ORDINANCE NO. 348

CITY OF ST. FRANCIS
ANOKA COUNTY

AN ORDINANCE AMENDING THE ZONING CODE TO MODIFY THE OFF-SITE TREATMENTS FOR STRUCTURAL BMP STANDARDS FOR THE STORMWATER POLLUTION PREVENTION PLAN FOR LARGE SITES – 1ST READING

THE CITY COUNCIL OF THE CITY OF ST. FRANCIS, ANOKA COUNTY, MINNESOTA, ORDAINS:

Changes in the following sections are denoted with an underline for new text or a ~~strikethrough for deleted language.~~ Renumbering shall occur as needed when sections are added or deleted.

Section 1. Section 10-82-04 Stormwater Pollution Plan for Large Sites of the St Francis Code of Ordinances is hereby amended to read as follows:

10-82-04. Stormwater pollution prevention plan for large sites.

In addition to meeting the requirements for Stormwater Pollution Prevention Plans for Small Sites, Large Site Stormwater Pollution Prevention Plans shall meet or exceed the following criteria:

A. Minnesota NPDES/SDS Construction Stormwater General Permit MN R100001 (Construction Stormwater Permit). Designed and implemented to meet or exceed the requirements of the Construction Stormwater Permit.

B. General Policy on Stormwater Runoff Rates and Water Quality for Large Sites.

1. For new development stormwater runoff rates, volume, total suspended solids, and total phosphorus from the site shall not increase over the predevelopment values, based on the last 10-years of how that land was used. Also accelerated channel erosion must not occur as a result of the proposed activity.

    a. Stormwater peak discharge rates shall not increase for the 24-hour, 2-year, 10-year, and 100-year storm events.
    b. Volume, total suspended solids, and total phosphorous may not increase on an average annual basis.
    c. An instantaneous stormwater volume calculated as one (1) inch of runoff from the new impervious surface shall be retained on-site (excluding linear projects).
    d. For linear projects, a water quality volume of one (1) inch times the new impervious surface shall be treated on-site, unless infeasible.

2. For redevelopment stormwater runoff rates, volume, total suspended solids, and total phosphorus must be managed from the predevelopment values, based on the last 10-years of how that land was used. Also accelerated channel erosion must not occur as a result of the proposed activity.

a. Stormwater peak discharge rates shall not increase for the 24-hour, 2-year, 10-year, and 100-year storm events.
b. Volume, total suspended solids, and total phosphorous must show a net reduction on an average annual basis.
c. An instantaneous stormwater volume calculated as one (1) inch of runoff from the new impervious surface shall be retained on-site (excluding linear projects).
d. d. For linear projects, the water quality volume must be calculated as the larger of one (1) inch times the new impervious surface or one-half (0.5) inch times the sum of the new and fully reconstructed impervious surface, unless infeasible.

3. Infiltration systems must be prohibited when the system would be constructed in areas:

   a. that receive discharges from vehicle fueling and maintenance areas, regardless of the amount of new and fully reconstructed impervious surface;
   b. where high levels of contaminants in soil or groundwater may be mobilized by the infiltrating stormwater. To make this determination, the owners and/or operators of construction activity must complete the MPCA's site screening assessment checklist, which is available in the Minnesota Stormwater Manual, or conduct their own assessment. The assessment must be retained with the site plans;
   c. where soil infiltration rates are more than 8.3 inches per hour unless soils are amended to slow the infiltration rate below 8.3 inches per hour;
   d. with less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock;
   e. of predominately Hydrologic Soil Group D (clay) soils;
   f. in an Emergency Response Area (ERA) within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, Subp. 13, classified as high or very high vulnerability as defined by the Minnesota Department of Health;
   g. in an ERA within a DWSMA classified as moderate vulnerability unless the permittee performs or approves a higher level of engineering review sufficient to provide a functioning treatment system and to prevent adverse impacts to groundwater;
   h. outside of an ERA within a DWSMA classified as high or very high vulnerability unless the permittee performs or approves a higher level of engineering review sufficient to provide a functioning treatment system and to prevent adverse impacts to groundwater;
   i. within 1,000 feet up-gradient or 100 feet down gradient of active karst features; or
   j. that receive stormwater runoff from these types of entities regulated under NPDES for industrial stormwater: automobile salvage yards; scrap recycling and waste recycling facilities; hazardous waste treatment, storage, or disposal facilities; or air transportation facilities that conduct deicing activities.

4. For projects where site constraints limit the ability to provide the required control practices within the project boundary; the project shall provide for downstream improvements for that portion that cannot be treated within the project boundaries. Such projects may include:

   a. Linear projects where reasonable effort has been made to obtain sufficient right-of-way to install required control practices and said efforts have been unsuccessful;
   b. Sites where infiltration is prohibited;
   c. Other locations as determined by the City.

5. Sequencing. Projects that cannot fully meet the stormwater requirements of this Part must demonstrate the site constraints through a sequencing analysis subject to review and approval of the City Engineer. Prior to consideration of off-site mitigation, the applicant must demonstrate on-site treatment to the maximum extent practicable given the site constraints.
6. Projects that have made reasonable effort but have been unable to fully meet volume, total suspended solids and total phosphorus requirements within the project limits may, upon authorization by the City, utilize the following methods to meet that portion not met onsite:

    a. Provide treatment that yields the same benefits in an offsite location to the same receiving water that receives runoff from the project site. If this is not feasible then;
    b. Provide treatment that yields the same benefits in an offsite location within the same Minnesota Department of Natural Resources catchment area as the project site. If this is not feasible then;
    c. Provide treatment that yields the same benefits in an offsite location within an adjacent Minnesota Department of Natural Resources catchment area up-stream of the project site. If this is not feasible then;
    d. ~~Provide treatment that yields the same benefits at a site approved by the City.~~ Offsite treatment projects must involve the creation of new structural stormwater BMPs or the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP. Routine maintenance of structural stormwater BMPs owned or operated by the City cannot be used to meet this requirement.
    e. Offsite mitigation authorized by the City shall be completed within 24- months of the beginning of construction on the permitted site.

7. Applicants shall provide documentation showing compliance with the rate and quality requirements of this Part. Acceptable documentation shall be:

    a. For Rate and Volume. Calculations shall be by a methodology listed in the Minnesota Pollution Control Agency's publication, "The Minnesota Stormwater Manual" or other method approved by the City.
    b. For total suspended solids and total phosphorus: Calculations shall be done using the Minimal Impact Design Standards (MIDS) Calculator available on the MPCA website, P8 or other method approved by the City.
    c. Prepared and certified by a Professional Engineer.

(Ord. No. 314, SS , § 1, 5-15-2023)

Section 2. This Ordinance shall take effect and be enforced from and after its passage and publication according to law.

Approved and adopted by the City Council of the City of St. Francis this 21st day of April, 2025.

SEAL

CITY OF ST. FRANCIS

By: _____
Mark Vogel, Mayor

_____

Attest: Jenni Wida, City Clerk

DRAFTED BY:
HKGi
800 Washington Ave. N., Suite 103
Minneapolis, MN 55401