

**CITY OF VICTORIA
COUNTY OF CARVER
STATE OF MINNESOTA**

ORDINANCE NO. 413

**AN ORDINANCE AMENDING SECTION 109 OF THE
VICTORIA CITY CODE, THE CITY'S OFFICIAL ZONING ORDINANCE,
BY REZONING CERTAIN PROPERTY**

THE CITY COUNCIL OF THE CITY OF VICTORIA ORDAINS:

Section 1. Section 109 of the Victoria City Code, the City's official zoning ordinance, is hereby amended by rezoning all property within Waterford Landing from R (Residential District) to R (Residential District) and PUD (Planned Unit Development Overlay District) as described herein below:

THOSE PARTS OF LOTS 6 AND 7, AUDITOR'S SUBDIVISION NO. 200, CARVER COUNTY, MINNESOTA, ACCORDING TO THE RECORDED PLAT THEREOF, LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 116 NORTH, RANGE 24 WEST OF THE 5TH PRINCIPAL MERIDIAN; THENCE ON AN ASSUMED BEARING OF NORTH 1 DEGREE 28 MINUTES 51 SECONDS WEST, ALONG THE EAST LINE OF SAID SECTION A DISTANCE OF 858.00 FEET TO THE SOUTHWEST CORNER OF LOT 2, AUDITOR'S SUBDIVISION NO. 200; THENCE CONTINUING NORTH 1 DEGREE 28 MINUTES 51 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 446.20 FEET TO THE INTERSECTION WITH THE LOCATION LINE OF STATE HIGHWAY NUMBER 7 AS DESCRIBED AND RECORDED IN BOOK V OF DECREES, PAGE 540, PARCEL 15, OFFICE OF REGISTER OF DEEDS IN AND FOR THE COUNTY OF CARVER; THENCE DEFLECTING TO THE LEFT 57 DEGREES 11 MINUTES 00 SECONDS, BEARING NORTH 58 DEGREES 39 MINUTES 51 SECONDS WEST ALONG SAID LOCATION LINE, A DISTANCE OF 369.70; THENCE NORTHWESTERLY, ON SAID LOCATION LINE, A DISTANCE OF 710.00 FEET ALONG A TANGENTIAL CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 5729.58 FEET AND A CENTRAL ANGLE OF 7 DEGREES 06 MINUTES 00 SECONDS; THENCE NORTH 51 DEGREES 33 MINUTES 51 SECONDS WEST, TANGENT TO SAID CURVE AND ALONG SAID LOCATION LINE, A DISTANCE OF 707.90 FEET; THENCE NORTHWESTERLY ALONG SAID LOCATION LINE A DISTANCE OF 26.60 FEET, DEFLECTING TO THE LEFT ON A 10 CHORD SPIRAL CURVE OF DECREASING RADIUS, TO THE INTERSECTION WITH THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF LOT 6, AUDITOR'S SUBDIVISION NO. 200, (SAID 26.60 FEET PASSES THROUGH A SPIRAL ANGLE OF 0 DEGREES 01 MINUTE 25 SECONDS AND HAS A CHORD BEARING OF NORTH 51 DEGREES 34 MINUTES 19 SECONDS WEST, AND SAID 10 CHORD SPIRAL CURVE HAS A TOTAL LENGTH OF 300.00 FEET AND A TOTAL SPIRAL ANGLE OF 3 DEGREES 00 MINUTES 00 SECONDS); THENCE SOUTH 76 DEGREES 43 MINUTES 47 SECONDS WEST, ALONG THE EXTENSION OF THE NORTHERLY LINE OF SAID LOT 6, A DISTANCE OF 16.35 FEET TO THE ACTUAL POINT OF BEGINNING OF THE LINE TO BE DESCRIBED; THENCE CONTINUING SOUTH 76 DEGREES 43 MINUTES 47 SECONDS WEST, ALONG SAID EXTENDED LINE AND ALONG THE NORTHERLY LINE OF SAID LOT 6 A DISTANCE OF 70.99 FEET; THENCE SOUTH 47 DEGREES 03 MINUTES 08 SECONDS WEST A DISTANCE OF 255.62 FEET; THENCE SOUTH 29 DEGREES 09 MINUTES 47 SECONDS WEST A DISTANCE OF 149.92 FEET; THENCE SOUTH 81 DEGREES 41 MINUTES 21 SECONDS

WEST A DISTANCE OF 141.04 FEET; THENCE SOUTH 0 DEGREES 34 MINUTES 53 SECONDS WEST A DISTANCE OF 482.80 FEET; THENCE SOUTH 33 DEGREES 11 MINUTES 14 SECONDS WEST A DISTANCE OF 137.29 FEET; THENCE SOUTH 17 DEGREES 57 MINUTES 41 SECONDS EAST A DISTANCE OF 299.48 FEET; THENCE SOUTH 10 DEGREES 43 MINUTES 09 SECONDS WEST A DISTANCE OF 176.50 FEET, MORE OR LESS, TO THE NORTHERLY SHORE LINE OF SCHUTZ LAKE, AND SAID LINE THERE TERMINATING. EXCEPT THAT PART OF LOT 7, AUDITOR'S SUBDIVISION NO. 200, CARVER COUNTY, MINNESOTA, ACCORDING TO THE RECORDED PLAT THEREOF, AND ACCRETIONS THERETO, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 7; THENCE ON AN ASSUMED BEARING OF SOUTH 2 DEGREES 08 MINUTES 24 SECONDS WEST, ALONG THE EASTERLY LINE OF SAID LOT 7, ABOUT 650 FEET TO THE SHORELINE OF SCHUTZ LAKE; THENCE NORTHWESTERLY, ALONG SAID SHORELINE OF SAID SCHUTZ LAKE, TO THE INTERSECTION WITH A LINE BEARING SOUTH 34 DEGREES 09 MINTUES 10 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE NORTH 34 DEGREES 09 MINUTES 10 SECONDS EAST ABOUT 598 FEET TO THE POINT OF BEGINNING.

Section 2. The rezoning of this property incorporates the following PUD (Planned Unit Development) design standards:

Waterford Landing Zoning Standards

a. Intent

The purpose of this zone is to create a PUD that provides for a context sensitive single family development. The use of the PUD zone is to allow for more flexible land development standards while sustaining a higher quality and more sensitive proposal. The PUD requires the development demonstrate a high quality of design compatible with surrounding land uses as well as preservation of desirable site characteristics, open space, and protection of sensitive environmental features while achieving guided densities not be efficiently addressed through pre-existing or other traditional zoning practices in Victoria. Except as modified by the Waterford Landing PUD standards, the development shall comply with the requirements of the Residential District and Shoreland Overlay District provisions of the City's Zoning Ordinance.

b. Permitted Uses.

Permitted uses in this zone shall be as follows:

1. Principle uses of the property shall include any area of the property that is designed and constructed for one of the following unit types:
 - a. Single Family Residential – a single-family residence under singular (1) ownership on a lot designed and constructed specifically for a single family home, where no walls of an individual home are closer than fifteen (15) feet to another single family home, with a common association responsible for the maintenance, control, and enforcement of exterior building standards and property use, which includes but is not limited to property maintenance and architectural control(s).

2. Accessory uses of the property shall include those uses which are incidental to the principle uses or those accessory uses otherwise permitted under the Residential District or Shoreland Overlay District respectively.

c. Bulk Regulations.

The PUD ordinance requires setbacks from roadways and exterior property lines. Lots are expected to sustain a maximum impervious surface area within the PUD. The following table displays those setback and the impervious surface requirements for each principle permitted use:

SINGLE FAMILY RESIDENTIAL BULK REGULATIONS	
Bulk Regulation	PUD Standard (minimum unless otherwise specified)
Lot Size	9,300 square feet
Lot Width	60 feet
Lot Depth	155 feet
Front Yard Setback	25 feet
Rear Yard Setback	30 feet
Side Yard Setback	15 feet total (minimum of 5 feet on one side)
OHWL Setback (Schutz Lake)	100 feet
Building Separation	15 feet
Impervious Surface	55% per lot; 30% overall development (Maximums)

d. Lake Access, Watercraft, and Water-Oriented Accessory Structures, and Docks.

1. Lake Access.

- a. All property owners within Waterford Landing shall be provided a single access to Schutz Lake via a route extending from a public street within the Waterford Landing subdivision through a riparian outlot owned by an association of Waterford Landing homeowners.
- b. Said lake access shall be constructed in accordance with the adopted Shoreland Overlay District provisions of the City with emphasis on minimizing impact to existing natural conditions of the shoreline.

2. Watercraft.

- a. **Motorized Watercraft.** For the purposes of this ordinance motorized watercraft shall be defined as: any vessel propelled by machinery such as a motor, pump, or drive, which is designed to be operated by standing, sitting, or kneeling on, astride, or behind the vessel. Residents and homeowners of Waterford Landing shall be restricted to the launching of motorized watercraft specifically owned by the association of Waterford Landing homeowners. Said restriction shall also consist of not more than one (1) motorized watercraft unless approved otherwise under a conditional use permit by the City of Victoria.
- b. **Non-Motorized Watercraft.** For the purposes of this ordinance, non-motorized watercraft shall be defined as: any vessel that is propelled manually by one or more

persons without the assistance of machinery. Examples of non-motorized watercraft include but shall not be limited to: canoes, kayaks, paddle boats. Residents and homeowners of Waterford Landing shall have the ability to utilize non-motorized watercraft owned personally or by the association of Waterford Landing homeowners. All non-motorized watercraft shall be stored overnight in a personal residence or city-approved water-oriented accessory structure.

3. Water-oriented Accessory Structures.

- a. The Waterford Landing development shall be permitted to construct and locate not more than two (2) water-oriented accessory structures within an outlot owned by the association of Waterford Landing homeowners. For the purposes of this ordinance water-oriented accessory structures shall be defined as follows: a small structure, facility, or other aboveground building or improvement, except stairways, fences, docks, retaining walls, which, because of the relationship of its use to a surface water feature, reasonable needs to be located closer to public waters than a normal structure setback. Examples of such structures and facilities include gazebos, screen houses, pump houses, non-motorized watercraft storage, general watercraft equipment storage sheds, and detached decks. Said permitted water-oriented accessory structure(s) shall not be placed within any established environmentally significant buffers or impact zones determined by the City or other jurisdiction having authority of property within a specified distance of Schutz Lake.

Section 3. The zoning map of the City of Victoria shall not be republished to show the aforesaid zoning, but the Clerk shall appropriately mark the zoning map on file in the Clerk's Office for the purpose of indicating the rezoning and PUD standards hereinabove provided for in this ordinance, and all of the notations, references, and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

Section 4. This ordinance shall be effective immediately upon its passage and publication.

Adopted this 23rd day of January, 2016 by the Victoria City Council.

Tom Funk, Mayor

ATTEST:

Cindy Patnode, City Clerk