

ORDINANCE NO. O2021-022

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA AMENDING
SHAKOPEE CITY CODE CHAPTER 151.007, ZONING GENERAL REGULATIONS**

THE CITY COUNCIL OF THE CITY OF SHAKOPEE, MINNESOTA, ORDAINS:

Section 1. Chapter 151.007.J of the Shakopee City Code is amended to read as follows:

CHAPTER 151: ZONING

151.007 General Regulations

J. Standards Relating to Bluffs.

1. Placement of structures on lots.
 - a. Structures must be setback 30 feet from the top of bluff.
 - b. Structures and accessory structures, except stairways and landings, must not be placed within bluff impact zones.
 - c. Fences are not considered accessory facilities.
2. Stairways, lifts, and landings. Stairways and lifts are the preferred alternative to major topographic alterations for achieving access up and down bluffs and steep slopes. Stairways and lifts must meet the following design requirements:
 - a. Stairways and lifts must not exceed 4 feet in width on residential lots. Wider stairways may be used for commercial properties, public open-space recreational properties, and planned unit developments;
 - b. Landings for stairways and lifts on residential lots must not exceed 32 square feet in area. Landings larger than 32 square feet may be used for commercial properties, public open-space recreational properties, and planned unit developments;
 - c. Canopies or roofs are not allowed on stairways, lifts, or landings;
 - d. Stairways, lifts, and landings may be either constructed above the ground on posts or pilings, or placed into the ground; provided, they are designed and built in a manner that ensures control of soil erosion;
 - e. Stairways, lifts, and landings must be located in the most visually inconspicuous portions of lots, during leaf-on conditions, whenever practical.
3. Vegetation alterations.
 - a. Intensive vegetation clearing within the bluff impact zones and on steep slopes is not allowed. Intensive vegetation clearing for forest land conversion to another use outside of these areas is allowable as a conditional use if an erosion control and sedimentation plan is developed and approved by the soil and water conservation district in which the property is located.
 - b. In bluff impact zones and on steep slopes, limited clearing of trees and shrubs and cutting, pruning, and trimming of trees is allowable to provide a viewshed from the principal dwelling site and to accommodate the placement of stairways, and landings, picnic areas, access paths, livestock watering areas; provided, that:
 - (1) The screening of structures, vehicles, or other facilities, assuming summer, leaf-on condition, is not substantially reduced; and

- (2) The above provisions are not applicable to the removal of trees, limbs, or branches that are dead, diseased, or pose safety hazards.
4. Topographic alterations/grading and filling.
- a. Grading and filling and excavations necessary for the construction of structures, sewage treatment systems, and driveways under validly issued construction permits for these facilities do not require the issuance of a separate grading and filling permit; however, the grading and filling standards in this subchapter must be incorporated into the issuance of permits for construction of structures, sewage treatment systems, and driveways.
 - b. Public roads and parking areas are regulated by division (5) below.
 - c. A grading and filling permit will be required for:
 - (1) The movement of more than 10 ~~cubit~~ cubic yards of material on steep slopes or within shore or bluff impact zones; or
 - ~~(2) ¶~~ The movement of more than 50 cubic yards of material outside of steep slopes and shore and bluff impact zones; or
 - ~~(2)~~ (3) The disturbance of 5,000 square feet or more surface soils or vegetation.
 - d. Alterations must be designed and conducted in a manner that ensures only the smallest amount of bare ground is exposed for the shortest time possible; while preserving existing drainage patterns and prohibiting land disturbing activities that create new water discharge points on steep slopes or along the bluff.
 - e. Mulches or similar materials must be used, where necessary, for temporary bare soil coverage, and a permanent vegetation cover must be established as soon as possible;
 - f. Methods to minimize soil erosion and to trap sediments before they reach any surface water feature must be used;
 - g. Altered areas must be stabilized to acceptable erosion control standards consistent with the field office technical guides of the local soil and water conservation districts and the U.S. Soil Conservation Service;
 - h. Fill or excavated material must not be placed in a manner that creates an unstable slope;
 - i. Plans to place fill or excavated material on steep slopes must be reviewed by qualified professionals for continued slope stability and must not create finished slopes of 30% or greater;
 - j. Fill or excavated material must not be placed in bluff impact zones
 - k. Alterations of topography must only be allowed if they are accessory to permitted or conditional uses and so not adversely affect adjacent or nearby properties; and
 - l. Placement of natural rock riprap, including associated grading of the shoreline and placement of a filter blanket, is permitted if the finished slope does not exceed 3:1 feet horizontal to vertical, the landward extent of the riprap is within 10 feet of the ordinary high water level, and the height of the riprap above the ordinary high water level does not exceed 3 feet.
 - l.m. The construction of stormwater ponds, swales, and infiltration basins in addition to other improvements involving soil saturation, such as sewage treatment systems are prohibited along bluffs and within the bluff impact and setback zones.
5. Placement and Design of Roadways and Driveways.
- a. Roads, driveways, and parking areas must meet structure setbacks and must not be placed within bluff impact zones, when other reasonably and feasible

placement alternatives exist. If no alternatives exist, they may be placed within these areas, and must be designed to minimize adverse impacts.

(2013 Code, § 11.81) (Ord. 31, passed 10-25-1979; Ord. 106, passed 9-30-1982; Ord. 116, passed 4-14-1983; Ord. 246, passed 6-17-1988; Ord. 253, passed 10-14-1988; Ord. 275, passed 9-22-1989; Ord. 282, passed 1-5-1990; Ord. 377, passed 7-7-1994; Ord. 470, passed 1-1-1997; Ord. 494, passed 8-14-1997; Ord. 495, passed 8-14-1997; Ord. 501, passed 9-18-1997; Ord. 518, passed 7-2-1998; Ord. 643, passed 11-14-2002; Ord. 815, passed 2-26-2009; Ord. 901, passed 2-17-2015; Ord. 940, passed 8-16-2016; Ord. 950, passed 11-15-2016; Ord. R2020-008, passed 11-04-2020; Ord. 2021-006, passed 03-16-2021)

HISTORY

Amended by Ord. [O2018-017 Creating of a Zoning Table](#) on 11/20/2018

Amended by Ord. [O2019-010 Amending Off Street Parking](#) on 8/7/2019

Adopted in regular session of the City Council of the City of Shakopee, Minnesota held this 21 day of September, 2021.

Mayor of the City of Shakopee

Attest:

_____,
City Clerk

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