

November 15, 2010

Minnesota Department of Natural Resources  
Attn: Jeffrey Berg  
500 Lafayette Road  
St Paul, MN 55155-4032

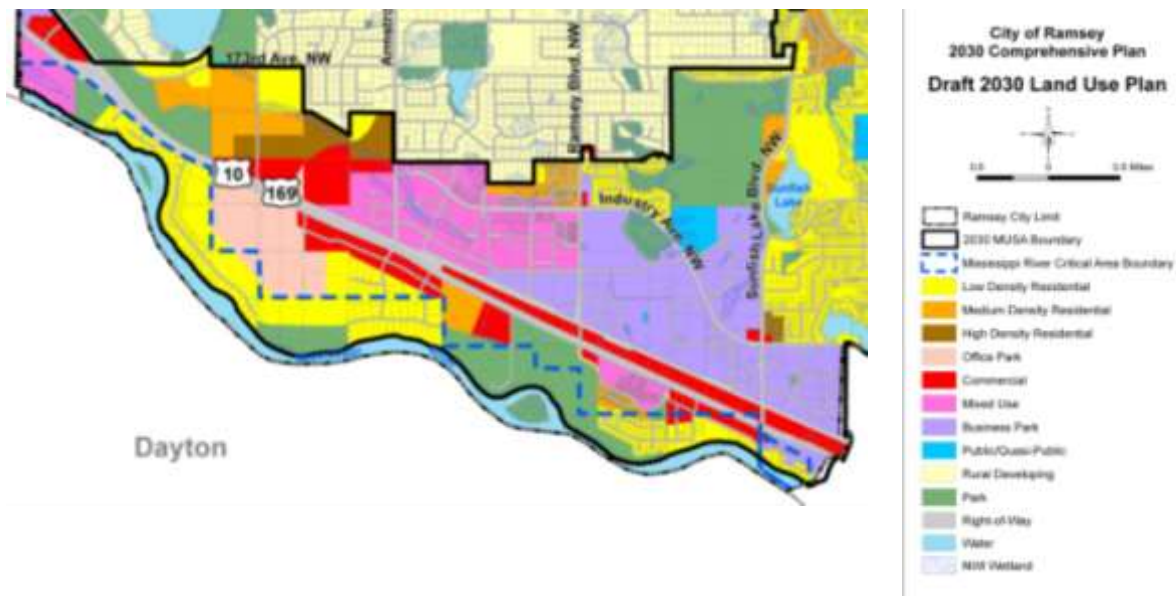
RE: MRCCA Rulemaking

Jeffrey:

The City of Ramsey has reviewed the most recent draft of the proposed MRCCA rules. The City of Ramsey appreciates the side-by-side comparison of existing standards and proposed standards. We thank you for your willingness to incorporate comments provided into the draft rules. We hope that we can continue to facilitate open conversation. We provide the following comments:

**General/Land Use Districts:**

We greatly appreciate the revisions to the land use districts to better match actual development patterns. We certainly are in support of the tiered land use district approach that focuses regulations on the areas of highest need. We continue to have concern regarding CA-2 designations remaining in certain areas. Our approved Comprehensive Plan and underlying zoning districts allow for minimum lot sizes of 10,800 square feet, which was used to determine future population, household, and employment forecasts. Changes in minimum lot size will result in reduced forecasts, which will require a revision to the City's System Statement, a discussion the City is not willing to start at this time.



### **Dimensional Standards:**

The City of Ramsey does not have any major issues with Page 1 of the Dimensional Standards sheet. We somewhat object to the 200' structure setback from the OHW. The City HIGHLY objects to introducing structure setback for tributaries. The draft rules identify the Rum River as a tributary for the Mississippi River. The Rum River is already protected by Wild and Scenic regulations. We have noted concern with overlapping regulations on multiple occasions. This additional overlap is unacceptable. We find the building height definition generally acceptable, although it does not match the City's definition of building height. Building height restrictions shall allow for two-story residential dwelling structures.

### **Bluffs and Steep Slopes:**

The City finds the Preliminary Bluff Map a helpful tool in determining where bluff setbacks apply. It appears that bluff setbacks are consistent with adjoining communities and the City finds this acceptable. However, again, the CA-2 standards are, in the opinion of the City of Ramsey, excessive as it relates to the remaining land use districts. Setback standards in the CA-2 district shall either be revised to a more acceptable standard, or remaining areas in Ramsey shall be revised to CA-3. The draft rules state that development may be allowed on steep slopes under certain conditions. Please clarify who determines those conditions as listed in the draft rules.

### **Water Quality:**

The City has an approved comprehensive surface water management plan. We find this to be adequate measure for protection of water quality, and thus find that the intent of the MRCCA is met, and we should not be subject to additional review and performance standards.

### **Vegetation Management:**

We do not object to certain vegetation management standards. We object to the size of the SIZ in the CA-2. Certain vegetative removal should be allowed to enhance the enjoyment of this critical resource. We question the viability of requiring the City to implement an LGU program to encourage further protection. We do not have the resources to implement such a program at this time. If the DNR can provide the City with such resources, we will assist as best as possible in distribution of such materials. We oppose requiring restoration at time of expansion of any non-conformity. The language appears vague in the statement 'mitigation will be proportionate to the impacts of the development'. We would like to explore certain incentive-based programs to encourage restoration at time of expansion, as opposed to firm requirements.

We certainly see the benefit of natural vegetative screening along the river, both from an aesthetic and functional standpoint. As you can see on the future land use map on page 1 of this letter, a large majority of any remaining riparian areas are guided for park/open space. We feel we should receive open-space credit for these areas we have already guided for the purposes of natural resource conservation and recreational opportunities.

### **Uses:**

The City finds the Uses section generally acceptable, with the exception of screening standards of signs. We find this a difficult standard to enforce, as much of the screening will be subject to off-site vegetative screening outside of the control of the property owner.

### **Facilities:**

A high priority goal for the City of Ramsey is access to the many miles of river that run along our border. We are extremely fortunate to be bordered by the Mississippi River as well as the Rum River. Our Parks Staff has been working diligently, along with the Anoka County Parks Staff, to develop public access so our residents, and residents of the region, can experience firsthand these important resources. We ask that the draft rules do not impede our ability to develop such access in the limited few areas we still have an opportunity to do so. Other high-priority projects for Ramsey include the development of the Mississippi West Regional Park and the Mississippi River Trail (MRT).

As it relates to right-of-way maintenance, it is imperative that we be able to enforce our ordinances related to long grass and vision clearance triangles. These are not only important from an aesthetic standpoint, but from a safety standpoint as well.

We also support Anoka County's response to the initial draft rules. We find it important to be able to develop regional parks, which will help permanently protect valuable open space along the corridor, and to continue to plan for desperately needed transportation improvements within the corridor. We find it difficult to support a standard that makes an important river crossing subject to approval of the Commissioner of the DNR. The update to the rules should acknowledge corridors that have already been identified and should not impede the ability of these crossing to occur. We would like to see additional clarification on what is determined as 'reasonable and consistent'.

### **Subdivisions and Planned Unit Developments:**

The City is willing to explore the use of conservation subdivisions. However, we find the requirement for 50% dedicated public open space excessive compared to other districts. The City is unable to accept additional maintenance and monitoring obligations for these areas. The City would like to work with the DNR to develop Conservation Subdivision standards separate from our existing PUD standards that includes a lower dedication requirement that is focused on higher priority areas. As stated previously, we would like to explore credit for areas guided for parks/open space within our Comprehensive Plan.

As previously stated, the City understands the importance of this critical natural and cultural resource and it is an extremely important piece of our community. The City wishes to provide adequate protections that balance private property rights. Cities have come a long way in managing urban growth since the Executive Order was established. We continue to pride ourselves of our blend of urban and rural character and pride ourselves on a high quality of storm water management. We understand the need for consistency across jurisdictions, but want to ensure that the state rules are indeed the minimum standards necessary in order to protect the health, safety, and welfare of our region and the Mississippi River. The City of Ramsey feels that there is still a need for room for local units of government to manage their land use and zoning appropriately, as we are those that are most familiar with the local needs of the area.

In summary, a majority of our concerns are with areas guided as CA-2 and potential conflict with our approved Comprehensive Plan. In addition, we feel that this designation has too many standards that are much more restrictive than the remaining districts. If the intent truly is to have consistency across the corridor, then the CA-2 designation requires much revising.

Please feel free to contact Tim Gladhill, Associate Planner and MRCCA Working Group member with additional questions or clarification.

Sincerely,

CITY OF RAMSEY

Bob Ramsey  
Mayor

Kurt Ulrich  
City Administrator

Tim Gladhill  
Associate Planner/MRCCA Working  
Group Member

CC: NW Working Group Members  
Susan Hoyt, Metropolitan Council Sector Representative  
Mark Holsten, DNR Commissioner