

Pursuant to due call and notice thereof, a Council Work Session of the North Mankato City Council was held in the Council Chambers on January 11, 2021. Mayor Dehen called the meeting to order at 12:00 pm. The following were present remotely through Zoom for roll call: Council Members Oachs, Norland, Steiner, Whitlock, and Mayor Dehen, City Administrator Harrenstein, Finance Director McCann, Community Development Director Fischer, City Planner Matthew Lassonde, and City Clerk Van Genderen. Citizen monitoring was available through a conference call.

Background on Managed Natural Landscape Ordinance.

Community Development Director Fischer reported he would review the process and research conducted to create the proposed Managed Natural Landscape Ordinance. A review of the current City Code includes grass and weed cutting and controlling at 90.110 Duty of Owner and Occupant and 90.111 Failure to Maintain. The current code requires residents to cut their grass or lawn to no higher than six inches, and failure to maintain provides a process where the City can go in and take care of properties and assess the cost to the property owner. Currently, there are no code provisions for natural lawn areas. City Code 156.054 does contain language about landscaping and general performance standards. The code is vague and requires that all lawns be landscaped attractively. Community Development Director Fischer reported landscaping is not permitted in the boulevard, and vegetable and flower gardens are permitted uses. He noted there have not been any concerns about flower and vegetable gardens reported to the City. The proposed Ordinance provides an opportunity to include managed natural lawns as a permitted use.

Community Development Director Fischer reported in the past three years, several residents have reported their lawn as a Managed Natural Lawn as a way to not comply with City Code. He commented that there are residents who are experts who maintain well managed natural areas and others who falsely refer to unmaintained yards as managed natural areas. Clarification needs to be given to residents and staff so staff can appropriately direct residents. Community Development Director Fischer reported a draft ordinance was created and reviewed by the Planning Commission, who requested additional information. The Ordinance did not need to go through the Planning Commission as it does not affect zoning and is not technically a Planning Commission topic. The City also held educational sessions with the MnDNR regarding pollinator habitats, and there have been three Council Work Sessions. Following a recent Work Session City Council was clear on moving forward to a public hearing after revisions were made concerning their preferences. Additional educational meetings were planned, but COVID-19 has prevented public interaction. On the January 4, 2021, Council Meeting, the Council set the Public Hearing for January 19, 2021.

City Planner Lassonde reviewed the proposed Ordinance. He stated the Ordinance's intent is to provide an opportunity for residents to establish a portion of their lawns on residential parcels for the planting of native vegetation that can grow to a height of greater than six (6) inches. Managed Natural Lawn is defined in the Ordinance. Also defined in the Ordinance is Native Vegetation; the definition references the Minnesota Department of Natural Resources and their Minnesota Department of Natural Resources Native Plan Encyclopedia. Turf Grasses are also defined but are not regulated by the Ordinance and remain under City Code Chapter 90.110. City Planner Lassonde reviewed the requirements, stating that any residential homeowner may have a Managed Natural Lawn Area not to exceed 250 square feet in size or 30% of any lawn, whichever is less. He noted discussion could be held about the natural lawn plot's allowed size, and Council could change the language. He said Council had requested not to let residents start with a whole lawn, instead start small and increase the allowed size. The discussion was held about changing the language from 250 square feet or 30% of any lawn or 500 square feet if the Council wants additional space. Additional requirements include native vegetation, which can be taller than 6 inches, but they may not include noxious weeds, the managed area will not include turfgrass lawns, the property line setbacks include a 10-foot setback

from the front and rear property lines, and a 5-foot setback from all side yards. The Ordinance also requires that while establishing a Managed Natural Lawn Area, turfgrass or other existing vegetation shall be eliminated, and native vegetation shall be planted. It was noted that installing a managed natural lawn area will take time and dedication. City Planner Lassonde noted additional requirements in the Ordinance include a Managed Natural Lawn Area must be free of blight, blighting factors, free of public nuisances, and the rest of the lawn be appropriately maintained. The Managed Natural Lawn must not interfere with motorists' views of the street or roadway. If a resident fails to maintain the Managed Natural Lawn properly, the City may proceed to abate the issue. The Ordinance lays out guidance for abating Managed Natural lawns that are not in compliance.

City Planner Lassonde reviewed the City's research, including existing North Mankato ordinances, Minnesota State Statute, Minnesota Board of Water and Soil Resources, Minnesota Department of Natural Resources, Minnesota Pollution Control Agency, and ordinances from various Minnesota Cities. He noted there was no one size fits all Ordinance and compared other City Ordinances with North Mankato's proposed Ordinance.

City Planner Lassonde noted North Mankato's commitment to Environmental practices, including establishing a ravine protection program, installing LED lighting, created a Buckthorn eradication program, installed EV Charging units, and established 30+ acres of native prairie in the City of North Mankato. North Mankato is committed to being environmental stewards.

Council Member Steiner stated he would like to allow up to 500 square feet of Managed Natural Lawn. He said the Ordinance recognizes that one size does not fit all.

Council Member Norland requested clarification on the proposed language changes. City Administrator Harrenstein reported it was a policy question the Council could decide. Mayor Dehen requested clarification from Community Development Director Fischer if there was a maximum amount allowed for gardens. Community Development Director Fischer reported there was no permitted maximum for gardens. City Administrator Harrenstein commented residents had used gardens to feed themselves, and there have not been any code issues. Mayor Dehen commented that the proposed language could be updated to state that the Managed Natural Lawn Area could include up to 30% of any pervious lawn, removing any impervious property from the calculations. It was determined that the language in Ordinance would state that the planned Managed Natural Lawn Area could not exceed 500 square feet or 30% of any pervious lawn.

Mayor Dehen thanked staff for using the DNR and tying the Ordinance to the language maintained and updated by the DNR; it will provide clarity for City staff and residents. He also appreciated the use of setbacks to define the area and maintain visibility for pedestrians and traffic. Mayor Dehen commented that the Ordinance has clear definitions, can protect our neighbors, and is enforceable.

Council Member Norland requested staff place the presentation on the website ahead of the Council Meeting.

Mayor Dehen requested staff speak with the Master Gardeners to see about establishing some times for public outreach.

City Administrator Harrenstein reported the City plans on a robust public outreach. A demonstration plot will be installed adjacent to the city hall parking lot, and educational materials and workshops will be provided.

Mayor Dehen hoped providing the information and presentation early will help allay people's fears and help find a middle ground.

Council Member Whitlock requested clarification if residents could split the square feet between the front lawn and the backyard. City Administrator Harrenstein clarified that there could be a split.

Council Member Oachs moved, seconded by Council Member Norland, to close the meeting at 12:50 pm.

Mayor

City Clerk