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August 25, 2010

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

RE: MRCCA Rulemaking

Jeffrey:

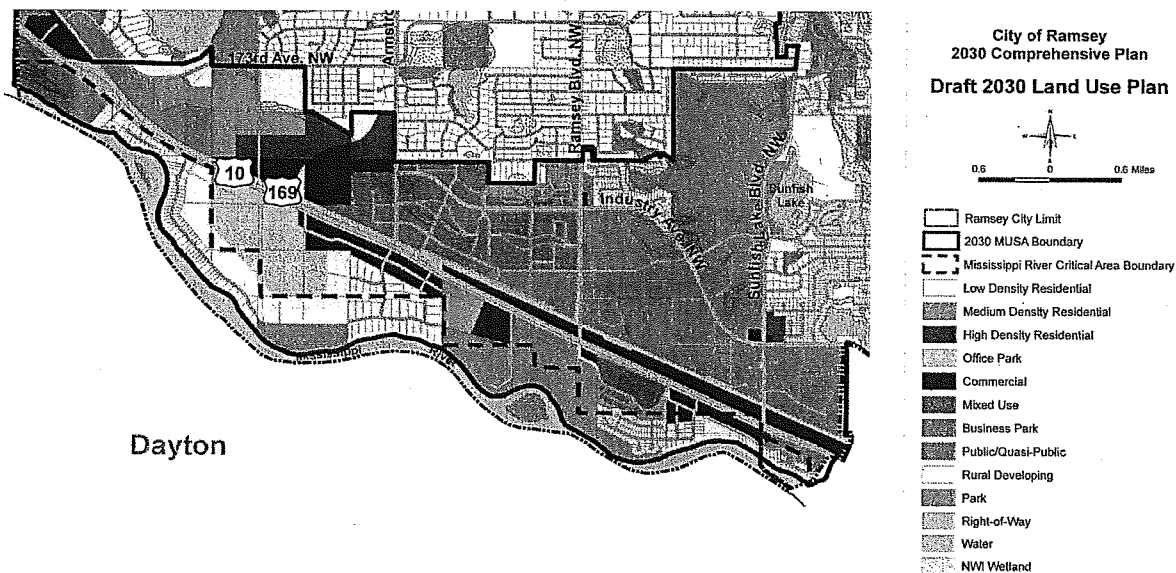
Thank you for the opportunity to respond to the draft rules of the MRCCA. The City of Ramsey understands the difficulty in balancing many different interests that are involved in this rulemaking process. We hope you take the time to review the City of Ramsey's responses and concerns. We look forward to continued collaboration on this and future projects.

The City of Ramsey City Council passed a resolution in response to the draft rules last evening. A copy of the draft resolution is attached for your review. We will send you an executed copy when that is available. We provide the following responses.

- 1) That the City requests that the DNR not require the City to be placed in both the Wild and Scenic and MRCCA Overlay Districts.
- 2) That the City requests that the DNR only implement the minimum standards in order to protect the health, safety, and welfare of the MRCCA in compliance with the Executive Order implementing the MRCCA and provide evidence as to the minimum standards.
- 3) That the City approves of the tiered land use district approach.
- 4) That the City requested additional protections, possibly a separate land use district, for those parcels already developed that may be impacted by lawful, non-conforming statuses above and beyond what is provided in MN Statute 462.357.
- 5) That the City requests that the Metropolitan Council be involved to a greater degree to ensure continuity between approved comprehensive plans and MRCCA plans in that there are conflicts in approved densities and land uses which drastically change how the City will be required to plan for future land use working within the regional framework.
- 6) That the City requests that the DNR incorporate the Statement of Principles and Specific District Comments provided by the Northwest Working Group.

- 7) That the City requests the DNR ensure compliance with the City's 2030 Comprehensive Plan, most notably densities consistent with Low Density Residential (LDR) as defined in the plan.
- 8) That the City requests the DNR ensure the ability to expand roadways to meet safety and capacity needs without additional, burdensome review and accept proper environmental studies as evidence of compliance with protection of key resources.
- 9) That the City requests the DNR consider the approved Surface Water Management Plan of the City as sufficient stormwater management plans and allow the City's Engineering Division to implement accepted Best Management Practices (BMPs) without additional review.
- 10) That the City requests the DNR consider alternatives to vegetative buffers for stormwater management and erosion control.
- 11) That the City requests the DNR consider refraining from using a 'one size fits all' buffer. Much of Ramsey can be characterized as open prairie lands. Any proposed buffers shall match native canopy cover and existing conditions where feasible.
- 12) That the City requests the DNR consider protecting public and private access to the river.
- 13) That the City requests the DNR ensure that public parks are able to develop that will enhance the experience and protection of the river.

In addition, the City is of the belief that we have taken sufficient steps to meet the intent of the MRCCA overlay district, as you can see in the future land use map below. The City believes that if required to provide dedicated open space as part of a conservation subdivision, certain areas should be credited that were designated as park or open space in our Critical Area Plan of our 2030 Comprehensive Plan that was proposed *prior to* commencing MRCCA rulemaking.



Furthermore, the City has reviewed the comments provided following the August 12<sup>th</sup> Working Group meeting in an email from Jeffrey Berg dated August 16, 2010. We continue to be concerned with being classified as rural. We agree that certain portions of Ramsey are of rural character and support that character. However, as our Future Land Use Map in the 2020 and 2030 Comprehensive Plans indicate, the area within the MRCCA is not this character, yet low density residential classified as three (3) units per acre and minimum lot size of 10,800 square feet. A minimum lot size of two (2) acres is inconsistent with our approved plans. It is our belief that the DNR had the ability to comment on this land use designation during development of the Comprehensive Plan, and as far as we can tell, did not prevent the City from implementing this future land use map. We have contacted our Sector Representative from the Metropolitan Council. The City is of the belief that we have expended great resources on these plans and received the appropriate approvals and shall not be negatively impacted by these proposed rules as it relates to conformance to the Metropolitan Council's Regional Framework. The City is already required to adhere to MN Stat. 473.175 as it relates to local comprehensive plans and ensure compliance with regional planning.

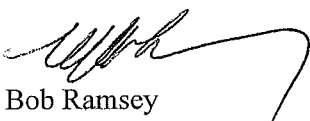
Lastly, the City encourages the DNR to provide all affected communities with recent case law as it relates to variances (namely the definition of 'reasonable use') as well as non-conforming statutes. The City is especially concerned with comments that the proposed rules include provisions for amortization, which is in direct conflict with current statutes.

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. The City has received numerous positive comments on our approved surface water management plan, especially during review of our comprehensive plan. 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.


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

Sincerely,

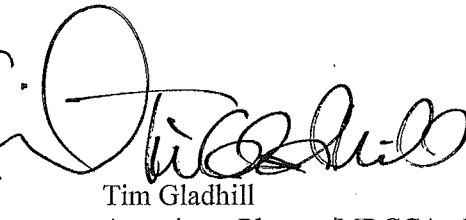
CITY OF RAMSEY



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