

## ORDINANCE NO. 25-05

An Ordinance relating to ARTICLE 9, WETLAND BANK, in areas zoned R-A (Rural Single Family Residential), subject to certain conditions.

Be it ordained by the City Council of the City of Ham Lake, Anoka County, Minnesota, as follows:

### 9-210.3 Rural Single Family Residential (R-A)

**b Conditional Uses:** The following shall apply to Conditional Uses in the R-A Districts.

**b) Listing of Conditional Uses:** The following Conditional Uses shall apply in the R-A Districts:

**viii) Wetland Banking** under Article 9-330.8 of the Ham Lake City Code.

**9-330.8 Wetland Bank** A "Wetland Bank," "State Wetland Banking System," or "Bank" means a system of identifying wetlands restored or created for replacement credit and providing for, facilitating, and tracking the exchange of wetland banking credits for projects that require replacement plans or wetland mitigation required by other local, state, or federal authorities.

**A. Statutory Conditions** It shall be a mandatory condition of any Conditional Use Permit issued for a Wetland Bank that the party holding the permit has complied with all standards and procedures related to a State wetland banking system as provided in Minnesota Rules parts 8420.0700 to 8420.0820.

**B. Monitoring Fees** To the extent the City is responsible for the role of the Local Government Unit, the City shall collect a monitoring fee for its required monitoring activities according to the City of Ham Lake Fee Schedule as amended from time to time.

~~**C. Maintenance Fee** The permit holder shall pay the City a Maintenance Fee of 3% of the value of each credit sold. 2% of said Maintenance Fee shall be deposited into the general fund and 1% shall be deposited into the park fund. The total value of the credits to be sold shall be determined when the permit is issued and the permit holder shall provide a letter of credit in an amount equal to 3% of the total value of the credits. The letter of credit shall have a ten-year life and can be reduced annually as the Maintenance Fee is paid for the credits sold in each calendar year.~~

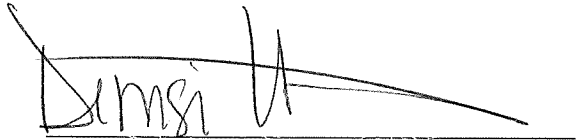
**C. Easement** It shall be a mandatory condition of any Conditional Use Permit issued for a Wetland Bank that the permit holder dedicate to the City an easement through and/or adjacent to the Wetland Bank for a 10-foot wide trail installed by the permit holder to include sufficient sloping and drainage as determined by the City Engineer. The easement shall be for public use. The 20-foot wide minimum easement shall be maintained by the Maintenance Fee collected as part of this Article. Permit holder shall install, at permit holder's expense, appropriate signage identifying the trail and

associated area and any rules or regulations for the use of the trail and associated area as determined by the City.

In the event dedication of a trail easement is not economically feasible or possible, then the permit holder shall pay parkland dedication fees in lieu of the easement dedication. The parkland dedication fee will be based on the current per lot parkland dedication fee schedule. The parkland dedication fee will be collected for each credit available for sale in the wetland bank. However, at the discretion of the City Council, the per credit fee can be waived or reduced with credit given for amenities provided to the residential developments associated with the wetland banking application, if any, that exceed the parkland dedication fee required for the residential development.

- D. Road Frontage** Wetland Banks shall have improved roadway frontage for access as determined by the City Engineer. If any excavation is required for the creation of the Wetland Bank, road access of at least 9 tons bearing capacity shall be required.

Presented to the Ham Lake City Council on March 3, 2025 and adopted by a unanimous vote this 17th day of March, 2025.



Denise Webster, City Clerk



Brian Kirkham, Mayor