

## ZONING CODE TEXT AMENDMENT SUMMARY

*Initiator:* Council Member Reich  
*Introduction Date:* November 6, 2015  
*Prepared By:* Shanna Sether, Principal City Planner, (612) 673-2307  
*Intent:* Amending regulations to allow for snow storage site with development standards.

## APPLICABLE SECTION(S) OF THE ZONING CODE

- Chapter 520, Introductory Provisions
- Chapter 536, Specific Development Standards
- Chapter 550, Industrial Districts
- Chapter 551, Overlay Districts

The following chapters were also introduced: Chapter 525, Administration and Enforcement, Chapter 530, Site Plan Review, Chapter 535, Regulations of General Applicability, Chapter 546, Residence Districts, Chapter 547, Office Residence Districts, Chapter 548, Commercial Districts and Chapter 549, Downtown Districts. However, staff is not recommending changes to these chapters as part of this amendment and is therefore recommending returning them to the author.

## BACKGROUND

On November 6, 2015, Council Member Reich introduced subject matter to amend ordinances related to *snow storage* and to allow for a new definition and specific development standards for a land use where snow is moved from an off-site location and stored on public or private property.

Snow storage is presently addressed as a site plan review standard in Chapter 54I Off-Street Parking Loading, in the zoning code. Specifically, 54I.380 states that required parking spaces, driveways, access aisles and landscaping shall not be used for the purpose of snow storage. However, there are no existing land uses that specifically identify or include snow storage as a *principal use* of a property. Staff is aware of existing properties that utilize snow storage as a principal use, which has been removed from an off-site location – public streets, alleys and parking lots. Zoning Enforcement staff has observed off-site impacts including flooding and water collection in the public right of way, sediment carried off-site, trash and litter on- and off-site. Therefore, staff has proposed a definition of the use, identified appropriate zoning classifications where the use would be allowed permitted, as right, prohibited and several specific development standards to allow regulations that address the unique characteristics of the proposed land use.

## PURPOSE

### **What is the reason for the amendment?**

The purpose of the amendment is to define snow storage site as a principal use, identify the appropriate zoning classifications where the use would be permitted and the specific development standards that would apply to the use to mitigate off-site impacts.

Snow storage is presently addressed as a site plan review standard in Chapter 54I Off-Street Parking Loading, in the zoning code. Specifically, 54I.380 states that required parking spaces, driveways, access aisles and landscaping shall not be used for the purpose of snow storage. However, there are no existing land uses that specifically identify or include snow storage as a *principal use* of a property. Staff is aware of existing properties that utilize snow storage as a principal use. Zoning Enforcement staff has observed off-site impacts including flooding and water collection in the public right of way, sediment carried off-site, trash and litter on- and off-site. Therefore, staff is proposing to prohibit snow storage sites in the FP Floodplain Overlay District.

### **What problem is the amendment designed to solve?**

Staff is aware of existing properties that utilize snow storage as a principal use. Zoning Enforcement staff has observed off-site impacts including flooding and water collection in the public right of way, sediment carried off-site, trash and litter on- and off-site. The proposed amendment has identified several development standards that would specifically address the unique off-site impacts that this use has the potential to create. There is concern that snow removed from parking areas and streets is more likely to carry trash, solvents, gasoline, oil and metals; therefore, staff is recommending that snow storage sites be prohibited in the FP Floodplain Overlay District, to avoid further impact on sensitive ecosystems and watersheds. Finally, all new snow storage lots would be required to be reviewed through the Preliminary Development Review (PDR) process, which allows CPED and Public Works staff the opportunity to review each site and make specific recommendations to ensure compliance with the proposed zoning development standards and Public Works standards.

### **What public purpose will be served by the amendment?**

The proposed ordinance amendment first establishes that appropriate zoning classification that this use would be allowed. Staff is recommending that all new snow storage sites be allowed as permitted use in the I1 Light Industrial District, I2 Medium Industrial District and I3 General Industrial District. Further, staff is proposing the following specific development standards:

- (1) In the I1 District, the use shall be located at least three hundred fifty (350) feet from any residence or office residence zoning district and shall have a minimum lot area of twenty thousand (20,000) square feet.
- (2) The use shall comply with all applicable regulations governing stormwater management, and shall employ on-site best management practices and collection infrastructure such as catch basins, bioretention facilities, drainage swales or underground storage to minimize off-site stormwater or snowmelt runoff, maximize overland flow and flow distances over surfaces covered with vegetation, increase on-site filtration, minimize off-site discharge of pollutants, encourage natural filtration function, and prevent negative stormwater impacts to adjacent properties or right-of-way.
- (3) Landscaping and screening shall be provided in transition areas between the snow storage area and adjacent property and public right of way.
- (4) The use and vehicles shall minimize the effects of lighting and noise on surrounding property.
- (5) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter, debris, and/or sediment found thereon.
- (6) The use shall comply with all applicable regulations governing erosion and sediment control, and shall employ on-site best management practices to minimize soil erosion and off-site sedimentation.

The I1 District is more likely to be located near or adjacent to residential uses and districts and staff was concerned that these properties may not have sufficient area to manage stormwater or would negatively impact nearby property with lighting and noise of trucks dumping or managing snow piles. The remainder of the development standards would all industrial districts, operators of new storage sites would be responsible for demonstrating how they plan to manage stormwater, re-establish vegetation and screening during the times of year when snow is not located on site and clear the site and surrounding area of debris and trash.

### **What problems might the amendment create?**

The proposed amendment would define snow storage sites as a principal use, permitted in any industrial district with development standards to ensure compatibility of the use with the surrounding area. The Public Works department manages contracts with private contractors to remove snow in Special Service Districts. Presently, there are no requirements or specific zoning classifications where snow storage can occur in the City of Minneapolis. This proposed amendment may reduce the available locations of snow storage sites in the City and would require a PDR submission, which includes civil, architectural and landscape plans.

## **TIMELINESS**

### **Is the amendment timely?**

The proposed amendment was introduced November 2015, by Council Member Reich. The amendment is being brought forward now so that adoption can occur prior to the establishment of new snow

storage sites anticipated during the 2016-2017 winter season. The amendment was in response to known adverse impacts that have been observed related to snowmelt, including flooding, trash on-site and carried off-site and general unsightliness during the spring and early summer, when the vegetation has not yet established.

**Is the amendment consistent with practices in surrounding areas?**

Staff conducted peer city research to determine what types of ordinances exist for regulating on- and off-site impacts related to snow storage. Staff has found snow disposal site design criteria from Anchorage, Alaska, and best management practices from the Tahoe Regional Planning Agency, which are attached to this report. In addition, staff has completed a table with several United States cities and Canadian providences and cities with regulations on characteristics for snow storage sites and best management practices.

**Are there consequences in denying this amendment?**

Denial of the proposed text amendment would allow additional snow storage sites to establish in the City of Minneapolis without regulation of appropriate location, stormwater management or design and maintenance of the site during the months when there is no snow. Further, there is no current prohibition of snow storage sites where snow may be removed from parking areas and streets, which are more likely to carry trash, solvents, gasoline, oil and metals and placed in sensitive environmental areas in the FP Floodplain Overlay District.

**COMPREHENSIVE PLAN**

The amendment will implement the following applicable policies of *The Minneapolis Plan for Sustainable Growth*:

Staff has identified the following applicable policies that support an amendment to add a new land use classification and specific development standards for snow storage sites in the zoning code:

**Urban Design Policy 10.23 Promote climate-sensitive design principles to make the winter environment safe, comfortable and enjoyable.**

- 10.23.1 Consider solar access, shelter from wind and snow storage and removal in site design.
- 10.23.4 Encourage snow removal and storage practices that promote pedestrian and bicycle activity and safety.
- 10.23.7 Consider topography and site grading so that snowmelt is directed away from roads and pedestrian areas to avoid icy conditions and from basements to avoid snowmelt infiltration.
- 10.23.8 Develop guidance that encourages climate-sensitive design for residential and commercial buildings, parking lots, and open spaces and parks.

**Urban Design Policy 10.19: Landscaping is encouraged in order to complement the scale of the site and its surroundings, enhance the built environment, create and define public and private spaces, buffer and screen, incorporate crime prevention principles, and provide shade, aesthetic appeal, and environmental benefits.**

- 10.19.1 In general, larger, well-placed, contiguous planting areas that create and define public and private spaces shall be preferred to smaller, disconnected areas.
- 10.19.2 Plant and tree types should complement the surrounding area and should include a variety of species throughout the site that include seasonal interest. Species should be indigenous or proven adaptable to the local climate and should not be invasive on native species.
- 10.19.3 Landscaped areas should include plant and tree types that address ecological function, including the interception and filtration of stormwater, reduction of the urban heat island effect, and preservation and restoration of natural amenities.
- 10.19.4 Landscaped areas should be maintained in accordance with Crime Prevention Through Environmental Design (CPTED) principles, to allow views into and out of the site, to preserve view corridors and to maintain sight lines at vehicular and pedestrian intersections.
- 10.19.5 Landscaping plans should be designed to facilitate future maintenance including the consideration of irrigation systems, drought and salt-resistant species, ongoing performance of storm water treatment practices, snow storage, access to sun, proximity to buildings, paved surfaces and overhead utilities.
- 10.19.6 Green roofs, living walls, and porous pavement are encouraged but are not meant to be a substitute for ground-level landscaping of sites as landscaping provides both a natural amenity and aesthetic beauty to the urban landscape.
- 10.19.7 Boulevard landscaping and improvements, in accordance with applicable city policies, are encouraged.

**Environment Policy 6.11: Take measures to reduce noise pollution at point and non-point sources.**

- 6.11.1 Work with other governmental units, owners and developers to identify and implement ways to buffer and reduce noise originating from businesses, industries, railroads and rail corridors, freeways and highways, and airports.
- 6.11.3 Seek stricter enforcement of noise standards for businesses, vehicles (especially motorcycles, trucks and buses), small engines (leaf blowers, lawnmowers, snow blowers and chain saws) and sound systems.

This amendment is supported by the above policies and is consistent with the above policies of the comprehensive plan.

## RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt staff findings to amend Title 20 of the Minneapolis Code of Ordinances, as follows, and further recommends that Chapters 525, 530, 535, 546, 547, 548 and 549 be returned to the author:

**A. Text amendment amending regulations for snow storage sites.**

Recommended motion: **Approve** the text amendment to amend the zoning code to allow for a new use, snow storage site.

Chapter 520 related to the Zoning Code: *Introductory Provisions*

Chapter 536 related to the Zoning Code: *Specific Development Standards*

Chapter 550 related to the Zoning Code: *Industrial Districts*

Chapter 551 related to the Zoning Code: *Overlay Districts*

## ATTACHMENTS

1. Ordinance amending Chapters 520, 536, 550 and 551.
2. Tahoe Regional Planning Agency's Best Management Practices Toolkit
3. Anchorage, Alaska's site design criteria for snow disposal sites
4. Peer city research table