>	Some pieces updated 2/2019; Others adopted as city code w/ Local Water Plan	Established 2012; Currently checking w/DNR for updates	Ordinance drafted; likely adoption 2/2020	Ordinance drafted; likely adoption 2/2020	Ordinance drafted; likely adoption 2/2020
<b>Plymouth</b>	Adopted 9/2019 but not consistent w/ BCWMC requirements	Adopted 9/2019	Adopted 9/2019	Adopted 9/2019	Adopted 9/2019 but not consistent with BCWMC requirements
<b>Robbinsdale</b>	Recently drafted; under city council review	Recently drafted; under city council review	Not Applicable	Recently drafted; under city council review	Recently drafted; under city council review
<b>St. Louis Park</b>	Adopted with Local Water Plan	Adopted with Local Water Plan	Enforced through development requirements	Enforced through development requirements	Adopted with Local Water Plan

**Floodplain ordinance** BCWMC Policy: Section 4.2.2, Policy 39: *The BCWMC requires member cities to maintain ordinances that are consistent with BCMWC floodplain standards. Member cities must submit ordinances to the BCWMC for review.*

**Shoreland ordinance** BCWMC Policy: Section 4.2.8, Policy 80: *The member cities are responsible for shoreland regulation and are required to adopt MDNR-approved shoreland ordinances, in accordance with the MDNR's priority phasing list.*

#### **Stream buffer requirements**

Applicable BCWMC Policy: Section 4.2.5, Policy 64: *Member cities shall maintain and enforce buffer requirements adjacent to priority streams for projects that will result in more than 200 yards of cut or fill, or more than 10,000 square feet of land disturbance. Buffer widths adjacent to priority streams must be at least 10 feet or 25 percent of the distance between the ordinary high water level and the nearest existing structure, whichever is less. Allowable land uses, and vegetative criteria for buffers are specified in the BCWMC's Requirements for Development and Redevelopment (BCWMC, 2015, as amended). Member cities may allow exemptions for public recreational facilities parallel to the shoreline (e.g. trails) up to 20 feet in width, with that width being added to the required buffer width.*

#### **Wetland buffer requirements**

Applicable BCWMC Policy: Section 4.2.6, Policy 68: *Member cities shall maintain and enforce buffer requirements for projects containing more than one acre of new or redeveloped impervious area. Average minimum buffer widths are required according to the MnRAM classification (or similar classification system): - An average of 75 feet and minimum of 50 feet from the edge of wetlands classified as Preserve. An average of 50 feet and minimum of 30 feet from the edge of wetlands classified as Manage 1. An average of 25 feet and minimum of 15 feet from the edge of wetlands classified as Manage 2 or 3. Allowable land uses and vegetative criteria for buffers are specified in the BCWMC's Requirements for Development and Redevelopment (BCWMC, 2015, as amended). Member cities may allow exemptions for public recreational facilities parallel to the shoreline (e.g. trails) up to 20 feet in width, with that width being added to the required buffer width.*

#### **Wetland protection ordinance**

Applicable BCWMC Policy: Section 4.2.6, Policy 66: *The BCWMC requires member cities to develop and implement wetland protection ordinances that consider the results of wetland functions and values assessments, and are based on comprehensive wetland management plans, if available. For wetlands classified as Preserve or Manage 1, member cities shall implement standards for bounce, inundation, and runoff control that are similar to BWSR guidance; member cities are encouraged to apply standards for other wetland classifications.*