

**City of Ramsey**  
**Agenda**  
**Regular Planning Commission**  
**Thursday March 3, 2011**  
**7:00 pm**  
**Council Chambers, 7550 Sunwood Drive NW**

1. **Call to Order**
2. **Citizen Input**
3. **Approve Agenda**
4. **Approve Minutes**
  1. Approve Planning Commission Meeting Minutes
5. **Note City Council Minutes**
  1. Note the following City Council meeting minutes:  
  
Regular meeting minutes dated January 11, 2011  
Regular meeting minutes dated January 25, 2011
6. **Public Hearing/Commission Business**
  1. Consider Ordinance to Amend Section 117-90 "Map" of Chapter 117 of the Ramsey City Code Related to the 2030 Comprehensive Plan.
  2. Consider Ordinance to Amend City Code Section 117-118 (Town Center) of the Ramsey City Code; Case of City of Ramsey
  3. Staff Update
  4. Zoning Bulletin
7. **Commission/Staff Input**
8. **Adjournment**

**Regular Planning Commission**

**Item #: 4. 1.**

**Date: 03/03/2011**

By: JoAnn Shaw  
Community Development

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Information

Title:

Approve Planning Commission Meeting Minutes

Background:

Approve the following Planning Commission Meeting Minutes:

Regular Meeting minutes dated February 3, 2011.

Notification:

Observations:

Funding Source:

Staff Recommendation:

Committee Action:

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Attachments

Planning 2.3.11

Form Review

**Inbox**

Tim Gladhill

Aaron Backman

Form Started By: JoAnn Shaw

Final Approval Date: 02/25/2011

**Reviewed By**

Tim Gladhill

Aaron Backman

**Date**

02/25/2011 10:03 AM

02/25/2011 11:00 AM

Started On: 02/25/2011 09:32 AM

**PLANNING COMMISSION  
CITY OF RAMSEY  
ANOKA COUNTY  
STATE OF MINNESOTA**

The Ramsey Planning Commission conducted a regular meeting on Thursday, February 3, 2011, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present:           Commissioner Ralph Brauer  
                                  Commissioner Bryan Rogers  
                                  Commissioner Gary Van Scoy

Members Absent:           Chairperson Gary Levine  
                                  Commissioner Andrew Dunaway

Also Present:               Associate Planner Tim Gladhill  
                                  Economic Development/Marketing Manager Aaron Backman

**CALL TO ORDER**

Vice Chairperson Van Scoy called the regular meeting to order at 7:01 p.m.

**CITIZEN INPUT**

None

**APPROVAL OF AGENDA**

Motion by Commissioner Brauer, seconded by Commissioner Rogers, to approve the agenda as presented.

Motion Carried. Voting Yes: Vice Chairperson Van Scoy, Commissioners Brauer, and Rogers.  
Voting No: None. Absent: Chairperson Levine and Commissioner Dunaway.

**APPROVE PLANNING COMMISSION MINUTES**

Motion by Commissioner Brauer, seconded by Commissioner Rogers to approve the following minutes with spelling correction on page two:

- 1) Planning Commission regular meeting minutes dated January 6, 2011.

Motion Carried. Voting Yes: Vice Chairperson Van Scoy, Commissioners Brauer, and Rogers.  
Voting No: None. Absent: Chairperson Levine and Commissioner Dunaway.

## **NOTE CITY COUNCIL MINUTES**

The following Council minutes were noted:

- 1) City Council regular meeting minutes dated December 14, 2010

## **PUBLIC HEARINGS/COMMISSION BUSINESS**

**Case #1: Public Hearing –Request for a Home Occupation Permit to Operate a Home Office for Carefree Home Services at 7830 149<sup>th</sup> Lane NW; Case of Michael Beach**

### **Public Hearing**

Vice Chairperson Van Scoy called the public hearing to order at 7:03 p.m.

### **Presentation**

Associate Planner Gladhill presented the Staff Report.

### **Citizen Input**

Commissioner Brauer stated he liked the questionnaire used in the home occupation application, it answers questions before meeting.

Associate Planner Gladhill stated that the questionnaire came about when amending the Home Occupation ordinance and it has helped streamline the process.

Michael Beach, 7830 149<sup>th</sup> Lane, the applicant, stated that people coming to the house for the pre-hire process would be at the house approximately two hours, employees dropping off paperwork, just a couple minutes.

Vice Chairperson Van Scoy questioned if the people that come by work at his home. Mr. Beach replied that there is one non-resident employee that works at his home.

Associate Planner Gladhill clarified that the number of employees is determined by the number of vehicle trips per day, an employee arriving and an employee leaving is figured into the traffic counts.

Vice Chairperson Van Scoy asked Mr. Beach what is the most activity he would expect in a day. Mr. Beach replied that on a really busy day it would be about five. Today there was no one and there is no chance that all the employees would be there at once. He continued that he has ample parking and at the most there would be four vehicles at any one time. He has instructed everyone to park in the driveway.

Mr. Beach stated that the nature of the business is home health care; the employees go to the client's home.

Motion by Vice Chairperson Van Scoy, seconded by Commissioner Brauer, to close the public hearing.

Motion Carried. Voting Yes: Vice Chairperson Van Scoy, Commissioners Brauer, and Rogers. Voting No: None. Absent: Chairperson Levine and Commissioner Dunaway.

The public hearing closed at 7:11 p.m.

### **Commission Business**

Discussion ensued regarding findings of fact #13.

Motion by Commissioner Brauer, seconded by Vice Chairperson Van Scoy, to recommend that the City Council adopt the resolution adopting findings of fact favorable to the applicant with findings of fact #13 to read "That the Home Occupation does employ one (1) full-time person that does not live in the dwelling unit on the Subject Property. Additional non-resident employees will arrive at the Subject Property for activities related to paperwork, but will not work at the Subject Property. All activities other than storing vehicles and equipment will occur off-site."

Motion Carried. Voting Yes: Vice Chairperson Van Scoy, Commissioners Brauer, and Rogers. Voting No: None. Absent: Chairperson Levine and Commissioner Dunaway.

Motion by Commissioner Brauer, seconded by Commissioner Rogers to recommend that the City Council adopt the resolution approving the Home Occupation based on Findings of Fact.

Motion Carried. Voting Yes: Vice Chairperson Van Scoy, Commissioners Brauer, and Rogers. Voting No: None. Absent: Chairperson Levine and Commissioner Dunaway.

#### **Case #2: Staff Update**

The Staff Update was noted.

#### **Case #3: Zoning Bulletin**

The Zoning Bulletin was noted.

### **OTHER COMMISSION BUSINESS**

Associate Planner Gladhill presented the foreclosure report.

Vice Chairperson Van Scoy requested an update on the process for filling the positions on the commission.

Associate Planner Gladhill stated that by the April meeting there will be a full commission. The first review of interested parties will take place February 18<sup>th</sup>, following that at a city council work session the end of February they will review the applications and take formal action in March, the intent is to have commissioners appointed April 1<sup>st</sup>.

Vice Chairperson Van Scoy requested the process that is going to be utilized for renewing members be sent out again.

## **ADJOURNMENT**

Motion by Commissioner Brauer, seconded by Commissioner Rogers, to adjourn the meeting.

Motion Carried. Voting Yes: Vice Chairperson Van Scoy, Commissioners Brauer, and Rogers.  
Voting No: None. Absent: Chairperson Levine and Commissioner Dunaway.

The regular meeting of the Planning Commission adjourned at 7:30 p.m.

Respectfully submitted,

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Tim Gladhill  
Associate Planner

ATTEST:

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JoAnn Shaw  
Planning Division Secretary

*Drafted by JoAnn Shaw*

**Regular Planning Commission**

**Item #: 5. 1.**

**Date: 03/03/2011**

By: JoAnn Shaw  
Community Development

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Information

Title:

Note the following City Council meeting minutes:

Regular meeting minutes dated January 11, 2011

Regular meeting minutes dated January 25, 2011

Background:

N/A

Notification:

Observations:

Funding Source:

Staff Recommendation:

Committee Action:

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Attachments

City Council 01.11.11

City Council 01.25.11

Form Review

**Inbox**

Tim Gladhill

Aaron Backman

Form Started By: JoAnn Shaw

Final Approval Date: 02/25/2011

**Reviewed By**

Tim Gladhill

Aaron Backman

**Date**

02/25/2011 10:04 AM

02/25/2011 10:57 AM

Started On: 02/25/2011 09:36 AM

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    6.01: Public Hearing to Consider a Street Name Change for a Portion of Azurite Street to  
        143<sup>rd</sup> Avenue in the Sunfish Lake Business Park ..... 4

7. COUNCIL BUSINESS ..... 6

    7.01: Request for a Conditional Use Permit to exceed the amount of square footage allowed  
        for accessory structures located at 8150 144<sup>th</sup> Avenue NW; case of Leon Richter ..... 6

    7.02: Consider award for contract for engineering services related to City project 11-21, the  
        Signalization of Armstrong and Bunker Lakes Boulevards, and associated infrastructure  
        improvements to serve the Legacy Christian Academy development ..... 7

    7.03: Consider agreement with Legacy Christian Academy for reimbursement of engineering  
        design fees related to City project 11-21; the signalization of Armstrong and Bunker  
        Lakes Boulevard, and associated infrastructure improvements to serve the Legacy  
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**CITY COUNCIL  
CITY OF RAMSEY  
ANOKA COUNTY  
STATE OF MINNESOTA**

The Ramsey City Council conducted a regular meeting on Tuesday, January 11, 2011, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Bob Ramsey  
Councilmember Randy Backous  
Councilmember David Elvig  
Councilmember David Jeffrey  
Councilmember Colin McGlone  
Councilmember Jason Tossey  
Councilmember Jeffrey Wise

Members Absent: None

Also Present: City Administrator Kurtis Ulrich  
Associate Planner Tim Gladhill  
Fire Chief Dean Kapler  
Finance Director Dianna Lund  
Associate Planner Timothy Gladhill  
Public Works Director Brian Olson  
City Engineer Tim Himmer  
Fire Chief Dean Kapler  
City Attorney William Goodrich

**1. CALL TO ORDER**

Mayor Ramsey called the regular meeting of the Ramsey City Council to order at 7:00 p.m., followed by the Pledge of Allegiance led by Mayor Ramsey.

**2. PRESENTATION**

None.

**3. CITIZEN INPUT**

None.

**4. APPROVE AGENDA**

Motion by Councilmember Jeffrey, seconded by Councilmember Wise, to approve the agenda as presented.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Jeffrey, Wise, Backous, Elvig, McGlone, and Tossey. Voting No: None.

## **5. CONSENT AGENDA**

Motion by Councilmember Wise, seconded by Councilmember Backous, to approve the following items on the Consent Agenda:

- 5.1 Cash & Investments for Period Ending December 31, 2010
- 5.2 November 2010 Financial Report – General Fund & Enterprise Funds
- 5.3 Note the Following Commission and Board Meeting Minutes  
11/18/10 Special EDA  
12/06/10 EPB
- 5.4 Approval for Exemption for a Gambling License for Minnesota Waterfowl Association – Rum River Chapter
- 5.5 Approve License Applications
- 5.6 Approve the following Meeting Minutes:  
11/23/10 Regular City Council  
12/14/10 Special City Council  
12/14/10 City Council Work Session  
12/14/10 Regular City Council
- 5.7 Reaffirm Adoption of Organizational Resolutions adopted January 4, 2011
- 5.8 Adopt Resolution #11-01-007 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing During the Period of December 9, 2010 through December 30, 2010.
- 5.9 Adopt Resolution #11-01-008 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing During the Period of December 31, 2010 through January 5, 2011.
- 5.10 Adopt Resolution #11-01-009 Declaring Surplus Property and Authorizing Sale
- 5.11 Adopt Resolution #11-01-010 Formally Terminating Sister-City Relationship with Loudi, China
- 5.12 Adopt Resolution #11-01-011 Approving the City of Ramsey's 2012 Budget Calendar

- 5.13 Adopt Resolution #11-01-012 to Request Repeal/No-Reauthorization and no Extension of Mississippi River Corridor Critical Area (MRCCA) Rulemaking
- 5.14 Adopt Resolution #11-01-013 Authorizing Final Payment to American Liberty Construction for IP 08-22 Sunfish Lake Park
- 5.15 Adopt Resolution #11-01-014 Approving Final Payment to Northwest Asphalt, Inc. for Improvement Project #08-37, County Pond Storm Sewer Outlet
- 5.16 Adopt Resolution #11-01-015 Authorizing 1<sup>st</sup> Partial Payment to Rum River Contracting for IP 10-07 Alpine Drive/Roanoke Street Improvements
- 5.17 Adopt Resolution #11-01-016 Authorizing 17<sup>th</sup> Partial Payment to Chicago Bridge & Iron (CB&I), Inc. for IP 08-21 Water Tower #3
- 5.18 Adopt Resolution #11-01-017 Authorizing 1<sup>st</sup> Partial Payment to Dryden Excavating for 176<sup>th</sup> Avenue Culvert Replacement
- 5.19 Adopt Resolution #11-01-018 Authorizing 2<sup>nd</sup> Partial Payment to Rum River Contracting for IP 08-34, The Bituminous Paving of 151<sup>st</sup> and 152<sup>nd</sup> Avenues, Fluorine Street
- 5.20 Approve Amendment No. 3 to Funding Agreement for Cooperative Commuter Rail Station Development (Ramsey Station); Contract #2010-0226C
- 5.21 Adopt Resolution #11-01-019 League of Minnesota Cities Insurance Trust (LMCIT) Liability Coverage Waiver Form – Not Waiving Statutory Tort Limits
- 5.22 Adopt Resolution #11-01-020 related to parking restrictions on CSAH 116 (Bunker Lake Boulevard), from Basalt Street NW to Germanium Street NW
- 5.23 Adopt Resolution #11-01-021 to Prohibit Parking on Alpine Drive NW from 500 Feet West of CR #57 in the City of Ramsey, Minnesota, for State Aid Project 199-107-007 (S.P. 02-596-11) and Resolution #11-01-022 to Prohibit Parking on CR #57 (Sunfish Lake Boulevard) from 1,500 Feet South of Alpine Drive NW to 1,400 Feet North of Alpine Drive NW in the City of Ramsey, Minnesota, for State Aid project 199-020-009 (S.P. 02-596-11)

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Wise, Backous, Elvig, Jeffrey, McGlone, and Tossey. Voting No: None.

## **6. PUBLIC HEARING**

### **6.01: Public Hearing to Consider a Street Name Change for a Portion of Azurite Street to 143<sup>rd</sup> Avenue in the Sunfish Lake Business Park**

Mayor Ramsey closed the regular portion of the City Council meeting at 7:05 p.m. in order to conduct a public hearing.

## **Public Hearing**

Mayor Ramsey called the public hearing to order at 7:05 p.m.

## **Presentation**

Associate Planner Gladhill reviewed the staff report.

## **Citizen Input**

Don Patterson, General Manager Diamond Graphics, stated they would prefer to not have the name change due to the inconvenience. He noted they have not had any issues with people finding their business. He stated this would be the second address change in the past two years for them. He stated if the name was changed, he preferred it not be confusing. He preferred it be named all one name. He asked the Council to find another solution if the name needed to be changed.

Councilmember Wise asked who had inquired about this street.

Associate Planner Gladhill stated over the years staff has received comments from people who were trying to find this area, especially for motorists who had not been in the area before.

Councilmember McGlone did not believe the problem would be corrected. He asked if it would be possible to make the change to a named street.

Associate Planner Gladhill stated staff had looked at this, but it was difficult to come up with a name that would not cause confusion. He noted when special names were created that were not a part of the grid, especially a small segment, caused confusion in general response.

Councilmember McGlone recommended changing the name to something different to clear up the confusion.

Fire Chief Kapler understood the hassle this would cause the businesses, but he believed the renaming of the street was a good idea. He stated it was important to stay with the grid for public safety purposes. He suggested the City could send a letter to Diamond Graphics customers as to why the City was changing the name of the street.

Motion by Councilmember Elvig, seconded by Councilmember Jeffrey, to close the public hearing.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Elvig, Jeffrey, Backous, McGlone, Tossey, and Wise. Voting No: None.

The public hearing was closed at 7:16 p.m.

## **Council Business**

Mayor Ramsey called the regular City Council meeting back to order at 7:16 p.m.

Councilmember Wise stated as long as Diamond Graphics agreed that the City should send a letter to their customers/supplier, he was not against the proposal.

Councilmember Backus stated he would rather change the whole road.

Mayor Ramsey stated he was not opposed to this.

Associate Planner Gladhill stated if the Council was recommending a name change for the road, he stated staff would like the opportunity to discuss names, renote the public hearing, and bring this back.

Councilmember Jeffrey stated he was not opposed to this, but it was a short stretch of road and he would like to have one name for this road.

Associate Planner Gladhill recommended this case be tabled for staff research on a street name and to contact the rest of the property owners for their feedback.

Councilmember Elvig requested staff reach out to the EDA also.

Motion by Mayor Ramsey, seconded by Councilmember Jeffrey, to table indefinitely.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Jeffrey, Backous, Elvig, McGlone, Tossey, and Wise. Voting No: None.

## **7. COUNCIL BUSINESS**

### **7.01: Request for a Conditional Use Permit to Exceed the Amount of Square Footage Allowed for Accessory Structures Located at 8150 - 144<sup>th</sup> Avenue NW; Case of Leon Richter**

Associate Planner Gladhill reviewed the staff report.

Councilmember Wise stated it appeared there was a lot of screening of trees. He stated he liked this proposal.

Leon Richter, 8150 - 144<sup>th</sup> Avenue NW, stated he was present for any questions. He stated he was 1,052 over.

Motion by Mayor Ramsey, seconded by Councilmember Wise, to adopt Resolution #11-01-023 adopting Findings of Fact #0882 related to the request for a conditional use permit for oversizing of accessory structures and adopt Resolution #11-01-024 providing the conditional use permit for oversizing of accessory structures, based on the Findings of Fact.

Further discussion: Councilmember Elvig stated he did not have any issues with this, but how were the upgrades being rationalized. Associate Planner Gladhill responded it depended on the size of the land as well as where on the land the structure was being proposed to be placed. Councilmember McGlone stated he liked the proposal, but the issue he had was the escrow. He asked how the City would be certain Mr. Richter did the deal. Associate Planner Gladhill responded if Mr. Richter did not comply, the City had actions that could be taken to ensure compliance.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Wise, Backous, Elvig, Jeffrey, McGlone, and Tossey. Voting No: None.

**7.02: Consider Award for Contract for Engineering Services related to City Project 11-21, the Signalization of Armstrong and Bunker Lakes Boulevards, and Associated Infrastructure Improvements to Serve the Legacy Christian Academy Development**

City Engineer Himmer reviewed the staff report.

Motion by Councilmember Elvig, seconded by Councilmember Wise, to award a contract to WSB in the amount of \$291,344 for City project 11-21, the signalization of Armstrong and Bunker Lake Boulevards, and associated infrastructure improvements to serve the Legacy Christian Academy development contingent upon the approval of an agreement with LCA for design fees up to a maximum of \$106,000 which agreement is provided under a separate case.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Elvig, Wise, Backous, Jeffrey, McGlone, and Tossey. Voting No: None.

**7.03: Consider agreement with Legacy Christian Academy for Reimbursement of Engineering Design Fees related to City Project 11-21; the Signalization of Armstrong and Bunker Lakes Boulevard, and Associated Infrastructure Improvements to Serve the Legacy Christian Academy Development**

City Engineer Himmer reviewed the staff report.

City Attorney Goodrich asked if the Council wanted escrow for the money the City might spend for engineering fees.

City Engineer Himmer noted requiring an escrow had been done before.

Councilmember Elvig stated it made sense to obtain an escrow to protect the City.

Councilmember Wise stated he would be in favor of a letter of credit.

Motion by Councilmember Elvig, seconded by Councilmember Jeffrey, to approve the engineering design services reimbursement agreement with LCA, subject to the review and approval by the City Attorney and with a reasonable escrow.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Elvig, Jeffrey, Backous, McGlone, Tossey, and Wise. Voting No: None.

**7.04: Review Go Cart Concept at Former Oasis Market Site Located at 14550 Armstrong Boulevard NW; Case of Karl Janzen**

Associate Planner Gladhill reviewed the staff report.

City Manager Ulrich recommended the Council waive the escrow and instruct staff to look into this proposal further and come back to the Council at a future worksession.

Motion by Councilmember Elvig, seconded by Councilmember McGlone, to authorize the waiving of the \$600.00 escrow and staff be directed to work with the applicant to put together an agreement and bring this to a worksession based on the rationale that this is for the potential of a public purpose and benefit to the City.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Elvig, McGlone, Backous, Jeffrey, Tossey, and Wise. Voting No: None.

**8. MAYOR, COUNCIL AND STAFF INPUT**

Councilmember Tossey stated he had been approached by a couple of Councilmembers and he wanted to make it clear that he was not thinking the City had not done anything in the past year.

Mayor Ramsey noted the Mayor Snowmobile Ride was coming up and applicants are available.

**9. ADJOURNMENT**

Motion by Councilmember Elvig seconded by Councilmember Wise, to adjourn the meeting.

Motion carried.

The regular meeting of the City Council adjourned at 8:00 p.m.

Respectfully submitted,

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Kurtis G. Ulrich  
City Administrator

ATTEST:

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Jo Ann M. Thieling  
City Clerk

Drafted by Kathy Altman  
*TimeSaver Off Site Secretarial, Inc.*

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    6.01: Public Hearing and Request for Adoption of a City of Ramsey 2011-2015 Capital  
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    7.01: Request Request for Special Events Permit for End Zone Bar Grill at 6415 Highway  
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    7.02: Request for Final Plat and Site Plan Review of Cross of Hope Addition Related to a  
         Proposed Addition to the Existing Church Located at 5730 17<sup>th</sup> Lane NW; Case of  
         Cross of Hope Lutheran Church ..... 5

    7.03: Request for a Conditional Use Permit to Operate a Religious Institution in the R-1  
         Residential District (Rural Developing) Located at 5730 179<sup>th</sup> Lane NW; Case of  
         Cross of Hope Lutheran Church ..... 6

    7.04: Consider Request to Extend Timeline to Record Final Plat of MICHELS  
         PROPERTY located at 6080 Highway 10 NW; Case of Jeanie Michels ..... 6

    7.05: Introduce Ordinance to Amend Section 117-111 (R-w Residential District) of  
         Chapter 117 of the Ramsey Zoning Code ..... 7

    7.06: Consider Amendment to Lease with Anoka County License Center with Regard to  
         Signage ..... 7

    7.07: Consider Installation of noise walls in conjunction with City project #11-20; the  
         reconstruction of Bunker Lake Boulevard from Basalt Street NW to Germanium  
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    7:08: Consider Ramsey B&B Associates, LLC

    7:09: Discuss Legacy Development Financial Guarantee

8. MAYOR, COUNCIL AND STAFF INPUT ..... 9

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**CITY COUNCIL  
CITY OF RAMSEY  
ANOKA COUNTY  
STATE OF MINNESOTA**

The Ramsey City Council conducted a regular meeting on Tuesday, January 25, 2011 at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Bob Ramsey  
Councilmember Randy Backous  
Councilmember David Elvig  
Councilmember David Jeffrey (arrived at 7:23 p.m.)  
Councilmember Colin McGlone  
Councilmember Jason Tossey  
Councilmember Jeffrey Wise

Also Present: City Administrator Kurtis Ulrich  
Deputy City Administrator Heidi A. Nelson  
Public Works Director Brian Olson  
Associate Planner Timothy Gladhill  
City Engineer Tim Himmer  
City Attorney William Goodrich

**1. CALL TO ORDER**

Mayor Ramsey called the regular meeting of the Ramsey City Council to order at 7:00 p.m., followed by the Pledge of Allegiance led by Mayor Ramsey.

**2. PRESENTATION**

None.

**3. CITIZEN INPUT**

Mayor Ramsey encouraged students in attendance to introduce themselves and their projects.

**4. APPROVE AGENDA**

City Administrator Ulrich requested that Council add Case 7.8 Ramsey B&B Associates, LLC and Case 7.9 Discuss Legacy Development Financial Guarantee to the agenda.

Motion by Councilmember Wise, seconded by Councilmember Backous, to approve the agenda as amended.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, McGlone, Tossey, and Wise. Voting No: None. Absent: Councilmember Jeffrey.

## **5. CONSENT AGENDA**

Motion by Councilmember Elvig seconded by Mayor Ramsey, to approve the following items on the Consent Agenda:

- 5.1 Encumber 2010 Funds for Civil Defense Siren Replacement in Conjunction with New Pylon Sign Construction
- 5.2 Consider award of contract for a public participation campaign related to development of a City reconstruction policy and long-term road maintenance program
- 5.3 Consider award of contract for engineering services to perform the City's required annual bridge inspections and reporting
- 5.4 Consider Minnesota Department of Health (MDH) grant for wellhead protection implementation
- 5.5 Billslist 1-25-2011
- 5.6 Adopt Resolution to Enter into a Residential Recycling Program Agreement to Receive SCORE Funds for 2011
- 5.7 Consider TIF District 14 Plan Amendment
- 5.8 Resolution Authorizing 3<sup>rd</sup> Payment to Rum River Contracting for IP 08-34; the Bituminous Paving of 151<sup>st</sup>, 152<sup>nd</sup>, and Fluorine Street
- 5.9 Report form the Personnel Committee Meeting on 01-11-11

Case 1: Consider Selection of a Chairperson and Alternate Chairperson for the Personnel Committee

Case 2: Consider Paid on Call Fire Officer Selection for year 2011/2012

Case 3: Consider a Resolution Approving the 2011 Health Insurance Contributions and Wages with AFSCME as it Relates to the 2010/2011 Labor Agreement

Case 4: Consider a Resolution Approving the 2011 City Health Insurance Contribution for Non-union Employees – a Revised Case

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, McGlone, Tossey, and Wise. Voting No: None. Absent: Councilmember Jeffrey.

## **6. PUBLIC HEARING**

### **6.01: Public Hearing and Request for Adoption of a City of Ramsey 2011-2015 Capital Improvement Plan**

Mayor Ramsey closed the regular portion of the City Council meeting at 7:04 p.m. in order to conduct a public hearing.

#### **Public Hearing**

Mayor Ramsey called the public hearing to order at 7:05 p.m.

#### **Presentation**

Finance Director Lund reviewed the staff report.

Councilmember Elvig requested the Capital Improvement Plan be published on the City's website.

#### **Citizen Input**

There was none.

Motion by Councilmember Elvig, seconded by Councilmember Wise, to close the public hearing.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, McGlone, Tossey, and Wise. Voting No: None. Absent: Councilmember Jeffrey.

The public hearing was closed at 7:04 p.m.

#### **Council Business**

Mayor Ramsey called the regular City Council meeting back to order at 7:04 p.m.

Motion by Councilmember Elvig, seconded by Councilmember Wise, to adopt Resolution #11-01-XXX adopting the City of Ramsey's 2011-2015 Capital Improvement Plan (CIP)

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, McGlone, Tossey, and Wise. Voting No: None. Absent: Councilmember Jeffrey.

## **7. COUNCIL BUSINESS**

### **7.01: Request for Special Events Permit for End Zone Bar Grill at 6415 Highway #10 NW**

Police Chief Way reviewed the staff report.

Mayor Ramsey inquired about impacts to the neighboring mobile home.

Applicant Mr. Gruber said he had notified the strip mall business owners about the event but not the residents of the mobile home park.

Motion by Councilmember Wise, seconded by Councilmember McGlone, to approve the Special Events Permit request of The End Zone to hold an outdoor tent party on Friday and Saturday nights, June 3 and 4, 2011 and approve a midnight end time.

Further discussion: Councilmember Tossey inquired about the current noise ordinance timeframe. Police Chief Way said the applicant is requesting special permission to end at midnight instead of 11:00 p.m., but that police officers, paid for by the applicant, will be at the event.

Mayor Ramsey offered a friendly amendment that if complaints are heard officers will turn down the music at 11:00 p.m. Councilmember Elvig seconded the friendly amendment.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, McGlone, Tossey, and Wise. Voting No: None. Absent: Councilmember Jeffrey.

Councilmember Jeffrey arrived at 7:23 p.m.

**7.02: Request for Final Plat and Site Plan Review of Cross of Hope Addition Related to a Proposed Addition to the Existing Church Located at 5730 17<sup>th</sup> Lane NW; Case of Cross of Hope Lutheran Church**

Associate Planner Gladhill reviewed the staff report.

Steve Urban, Cross of Hope Church, said they were concerned about the plat having to line up with Iodine Street because of the additional costs.

Associate Planner Gladhill explained park dedication was already paid on both lots and the only two remaining fees are storm water management and trail fee. He said a portion of the City-owned piece will be conveyed back to the church, especially regarding storm water management and impervious surfaces.

Mayor Ramsey asked about storm water flow and if the \$7,732 charge is based on square footage.

City Engineer Himmer said they are proposing to incorporate additional infiltration ideas to make them eligible for credits and that the cost is based per acre.

Motion by Councilmember McGlone, seconded by Councilmember Jeffrey, to approve Resolution #11-01-XXX granting final plat approval of Cross of Hope Addition and site plan approval for the building expansion contingent upon the following:

- Compliance with City Staff Review Letter dated January 20, 2011; and

- Approval of a Conditional Use Permit to operate a religious institution in the R-1 Residential District; and
- Vacation of street and utility easement across the northern 126 feet of the East 10 acres of Auditor's Subdivision 27; and
- Sale of City-owned parcel to the north of the subject property; and
- Entering into a Development Contract with City.

Further discussion: Councilmember Elvig said he would like to reduce the fee but is reluctant to set a precedent.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, Jeffrey, McGlone, Tossey, and Wise. Voting No: None.

**7.03: Request for a Conditional Use Permit to Operate a Religious Institution in the R-1 Residential District (Rural Developing) Located at 5730 179<sup>th</sup> Lane NW; Case of Cross of Hope Lutheran Church**

Community Development Anderson reviewed the staff report.

Motion by Councilmember Jeffrey, seconded by Councilmember Wise, to adopt Findings of Fact # \_\_\_\_ relating to the request of a conditional use permit to operate a religious institution in the R-1 Residential District and to adopt Resolution # \_\_\_\_ approving the request for a conditional use permit to operate a religious institution in the R-1 Residential district.

Further discussion: Councilmember Elvig asked if they could remove the conditional use permit and make this a permanent use. Associate Planner Gladhill said they could add that future expansions do not require reissuance of the conditional use permit. Community Development Anderson said because of the site plan and final plan the City did not collect a separate escrow for the conditional use permit.

Motion by Mayor Ramsey to amend the motion waiving the conditional use permit fee of \$200. Associate Planner Gladhill noted staff already collected \$400 in fees for site plan review, plat, and easement vacation. Mayor Ramsey withdrew his amendment.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, Jeffrey, McGlone, Tossey, and Wise. Voting No: None.

**7.04: Consider Request to Extend Timeline to Record Final Plat of MICHELS PROPERTY located at 6080 Highway 10 NW; Case of Jeanie Michels**

Associate Planner reviewed the staff report.

Motion by Councilmember Jeffrey, seconded by Councilmember Wise, to adopt the resolution authorizing an extension of no more than six (6) months to record the Plat. The City has the ability to re-evaluate additional extensions at any time.

Further discussion: Councilmember McGlone asked about the trail extension and potential impacts. Associate Planner Gladhill said the Mississippi Region Trail is a critical connection for Ramsey and Anoka as the trail will eventually go to the headwaters in Louisiana. He said while it is not the best location for ADA purposes the applicant is willing to work with the City, adding it will be in the general location of Rivlyn Avenue.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, Jeffrey, McGlone, Tossey, and Wise. Voting No: None.

**7.05: Introduce Ordinance to Amend Section 117-111 (R-w Residential District) of Chapter 117 of the Ramsey Zoning Code**

Community Development Staff Anderson reviewed the staff report.

Councilmember McGlone expressed concern about encroaching on rear yard setbacks that don't just separate residences but uses, such as a park.

Community Development Staff Anderson said the ordinance is specific to principal structures and detached access only needs to meet a five-foot rear yard setback.

Mayor Ramsey asked if the principal structure includes a deck. Associate Planner Gladhill said an open deck is already allowed and that he is referring to a three- or four-season porch.

Councilmember Elvig said the intent is to allow setbacks where there is no near neighbor or open land and should include conservatory or other public space.

Councilmember Tossey said he does not like to amend an entire ordinance because of one situation but understood the intent, especially in light of recent rulings regarding variances.

Motion by Mayor Ramsey, seconded by Councilmember Backous, to introduce an Ordinance amending Chapter 117-111 of the City's Zoning Code to provide a reduced rear yard setback of twenty (20) feet for lots with a rear property line entirely adjoining a parcel zoned as Park.

Further discussion: Councilmember McGlone expressed concern that standards will no longer be followed. Councilmember Backous said the proposed change will avoid future variance discussions.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, Jeffrey, Tossey, and Wise. Voting No: McGlone.

**7.06: Consider Amendment to Lease with Anoka County License Center with Regard to Signage**

Deputy City Administrator Nelson reviewed the staff report.

Councilmember McGlone asked that provisions include removal of the temporary signage.

Motion by Councilmember Jeffrey, seconded by Mayor Ramsey, to approve the proposed lease amendment with the Anoka County License Center with regard to signage.

Further discussion: Councilmember Wise expressed concern about giving Anoka County advertising space at no charge at both Ramsey and Armstrong Boulevards. Deputy City Administrator Nelson said staff suggests placing the County as co-tenants and not charging them in order to draw connection between the two entities. Councilmember Elvig expressed concern about matching lettering size and material. Paula Anderson, Anoka County, clarified the sign will only list License Center and not Anoka County. Mayor Ramsey requested more permanent directional signs within City Hall.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, Jeffrey, McGlone, Tossey, and Wise. Voting No: None.

**7.07: Consider Installation of noise walls in conjunction with City project #11-20; the reconstruction of Bunker Lake Boulevard from Basalt Street NW to Germanium Street NW**

Engineer/Public Works Himmer reviewed the staff report.

Motion by Councilmember Elvig, seconded by Councilmember Wise, not to approve construction of a noise barrier in Area 1 as part of the reconstruction of CSAH 116 (Bunker Lake Boulevard).

Further discussion: Mayor Ramsey asked if residents along Sunfish Boulevard can petition later for a noise wall. Engineer/Public Works Himmer said there is really no other recourse. Councilmember Tossey confirmed a total of eight homes affected. Engineer/Public Works Himmer said residents have to have a property directly abutting Sunfish Boulevard, adding only the two end units received a vote.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Elvig, Jeffrey, McGlone, Tossey, and Wise. Voting No: Backous.

**7.08: Ramsey B&B Associates, LLC.**

City Attorney Goodrich reviewed the staff report.

Councilmember Elvig said he is concerned about allowing Ramsey B&B to swap collaterals and asked that Central Bank review the security agreements.

Motion by Councilmember Elvig, seconded by Councilmember Tossey, to authorize the Mayor and City Administrator to execute the Ramsey B&B Associates, LLC documents as presented.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, Jeffrey, McGlone, Tossey, and Wise. Voting No: None.

## **7.09: Discuss Legacy Development Financial Guarantee**

City Administrator Ulrich and City Attorney Goodrich reviewed the staff report.

Councilmember Wise clarified we are finding another party to guarantee the funds and the new guarantor, J&B, is not connected with the development.

City Attorney Goodrich said staff will first ensure that J&B has sufficient assets to satisfy the \$100,000 guarantee and will draft a document to ensure its enforceability.

Mayor Ramsey expressed concern about J&B's financials which could result in no guarantee.

Councilmember McGlone said the corporation has a long history and is solvent but asked the City Attorney to exercise his due diligence to protect the City.

City Administrator Ulrich said staff will verify solvency, adding No Name Steaks is a large company and the risk is short term since the letter of credit is only for three months.

Motion by Councilmember Elvig, seconded by Councilmember Jeffrey, to accept the financial guarantee by J&B for Legacy Development based on City Attorney's due diligence.

Further discussion: Engineer/Public Works Himmer noted concerns about this delay as we are already two weeks into the contract with WSB.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, Jeffrey, McGlone, Tossey, and Wise. Voting No: None.

## **8. MAYOR, COUNCIL AND STAFF INPUT**

Mayor Ramsey said the recent Mayors Trail Ride event raised \$3,500 for charities, including \$1,750 for Youth First, adding participants increased from 101 in 2010 to 156 in 2011.

City Administrator Ulrich announced the upcoming Local Government Officials meeting at Greenhaven Golf Course on Wednesday, January 26.

Mayor Ramsey said outdoor skating is available at the pond in Draw Park.

Mayor Ramsey said the February 8 Council meeting will include a State of the City address.

Councilmember Elvig said Council and staff had just completed 10 hours in strategic planning, reviewing 2010 accomplishments and establishing 2011 goals.

## **9. ADJOURNMENT**

Motion by Councilmember Mayor Ramsey, seconded by Councilmember Jeffery, to adjourn the meeting.

Motion carried.

The regular meeting of the City Council adjourned at 8:41 p.m.

Respectfully submitted,

---

Kurtis G. Ulrich  
City Administrator

ATTEST:

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Jo Ann M. Thieling  
City Clerk

Drafted by Cathy Sorensen  
*TimeSaver Off Site Secretarial, Inc.*

**Date: 03/03/2011**

By: Tim Gladhill  
Community Development

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Information

Title:

Consider Ordinance to Amend Section 117-90 "Map" of Chapter 117 of the Ramsey City Code Related to the 2030 Comprehensive Plan.

Background:

Every ten (10) years, municipalities within the Metropolitan Council's jurisdiction are required to adopt an updated Comprehensive Plan per Minnesota Statute 473, which includes a Future Land Use (FLU) Map. The City recently completed this round of updates and officially instituted a revised FLU Map. Within nine (9) months, the City must now update its official controls, including zoning code text amendments and amendments to the Official Zoning Map to be consistent with the Future Land Use Map.

Notification:

The Public Hearing was properly notified in the Anoka County Union. Although mailing notices are not required if the amendment involves more than five (5) acres, City Staff attempted to notify affected parcels of the Public Hearing via Standard US Mail.

Observations:

The City is processing these amendments in phases. This first phase includes amendments that do not include revised or new zoning districts be established. The second phase is anticipated to consist of the current Central Rural Reserve District as a follow up to the Central Rural Reserve Study. The final phase is anticipated to include those areas which require new or revised zoning districts. These districts include an 'Office Park' and 'Park' zoning district, which are currently not established in the zoning code at this time.

City Staff received feedback regarding the proposed change from B-2 Highway Business to R-2 Residential (PID: 283225340002). The idea behind re-zoning this parcel to R-2 Residential was to allow a religious institution as a conditional use (something not permitted under the B-2 Highway Business District), as well as providing for additional residential units to support the commercial area. Participants of the Future Land Use Map creation reviewed the amount of vacant area already guided for commercial use and attempted to provide for a comprehensive land use analysis that addressed some market reality. Although Staff has not heard directly from the owner, Staff understands the desire from this parcel may be to remain B-2 Highway Business District. City Staff has heard from lenders of the parcel and potential buyers of the parcel, but not the entity that holds fee title to the project. City Staff will attempt to contact this owner for clarification, and will provide a recommendation for this parcel at the meeting. The City will need to consider the City's system statement and ensure that adequate areas are guided for anticipated residential uses as well as the market reality of the amount of areas guided for commercial use. If it is the City's desire to allow this parcel to remain B-2 Business, the property owner should submit an application for Comprehensive Plan Amendment to be reviewed.

Funding Source:

All costs associated with the amendment are being handled as regular staff duties.

Staff Recommendation:

City Staff recommends approval of the Ordinance to amend the Official Zoning Map as presented.

Committee Action:

Motion to recommend the City Council approve the Ordinance to amend the Official Zoning Map as presented.

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### Attachments

Proposed Zoning Map

Approved Future Land Use Map

Proposed Areas of Change

Proposed Ordinance

### Form Review

| <b>Inbox</b>                    | <b>Reviewed By</b> | <b>Date</b>                     |
|---------------------------------|--------------------|---------------------------------|
| Tim Gladhill (Originator)       | Tim Gladhill       | 02/25/2011 01:22 PM             |
| Aaron Backman                   | Amy Dietl          | 02/25/2011 03:07 PM             |
| Tim Gladhill (Originator)       | Tim Gladhill       | 02/25/2011 03:11 PM             |
| Aaron Backman                   | Aaron Backman      | 02/25/2011 03:35 PM             |
| Form Started By: Tim Gladhill   |                    | Started On: 02/24/2011 08:47 AM |
| Final Approval Date: 02/25/2011 |                    |                                 |

FOOTBALL GREATS

MAMMALS

ROCKS

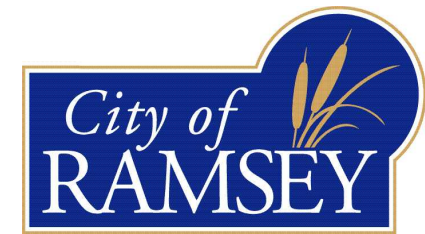
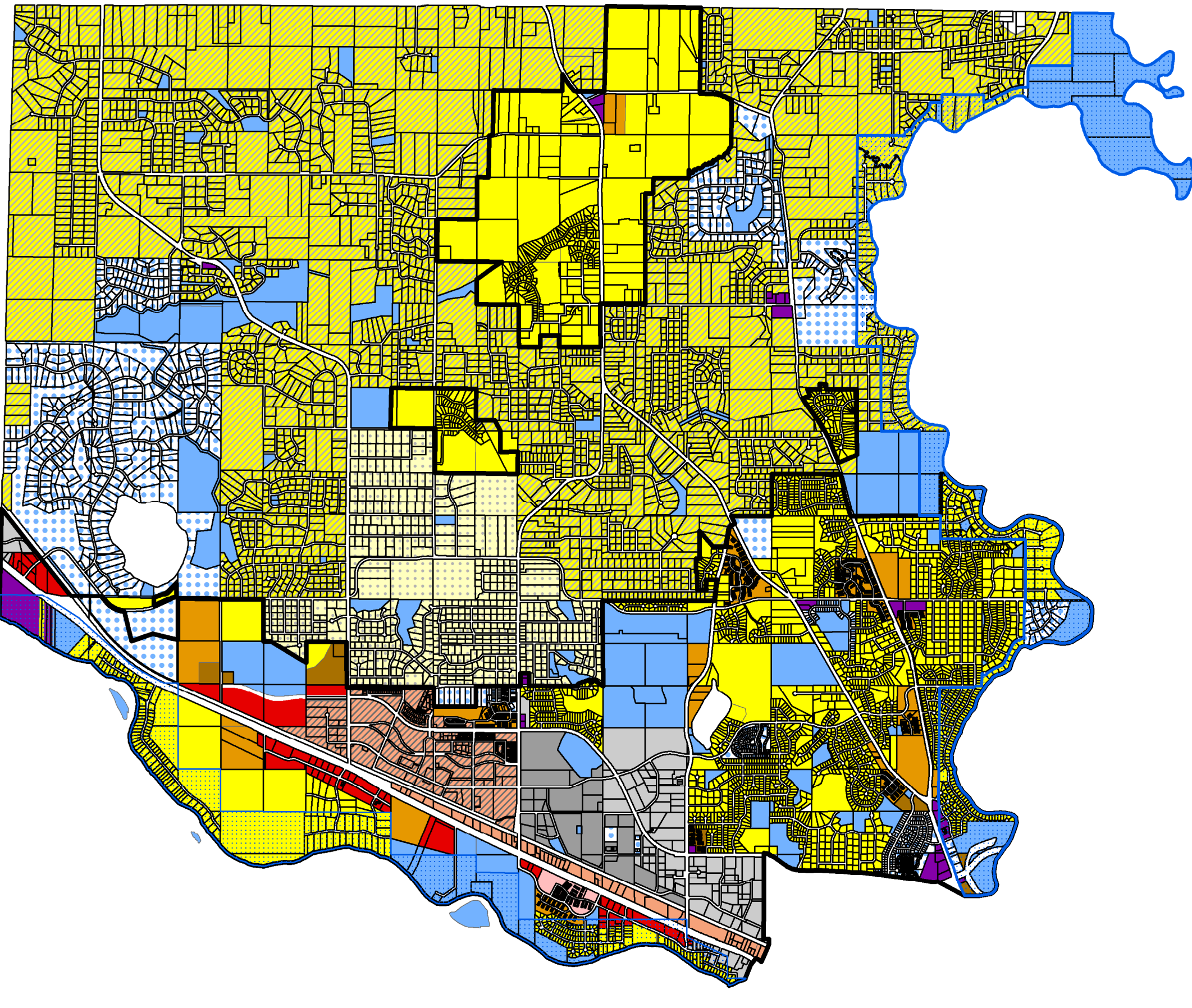
ELEMENTS

INDIAN TRIBES

JARVIS ST  
IMAN ST  
HALAS ST  
GUYON ST  
FORTMANN ST  
EATON ST  
DRISCOLL ST  
CARR ST  
BAUGH ST  
ANDRIE ST  
ZEBRA ST  
YAK ST  
XERUS ST  
WOLVERINE ST  
VICUNA ST  
UNICORN ST  
TIGER ST  
SLOTH ST  
RABBIT ST  
QUAGGA ST  
PUMA ST  
OKAPI ST  
NUTRIA ST  
MARMOSSET ST  
LLAMA ST  
KANGAROO ST  
JACKAL ST  
GUANA ST  
HEDGEHOG ST  
GIBBON ST  
FERRET ST  
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CHAMELEON ST  
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WILLEMITE ST  
VARIOLITE ST  
URANIMITE ST  
TRAPROCK ST  
SAPPHIRE ST  
RHINESTONE ST  
QUARTZ ST  
PERIDOT ST  
OLIVINE ST  
NACRE ST  
MARBLE ST  
LIMONITE ST  
KAMACITE ST  
JASPAR ST  
IRONSTONE ST  
HEMATITE ST  
GARNET ST  
FELDSPAR ST  
EBONY ST  
DOLOMITE ST  
COQUINA ST  
BASALT ST  
AZURITE ST  
ZIRCONIUM ST  
YTTRIUM ST  
XENON ST  
WOLFRAM ST  
VANADIUM ST  
URANIUM ST  
TUNGSTEN ST  
SODIUM ST  
RADIUM ST  
QUICKSILVER ST  
POTASSIUM ST  
OSMIUM ST  
NEON ST  
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LITHIUM ST  
KRYPTON ST  
JUNKIE ST  
IODINE ST  
HELIUM ST  
GERMANIUM ST  
FLOURINE ST  
ERKLIUM ST  
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VENTRE ST  
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HOPI ST  
GUARANI ST  
FOX ST  
ELDORADO ST  
DAKOTA ST  
GREE ST  
BLACKFOOT ST

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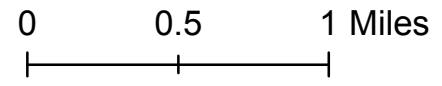
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135TH AVE  
134TH AVE



# Official Zoning Map (Proposed)

- Zoning**
- R-1 MUSA
  - Central Rural Reserve
  - Rural Developing
  - R-2
  - R-3
  - B-1
  - B-2
  - H-1
  - E-1
  - E-2
  - MU-PUD
  - Public/Quasi-Public
  - PUD
  - Town Center (See Master Plan for Sub-Districts)
  - Critical Area Overlay
  - Wild & Scenic River Overlay

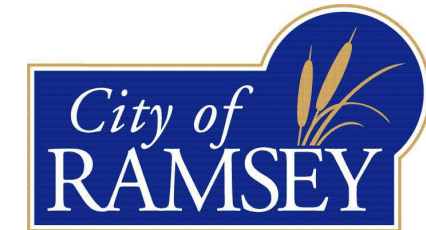
Update: March 2011



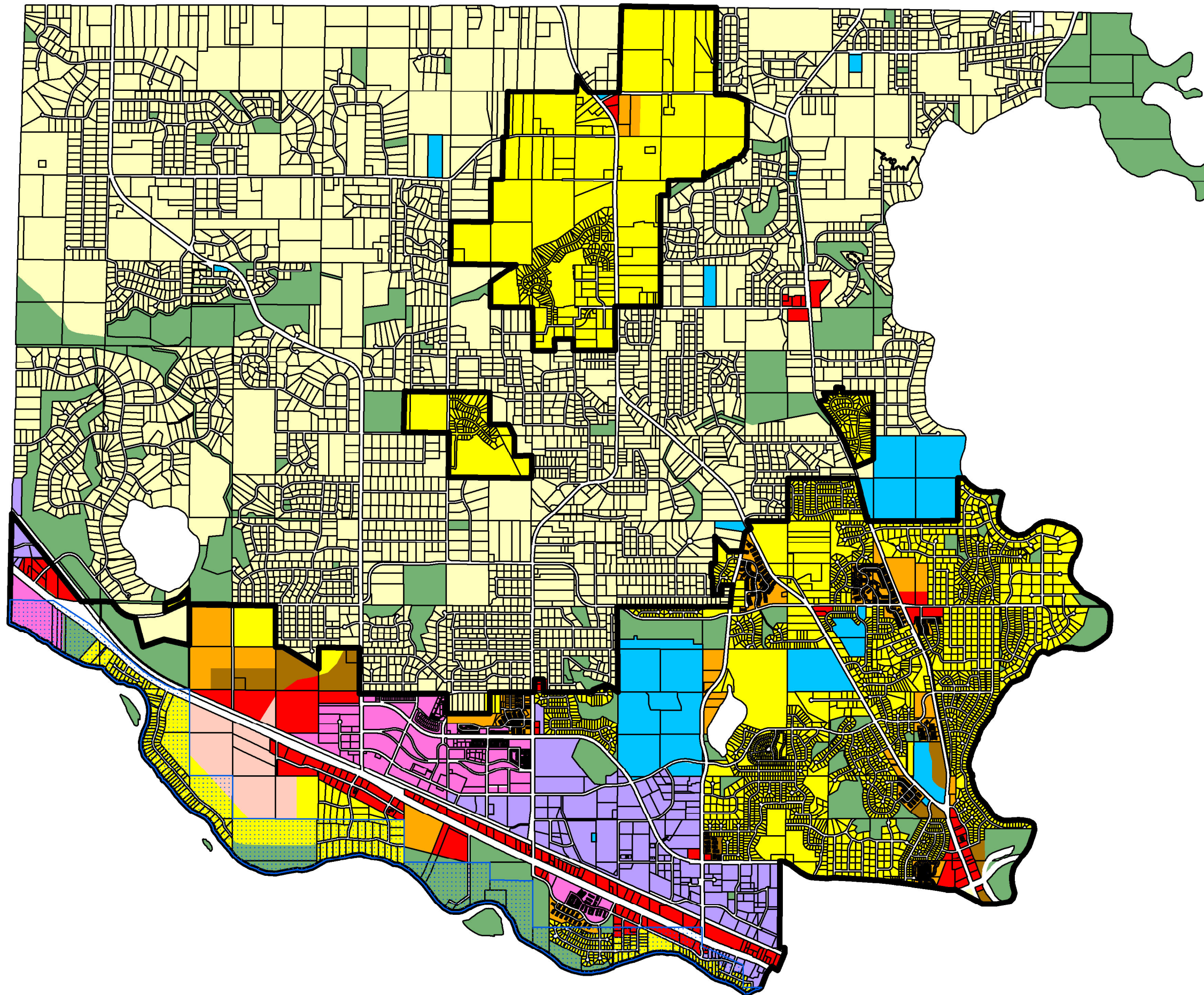
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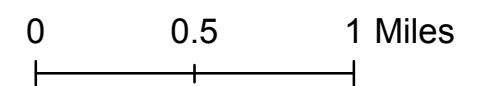
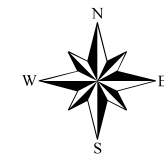
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# 2030 Comprehensive Plan Future Land Use Map



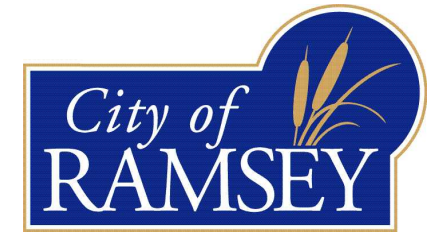
- Future Land Use
- LDR
  - MDR
  - HDR
  - Office Park
  - Commercial
  - MU
  - Business Park
  - Public
  - Rural Developing
  - Rural Preserve
  - Park
  - MUSA
  - MRCCA Boundary



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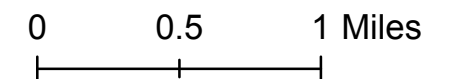
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# Proposed Zoning Amendments

- R-1 Residential (MUSA)
- R-1 Residential (Rural Developing)
- R-2 Residential
- R-3 Residential and R-2 Residential
- B-2 Business
- B-1 Business

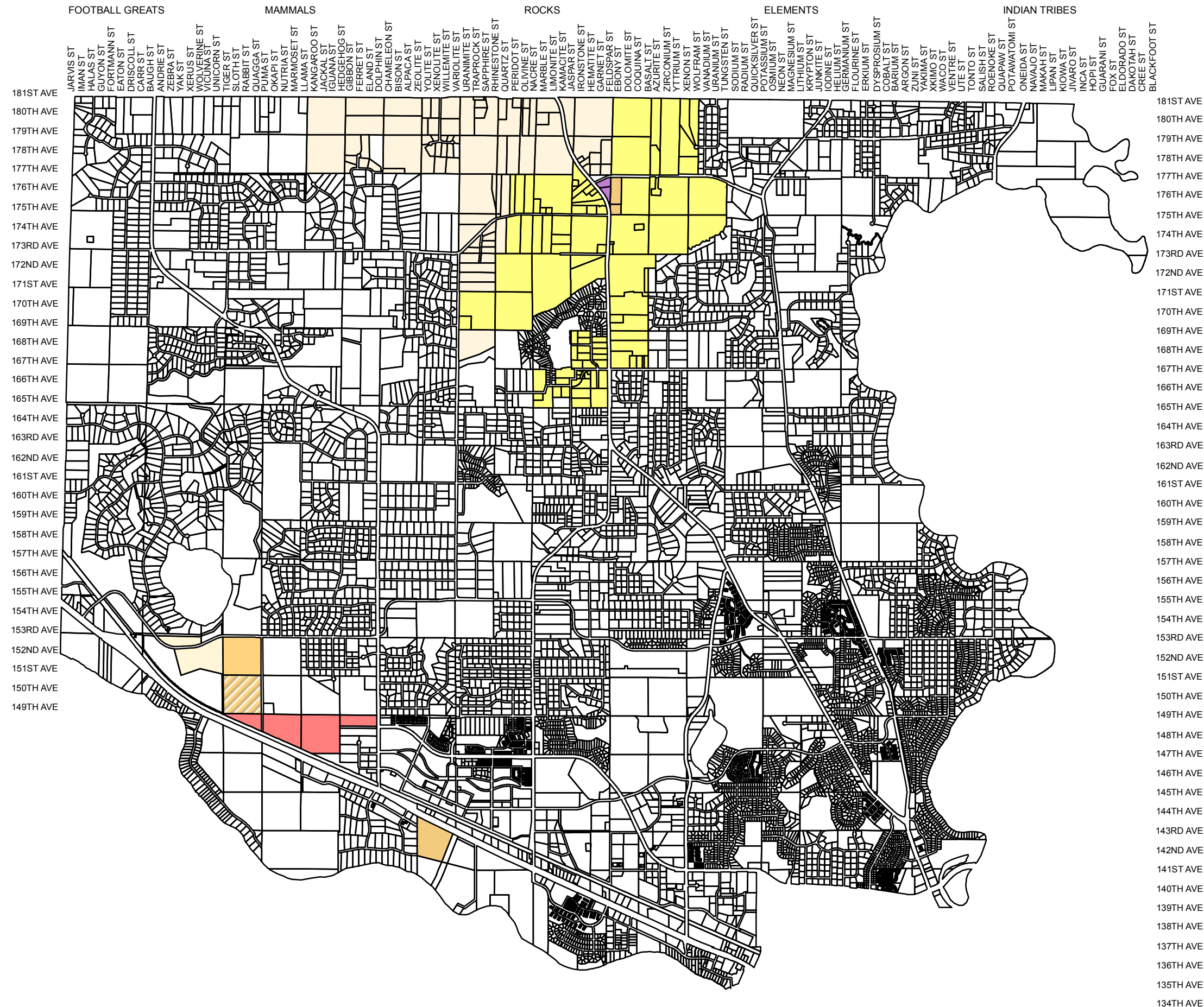
Update: March 2011



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**ORDINANCE #11-\_\_**

**CITY OF RAMSEY  
ANOKA COUNTY  
STATE OF MINNESOTA**

**AN AMENDMENT TO CHAPTER 117 WHICH IS KNOWN AS THE ZONING AND SUBDIVISIONS CHAPTER OF THE CITY CODE OF RAMSEY, MINNESOTA.**

**AN ORDINANCE AMENDING SECTION 117-90 "MAP" OF CHAPTER 117 OF THE CITY CODE OF RAMSEY, MINNESOTA.**

**SECTION 1. AMENDMENT**

The following legally described properties or portions thereof, herein attached as Exhibit A, are hereby rezoned from R-1 Residential (Rural Preserve) and R-1 Residential (Rural Reserve) to R-1 Residential (MUSA).

The following legally described properties or portions thereof, herein attached as Exhibit B, are hereby rezoned from R-1 Residential (Rural Preserve) to R-1 Residential (Rural Reserve).

The following legally described properties or portions thereof, herein attached as Exhibit C, are hereby rezoned from R-1 Residential (Rural Reserve), and B-1 Neighborhood Business.

The following legally described properties or portions thereof, herein attached as Exhibit D, are hereby rezoned from R-2 Residential, R-3 Residential, and TC-2 to R-2 Residential, R-3 Residential, and B-2 Highway Business.

(the "Subject Property")

**SECTION 2. MAP**

The City is hereby instructed to cause this amendment to be shown on the "City of Ramsey Zoning Map", which map was adopted pursuant to Section 117-90 of the Ramsey City Code.

**SECTION 3. EFFECTIVE DATE**

This ordinance becomes effective 30 days after its passage and publication, subject to City Charter Section 5.04.

PASSED by the City Council of the City of Ramsey, Minnesota the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Mayor

ATTEST:

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City Administrator

Introduction date:

Posting dates:

Adoption date:

Publication date:

Effective date:

## Exhibit A

10-32-25-34-0001

UNPLATTED RAMSEY TWP THAT PART OF THE SE1/4 OF SW1/4 OF SEC 10-32-25 DESC AS FOL-BEG AT THE SE CORNER OF SAID SE1/4 OF THE SW1/4-TH W ALONG THE S LINE OF SAID SE1/4 OF THE SW1/4 TO A POINT THEREIN DIST 657.15 FT E OF THE SW CORNER THEREOF-TH N PRL W

03-32-25-31-0004

17620 NOWTHEN BLVD NW

THAT PRT OF NE1/4 OF SW1/4 OF SEC 3 TWP 32 RGE 25 DESC AS FOL: COM AT NE COR OF SD 1/4 1/4, TH W ALGN LINE THEREOF 857.09 FT, TH S 40 DEG 51 MIN 58 SEC E 559.75 FT TO POB, TH S 52 DEG 47 MIN 45 SEC W 357.59 FT, TH S 57 DEG 38 MIN 36 SEC E 96.08 FT, TH S

10-32-25-13-0003

17059 NOWTHEN BLVD NW

THAT PRT OF THE W1/2 OF THE NE1/4 LYGN OF THE S 550 FT THEREOF, & LYG SLY OF THE FOL DESC LINE, BEG AT A PT ON THE W LINE OF SD W1/2 OF THE NE1/4, 130 FT SLY OF THE NW COR OF THE SW1/4 OF SD NE1/4 (FOR THE PURPOSES OF THIS DESCRIPTION SD W LINE IS ASSM

10-32-25-12-0007

THE E1/2 OF E 267.6 FT OF NW1/4 OF NE1/4 LYGS OF N 471.5 FT THEREOF SUBJ TO EASE OF REC

10-32-25-34-0012

16698 JASPER ST NW

THAT PRT OF LOT 2 BLK 1 GEBERTS ADDITION LYG WLY OF WLY BOUNDARY OF TRACT A, LYG SLY OF LINE "A", & LYGNLY OF A LINE DESC AS FOL: COM AT SW COR OF SD LOT 2, TH N 00 DEG 12 MIN 57 SEC W, ASSD BRG, ALG W LINE OF SD LOT 143.45 FT TO POB OF SD LINE, TH S 80

10-32-25-21-0002

UNPLATTED RAMSEY TWP COM AT THE NW COR OF THE NE1/4 OF NW1/4 OF SEC 10-32-25-TH RUNNING S 32 RODS-TH ELY ON A LINE WHICH INTERSECTS AT THE 1/4 SEC COR ON THE N SD OF SD SEC 10-TH W ON SEC LINE 80 RODS TO THE PT OF COM-CONT WITHIN SD BOUNDARIES 8 ACRES

10-32-25-34-0007

16685 GARNET ST NW

LOOYENS ADDITION LOT 1 BLK 1 LOOYENS ADD(SUBJ TO EASE AS SHOWN ON PLAT)EASE TO CITY OF RAMSEY FOR RT OF ACCESS TO 167TH AVE NW

09-32-25-11-0001

UNPLATTED RAMSEY TWP NE1/4 OF NE1/4 SEC 9-32-25-SUBJ TO EASE TO RUR COOP POWER ASSN-

10-32-25-31-0015

16701 GARNET ST NW

LOT 6 BLK 3 NOW AND THEN ESTATES; EX RD; SUBJ TO EASE OF REC

03-32-25-42-0002

6750 GREEN VALLEY RD NW

LOT 1 BLOCK 1 HUNT ADDITION

03-32-25-43-0003

17325 NOWTHEN BLVD NW

THAT PRT OF SW1/4 OF SE1/4 OF SEC 3 TWP 32 RGE 25 DESC AS FOL: BEG AT A PT ON W LINE OF SD 1/4 1/4 336.50 FT N OF SW COR THEREOF, TH NLY ALG SD W LINE 86 FT, TH E PRL/W S LINE OF SD 1/4 1/4 162 FT, TH S PRL/W SD W LINE 86 FT, TH WLY PRL/W SD S LINE T

10-32-25-42-0009

OUTLOT B HARMONY FARMS, SUBJ TO EASE OF REC

03-32-25-33-0003

7031 173RD AVE NW  
THE S 330 FT OF E 660 FT OF SW1/4 OF SW1/4 OF SEC 3 TWP 32 RGE 25, EX RD, SUBJ TO EASE OF REC

03-32-25-34-0002  
6841 173RD AVE NW  
THE S 329 FT OF E 400 FT OF SE1/4 OF SW1/4 OF SEC 3 TWP 32 RGE 25, EX RDS, SUBJ TO EASE OF REC

10-32-25-34-0003

UNPLATTED RAMSEY TWP THAT PART OF THE SE1/4 OF SW1/4 OF SEC 10-32-25 DESC AS-COM AT THE SW CORNER OF SD SE1/4 OF SW1/4-TH N ALONG THE W LINE THEREOF 331.43 FT TO THE ACT PT OF BEG-TH E PRL WITH THE S LINE OF SAID SE1/4 OF SW1/4 657.15 FT -TH N PRL WITH T

03-32-25-12-0001

THE NW1/4 OF NE1/4 OF SEC 3 TWP 32 RGE 25, SUBJ TO EASE OF REC

10-32-25-31-0006  
6900 168TH AVE NW  
LOT 2 BLK 2 NOW AND THEN EST ATES; EX RD; SUBJ TO EASE OF REC

10-32-25-42-0007  
6601 167TH AVE NW  
LOT 1 BLOCK 2 HARMONY FARMS

09-32-25-13-0001

THE SW1/4 OF NE1/4 OF SEC 9 TWP 32 RGE 25, EX S 467 FT OF W 467 FT OF SD 1/4 1/4, AS MEAS ALG S & W LINES THEREOF, EX RD, SUBJ TO EASE OF REC

10-32-25-31-0007  
16750 GARNET ST NW  
LOT 3 BLK 2 NOW AND THEN EST ATES; EX RD; SUBJ TO EASE OF REC

10-32-25-13-0005

THE W 475.17 FT OF N 275 FT OF S 550 FT OF SW1/4 OF NE 1/4 OF SEC 10-32-25; EX RD; SUBJ TO EASE OF REC

10-32-25-31-0002  
6951 168TH AVE NW  
LOT 1 BLK 1 NOW AND THEN EST ATES; EX RD; SUBJ TO EASE OF REC

02-32-25-33-0007

THAT PRT OF SW1/4 OF SW1/4 OF SEC 2 TWP 32 RGE 25 LYGNLY OF CL OF TROTT BROOK, SUBJ TO EASE OF REC

10-32-25-33-0009  
7150 166TH AVE NW  
THE W 328.57 FT OF N 225.15 FT OF S 490.3 FT OF SW1/4 OF SW1/4 OF SEC 10 TWP 32 RGE 25, EX RD, SUBJ TO EASE OF REC

10-32-25-34-0010  
6920 167TH AVE NW  
THAT PRT OF LOT 1 BLOCK 1 GEBERTS ADD LYG SELY OF ELY BOUNDARY OF TRACT A & LYGNLY & ELY OF FOL DESC LINE: COM AT SE COR OF SD LOT 1, TH N 00 DEG 12 MIN 57 SEC W, ASSD BRG, ALG E LINE OF SD LOT 145.80 FT TO POB OF SD LINE, TH N 89 DEG 54 MIN 4

03-32-25-43-0004  
17405 NOWTHEN BLVD NW  
UNPLATTED RAMSEY TWP TH PT OF THE SW1/4 OF THE SE1/4 OF SEC 3 32 25 IN ANOKA CNTY MINN DESC AS FOLL. COMM AT THE SW CORNER OF SD SW1/4 OF THE SE1/4, TH N (ASSUMED BEARING) ON THE W LINE OF SD SW 1/4 OF THE SE1/4 A DIST OF 678.76 FT, TH N 77 DEG 26

09-32-25-13-0002  
16800 VARIOLITE ST NW

UNPLATTED RAMSEY TWP THE S 467 FT OF THE W 467 FT OF THE SW 1/4 OF NE 1/4 OF SECTION 9-32-25 ANOKA CNTY, MN AS MEAS ALONG THE S & W LINES THEREOF & (SUBJ TO ANY EXISTING EASE)

03-32-25-44-0001

THE SE 1/4 OF SE 1/4 OF SEC 3 TWP 32 RGE 25, SUBJ TO EASE OF REC

10-32-25-33-0002

7131 166TH AVE NW

THAT PRT OF SW 1/4 OF SW 1/4 OF SEC 10 TWP 32 RGE 25 DESC AS FOL: COM AT A PT ON S LINE OF SD 1/4 1/4 670.30 FT E OF SW COR THEREOF, TH N PRL/W E LINE OF SD 1/4 1/4 758.10 FT, TH AT A RT ANG W 222 FT T O POB TH NLY PRL/W W LINE OF SD 1/4 1/4 565.92 FT TO

04-32-25-41-0005

7331 175TH AVE NW

UNPLATTED CITY OF RAMSEY THE E 1/2 OF E 1/2 OF SE 1/4 OF SE 1/4 OF SEC 4-32-25 ANOKA CNTY, MN LYING N OF THE CENTERLINE OF CNTY ROAD NO 63 AS NOW LAID OUT & TRAVELLED (EX THE E 321.16 FT THEREOF) THE E 15 A CRES OF THE W 1/2 OF NE 1/4 OF SE 1/4 OF SEC 4-32-25 ANO

10-32-25-34-0011

THAT PRT OF LOT 1 BLOCK 1 GEBERTS ADD LYG ELY & SLY OF ELY BOUNDARY OF TRACT A & LYG SLY & WLY OF A LINE DESC AS FOL: COM AT SE COR OF SD LOT 1, TH N 00 DEG 12 MIN 57 SEC W, ASSD BRG, ALG E LINE OF SD LOT 145.80 FT TO POB OF SD LINE, TH N 89 DEG

10-32-25-34-0008

16681 GARNET ST NW

LOOYENS ADDITION LOT 1 BLK 2 LOOYENS ADD (SUBJ TO EASE AS SHOWN ON PLAT) EASE TO CITY OF RAMSEY FOR RT OF ACCESS TO 167TH AVE NW & EASE TO CNTY OF ANOKA FOR RIGHT OF ACCESS TO CO STATE AID HWY NO 5

03-32-25-41-0002

6530 GREEN VALLEY RD NW

THE NE 1/4 OF SE 1/4 OF SEC 3 TWP 32 RGE 25, EX PRT PLATTED AS ROWE ADD, EX RD, SUBJ TO EASE OF REC

10-32-25-31-0004

6901 168TH AVE NW

LOT 3 BLK 1 NOW AND THEN EST ATES; EX RD; SUBJ TO EASE OF REC

10-32-25-31-0011

16821 GARNET ST NW

LOT 2 BLK 3 NOW AND THEN EST ATES; EX RD; SUBJ TO EASE OF REC

09-32-25-14-0001

UNPLATTED RAMSEY TWP SE 1/4 OF NE 1/4 SEC 9-32-25

10-32-25-42-0006

16735 NOWTHEN BLVD NW

LOT 3 BLOCK 1 HARMONY FARMS

10-32-25-34-0009

THAT PRT OF LOT 1 BLOCK 1 GEBERTS ADD LYG WITHIN THE FOL DESC TRACT: AN 80 FT STRIP OF LAND OVER UNDER & ACROSS THOSE PRTS OF LOTS 1 & 2 SD BLK 1 FOR R/W PURPOSES, THE C/L OF SD STRIP IS DESC AS FOL: COM AT SW COR OF SD LOT 2, TH S 89 DEG 46 M

10-32-25-34-0014

THAT PRT OF LOT 2 BLK 1 GEBERTS ADDITION LYG WLY OF WLY BOUNDARY OF TRACT A & LYG SLY OF FOL DESC LINE: COM AT SW COR OF SD LOT 2, TH N 00 DEG 12 MIN 57 SEC W, ASSD BRG, ALG W LINE OF SD LOT 2 143.45 FT TO POB OF SD LINE, TH S 80 DEG 59 MIN 25 SEC E 139.

10-32-25-34-0016

THAT PRT OF SE 1/4 OF SW 1/4 OF SEC 10 TWP 32 RGE 25 DESC AS FOL: COM AT SW COR OF SD 1/4 1/4, TH N 00 DEG 27

MIN 06 SEC W ALG W LINE THEREOF 723.04 FT TO POB, TH N 89 DEG 32 MIN 34 SEC E 22.26 FT, TH NELY 472.79 FT  
ALG A TAN CUR CONC TO NW HAV A RAD OF 36

04-32-25-44-0010

7230 175TH AVE NW

THE E 410 FT OF SE1/4 OF SE1/4 OF SEC 4 TWP 32 RGE 25, EX RD, SUBJ TO EASE OF REC

03-32-25-33-0005

7190 175TH AVE NW

THE W 330 FT OF SW1/4 OF SW1/4 OF SEC 3 TWP 32 RGE 25, EX RD, SUBJ TO EASE OF REC

04-32-25-44-0006

7250 175TH AVE NW

THAT PRT OF SE1/4 OF SE1/4 SEC 4-32-25 LYG E OF W 355.54 FT THEREOF, W OF E 410 FT THEREOF & S OF C/L OF CO  
RD NO 63; EX RD; SUBJ TO EASE OF REC

04-32-25-41-0004

THAT PRT OF E1/2 OF E1/2 OF SE1/4 OF SEC 4 TWP 32 RGE 25 LYG N OF C/L OF CSAH NO 63, EX E 321.16 FT THEREOF,  
EX RD, SUBJ TO EASE OF REC

04-32-25-41-0001

THE E 321.16 FT OF E1/2 OF SE1/4 OF SEC 4 TWP 32 RGE 25 LYG N OF C/L OF CSAH NO 63, EX RD, SUBJ TO EASE OF REC

03-32-25-31-0001

17512 NOWTHEN BLVD NW

THAT PRT OF NE1/4 OF SW1/4 OF SEC 3 TWP 32 RGE 25 LYG SLY OF FOL DESC LINE: COM AT A PT ON W LINE OF SD  
1/4 1/4 396.10 FT NLY OF SW COR THEREOF, TH S 1 DEG 03 MIN 21 SEC W ASSD BRG ALG W LINE OF SD 1/4 1/4 81.10 FT  
TO POB OF SD LINE TH S 89 DEG 30 MIN 0

10-32-25-33-0010

7100 166TH AVE NW

THE S 265.15 FT OF W 328.57 FT OF SW1/4 OF SW1/4 OF SEC 10 TWP 32 RGE 25, TOG/W THAT PRT OF SD 1/4 1/4 DESC  
AS FOL: BEG AT A PT ON S LINE OF SD 1/4 1/4 328.57 FT E OF SW COR THEREOF, TH E ALG SD S LINE 341.73 FT, TH N  
PRL/W E LINE OF SD 1/4 1/4 758.1 F

10-32-25-13-0004

16921 NOWTHEN BLVD NW

THE S 550 FT OF SW1/4 OF NE1/4 OF SEC 10-32-25, EX THE N 275 FT OF W 475.17 FT THEREOF, ALSO EX RD; SUBJ TO  
EASE OF REC

03-32-25-13-0001

THE SW1/4 OF NE1/4 OF SEC 3 TWP 32 RGE 25, EX RD, SUBJ TO EASE OF REC

10-32-25-42-0010

OUTLOT C HARMONY FARMS, SUBJ TO EASE OF REC

10-32-25-21-0003

17220 NOWTHEN BLVD NW

THAT PRT OF E1/2 OF NW1/4 OF SEC 10-32-25 LYG SLY OF FOL DESC LINE, BEG AT A PT ON W LINE OF SD E1/2 528 FT  
SLY OF NW COR THEREOF, TH NELY TO NE COR OF SD E1/2 & THERE TERM & LYG NLY OF A LINE RUNNING PRL/W  
& 32 FT NLY OF AS MEAS PERP TO FOL DESC LINE,

10-32-25-31-0008

16700 GARNET ST NW

LOT 4 BLK 2 NOW AND THEN ESTATES; EX RD; SUBJ TO EASE OF REC

03-32-25-31-0006

17630 NOWTHEN BLVD NW

THAT PRT OF NE1/4 OF SW1/4 OF SEC 3 TWP 32 RGE 25 DESC AS FOL: COM AT NE COR OF SD 1/4 1/4, TH W ALGN LINE  
THEREOF 830.2 FT TO C/L OF CSAH NO 5, TH S 41 1/2 DEGE ALG SD C/L 546 FT TO POB, TH SW WITH DEFL ANG TO RT  
OF 91 1/2 DEG FOR 435.6 FT, TH N 41 1/

10-32-25-31-0014  
16741 GARNET ST NW  
LOT 5 BLK 3 NOW AND THEN ESTATES; EX RD; SUBJ TO EASE OF REC

10-32-25-42-0004  
6651 167TH AVE NW  
LOT 1 BLOCK 1 HARMONY FARMS

03-32-25-41-0003  
6560 GREEN VALLEY RD NW  
LOT 1 BLOCK 1 ROWE ADD

10-32-25-31-0003  
16850 GARNET ST NW  
LOT 2 BLK 1 NOW AND THEN ESTATES; EX RD; SUBJ TO EASE OF REC

10-32-25-33-0001  
16660 JASPER ST NW  
UNPLATTED RAMSEY TWP THAT PART OF THE SW1/4 OF SEC 10-32-25 DESC AS FOL-COM AT THE SWCORNER OF THE SE1/4 OF SW1/4 OF SAID SEC 10-TH N 0 DEG 25 MIN 36SEC W (ASSUMED BEARING) ALONG THE W LINE OF SAID SE1/4 OF SW1/4 A DIST OF 994.29 FT TO THE ACTUAL POINT OF

10-32-25-34-0004  
16519 JASPER ST NW  
UNPLATTED RAMSEY TWP THAT PART OF SE1/4 OF SW1/4 OF SEC 10 TWP 32 RGE 25 DESCRIBED AS BEGINNING AT SW CORNER OF SAID SE1/4 OF SW1/4, THENCE N ALONG W LINE THEREOF A DISTANCE OF 331.43, TH E PRL WITH S LINE OF SAID SE1/4 OF SW1/4 A DISTANCE OF 657.15 F

10-32-25-22-0001  
7040 173RD AVE NW  
UNPLATTED RAMSEY TWP TH PT OF W 1/2 OF NW1/4 OF SEC 10-32-25 DES AS FOL-COM AT THE NWCOR OF SEC 10-32-25-TH ELY ON SD SEC LINE 80 RODS-TH SLY PARA WITH THE W LINE OF SD SEC TO TROTT BROOK-TH WLY ALONG THE CHANNEL OF SD BROOK TO WHERE THE W LINE OF S

10-32-25-33-0008  
7001 166TH AVE NW  
WESTBY FIRST ADDITION LOT 2 BLK 1 WESTBY 1ST ADD (SUBJ TO EASE AS SHOWN ON PLAT)

10-32-25-42-0008  
  
OUTLOT A HARMONY FARMS

10-32-25-31-0009  
16701 JASPAR ST NW  
LOT 5 BLK 2 NOW AND THEN ESTATES; EX RD; SUBJ TO EASE OF REC

03-32-25-31-0005  
17640 NOWTHEN BLVD NW  
THAT PRT OF NE1/4 OF SW1/4 OF SEC 3 TWP 32 RGE 25 DESC AS FOL: COM AT NE COR OF SD 1/4 1/4, TH W ALG N LINE THEREOF 830.2 FT TO C/L OF CSAH NO 5, TH S 41 1/2 DEGE ALG SD C/L 346 FT TO POB, TH SW WITH A DEFL ANG TO RT OF 91 1/2 DEG 900 FT +OR- TO W LINE

03-32-25-14-0001  
6501 GREEN VALLEY RD NW  
THE W 60 ACRES OF E1/2 OF NE1/4 OF SEC 3 TWP 32 RGE 25, EX E 658.05 FT THEREOF, ALSO EX THAT PRT OF E1/2 OF SD NE1/4 DESC AS FOL: COM AT SW COR OF SD 1/4, TH S 89 DEG 46 MIN 24 SEC E, ASSD BRG, ALG S LINE OF SD 1/4 TO W LINE OF E 658.05 FT OF W 60 ACRES

03-32-25-11-0002  
  
THAT PRT OF E1/2 OF NE1/4 OF SEC 3 TWP 32 RGE 25 DESC AS FOL: COM AT SW COR OF SD 1/4, TH S 89 DEG 46 MIN 24 SEC E (ASSD BRG) ALG S LINE OF SD 1/4 TO W LINE OF E 658.05 FT OF W 60 ACRES OF SD 1/4, TH N 0 DEG 50 MIN 22 SEC E ALG SD W LINE 817.76 FT TO POB

10-32-25-33-0012  
7046 166TH AVE NW  
LOT 2 BLOCK 1 VALVISTA ESTATES, SUBJ TO EASE OF REC

10-32-25-31-0012  
16795 GARNET ST NW  
LOT 3 BLK 3 NOW AND THEN ESTATES; EX RD; SUBJ TO EASE OF REC

02-32-25-22-0030  
6361 178TH LN NW  
LOT 1 BLK 1 VALLEY VIEW ACRES, SUBJ TO EASE OF REC

10-32-25-34-0013

THAT PRT OF LOT 2 BLK 1 GEBERT'S ADDITION LYG WLY OF WLY BOUNDARY OF TRACT A & LYG NLY OF FOL DESC LINE: COM AT SW COR OF SD LOT 2, TH N 00 DEG 12 MIN 57 SEC W, ASSD BRG, ALG W LINE OF SD LOT 292.94 FT TO POB OF SD LINE, TH S 76 DEG 25 MIN 07 SEC E 215.09

10-32-25-34-0015

THAT PRT OF LOT 2 BLK 1 GEBERT'S ADDITION LYG ELY OF ELY BOUNDARY OF TRACT A, SD TRACT IS DESC AS FOL: AN 80 FT STRIP OF LAND OVER UNDER & ACROSS PRT OF LOTS 1 & 2 SD BLK 1 GEBERT'S ADD THE C/L OF SD STRIP OF LAND IS DESC AS FOL: COM AT SW COR OF SD LOT 2,

10-32-25-33-0011  
16580 JASPER ST NW  
LOT 1 BLOCK 1 VALVISTA ESTATES, SUBJ TO EASE OF REC

03-32-25-33-0002

THE N 330 FT OF S 660 FT OF E 660 FT OF SW 1/4 OF SW 1/4 OF SEC 3 TWP 32 RGE 25, SUBJ TO EASE OF REC

03-32-25-24-0006

THAT PRT OF NE 1/4 OF SW 1/4 OF SEC 3 TWP 32 RGE 25 DESC AS FOL: COM AT NE COR OF SD 1/4 1/4, TH W ALG N LINE THEREOF 830.2 FT TO INTER/W C/L OF CSAH NO 5, TH S 41 1/2 DEGE ALG SD C/L 346 FT TO POB & P T "A", TH SW DEFL TO RT 91 1/2 DEG 900 FT +OR- TO W L

03-32-25-43-0001

17455 NOWTHEN BLVD NW  
THE SW 1/4 OF SE 1/4 OF SEC 3 TWP 32 RGE 25, EX THAT PRT DESC AS FOL: COM AT SW COR OF SD 1/4 1/4, TH N ALG W LINE THEREOF 346.5 FT TO PT "A", TH CONT N ALG SD W LINE 86 FT, TH E PRL/W S LINE OF SD 1/4 1/4 162 FT, TH S PRL/W SD W LINE 86 FT, TH W PRL/W

10-32-25-12-0009

17105 NOWTHEN BLVD NW  
THE N 471.5 FT OF THAT PRT OF THE NE 1/4 OF THE NE 1/4 LYG W OF THE E 1100 FT THEREOF TOG/W THAT PRT OF THE NW 1/4 OF THE NE 1/4 & THAT PRT OF THE SW 1/4 OF THE NE 1/4 LYG N OF THE S 550 FT T HEREOF, EX THE E 133.8 FT OF THE NW 1/4 OF THE NE 1/4 LYG S OF THE N 47

03-32-25-31-0003

17660 NOWTHEN BLVD NW  
THAT PRT OF NE 1/4 OF SW 1/4 OF SEC 3 TWP 32 RGE 25 DESC AS FOL: COM AT INTER OF N LINE OF SD 1/4 1/4 & C/L OF CSAH NO 5, THS 41 1/2 DEGE ALG SD C/L 146 FT, TH SW WITH A DEFL ANG TO RT OF 91 1/2 DEG 435.6 FT, TH W PRL/W SD N LINE 16 FT TO POB, TH CONT W

03-32-25-34-0001

THE SE 1/4 OF SW 1/4 OF SEC 3 TWP 32 RGE 25, EX S 329 FT OF E 400 FT THEREOF, EX RDS, SUBJ TO EASE OF REC

03-32-25-33-0001

7160 175TH AVE NW  
THAT PRT OF SW 1/4 OF SW 1/4 OF SEC 3 TWP 32 RGE 25 LYGE OF W 330 FT THEREOF & LYG W OF E 660 FT THEREOF, EX RD, SUBJ TO EASE OF REC

03-32-25-33-0004

7050 175TH AVE NW

THE E 660 FT OF SW1/4 OF SW1/4 OF SEC 3 TWP 32 RGE 25, EX S 660 FT THEREOF, EX RD, SUBJ TO EASE OF REC

03-32-25-32-0008

7121 175TH AVE NW

THE S 517.8 FT OF W 237 FT OF NW1/4 OF SW1/4 OF SEC 03 TWP 32 RGE 25 (AS MEAS ALG W & S LINES THEREOF) EX RD; SUBJ TO EASE OF REC

03-32-25-32-0003

7111 175TH AVE NW

THE E 200 FT OF W 437 FT OF S 217.8 FT OF NW1/4 OF SW1/4 OF SEC 3 TWP 32 RGE 25, EX RD, SUBJ TO EASE OF REC

03-32-25-32-0004

7041 175TH AVE NW

THE E 200 FT OF W 637 FT OF S 217.8 FT OF NW1/4 OF SW1/4 OF SEC 3 TWP 32 RGE 25, EX RD, SUBJ TO EASE OF REC

03-32-25-32-0009

7009 175TH AVE NW

THE NW1/4 OF SW1/4 OF SEC 03 TWP 32 RGE 25, EX W 637 FT OF S 217.8 FT THEREOF, ALSO EX N 300 FT OF S 517.8 FT OF W 237 FT THEREOF, (AS MEAS ALG W & S LINES THERE- OF); EX RD; SUBJ TO EASE OF REC

03-32-25-31-0007

17530 NOWTHEN BLVD NW

THAT PRT OF NE1/4 OF SW1/4 OF SEC 3 TWP 32 RGE 25 DESC AS FOL: BEG AT A PT ON W LINE OF SD 1/4 1/4 396.10 FT NLY OF SW COR THEREOF, TH S 1 DEG 03 MIN 21 SEC W (ASSD BRG) ALG W LINE OF SD 1/4 1/4 81.10 FT, TH S 89 DEG 30 MIN 07 SEC E 936.66 FT, TH S 19 DE

03-32-25-31-0009

17540 NOWTHEN BLVD NW

THAT PRT OF NE1/4 OF SW1/4 OF SEC 3 TWP 32 RGE 25 DESC AS FOL: COM AT INTER OF C/L OF CSAH NO 5 WITH C/L OF CSAH NO 63, TH NLY ALG C/L OF CSAH NO 5 655.7 FT TO POB, TH CONT NLY ALG SD C/L 646.8 FT +OR - TO A PT DRAWN S 41 1/2 DEGE & 346 FT FROM INTER OF

03-32-25-31-0008

6845 175TH AVE NW

UNPLATTED RAMSEY TWP TH PT OF THE NE1/4 OF SW1/4 OF SEC 3-32-25 ANOKA CNTY MN DESC ASFOLS-BEG AT A PT IN THE CENTER OF CNTY RD NO 63 AND ALSO BEING THE S LINE OF SD NE1/4 OF SW1/4 SD PT BEING 431.64 FT W OF THE CENTER LINE OF CNTY RD NO 5-TH CONTINUING

10-32-25-31-0005

6950 168TH AVE NW

LOT 1 BLK 2 NOW AND THEN ESTATES; EX RD; SUBJ TO EASE OF REC

10-32-25-31-0013

16771 GARNET ST NW

LOT 4 BLK 3 NOW AND THEN ESTATES; EX RD; SUBJ TO EASE OF REC

10-32-25-42-0005

6691 167TH AVE NW

LOT 2 BLOCK 1 HARMONY FARMS

10-32-25-34-0017

THAT PRT OF SE1/4 OF SW1/4 OF SEC 10 TWP 32 RGE 25 DESC AS FOL: COMAT SW COR OF SD 1/4 1/4, TH N ALG W LINE THEREOF 662.86 FT TO POB, TH E PRL/W S LINE OF SD 1/4 1/4 657.15 FT, TH N PRL/W SD W LINE 331.43 FT, TH W PRL/W SD S LINE 657.15 FT, TH S ALG S

03-32-25-11-0003

6421 GREEN VALLEY RD NW

THE E 658.05 FT OF W 60 ACRES OF E1/2 OF NE1/4 OF SEC 3 TWP 32 RGE 25, EX RD, SUBJ TO EASE OF REC

03-32-25-11-0004

6381 178TH LN NW

LOT 2 BLK 1 VALLEY VIEW ACRES, SUBJ TO EASE OF REC

03-32-25-14-0002  
6380 178TH LN NW  
LOT 3 BLOCK 1 VALLEY VIEW ACRES

02-32-25-23-0023  
6405 GREEN VALLEY RD NW  
LOT 4 BLOCK 1 VALLEY VIEW ACRES

03-32-25-43-0002  
17301 NOWTHEN BLVD NW

02-32-25-32-0003  
6210 GREEN VALLEY RD NW

Exhibit B

04-32-25-11-0006

7320 181ST AVE NW  
LOT 1 BLK 1 DRYDEN ADD; SUBJ TO EASE OF REC

04-32-25-11-0004

7202 181ST AVE NW  
THE E 231 FT OF NE1/4 OF NE1/4 OF SEC 4 TWP 32 RGE 25, EX RD, SUBJ TO EASE OF REC

04-32-25-11-0003

7250 181ST AVE NW  
UNPLATTED RAMSEY TWP THE N 363 FT OF W 300 FT OF THE E 828 FT OF THE NE1/4 OF NE1/4 OF SEC 4 -32-25 ANOKA CNTY, MN(SUBJ TO THAT PART TAKEN FOR CNTY ROAD NO 64)

04-32-25-24-0009

7630 178TH LN NW  
CAROLINE ACRES LOT 4 BLK 3 CAROLINE ACRES(SUBJ TO EASE AS SHOWN ON PLAT)

04-32-25-24-0007

7710 178TH LN NW  
CAROLINE ACRES LOT 2 BLK 3 CAROLINE ACRES(SUBJ TO EASE AS SHOWN ON PLAT)

04-32-25-24-0001

7731 178TH LN NW  
CAROLINE ACRES LOT 1 BLK 1 CAROLINE ACRES(SUBJ TO EASE AS SHOWN ON PLAT)

04-32-25-12-0005

7450 181ST AVE NW  
THAT PRT OF S 270 FT OF N 370 FT OF NW1/4 OF NE1/4 OF SEC 4 TWP 32 RGE 25 LYGE OF W 500 FT THEREOF, EX THAT PRT THEREOF LYG ELY OF A LINE BEG ON N LINE OF SD 1/4 1/4 864 FT E OF NW COR THEREOF & SD LINE EXT'D SELY ON A BRG OF S 9 DEG 50 MIN E, SUBJ TO EA

05-32-25-14-0006

8021 177TH AVE NW  
DEERWOOD LOT 12 BLK 1 DEERWOOD(SUBJ TO EASE AS SHOWN ON PLAT)

05-32-25-14-0001

17720 GIBBON ST NW  
DEERWOOD LOT 7 BLK 1 DEERWOOD(SUBJ TO EASE AS SHOWN ON PLAT)

03-32-25-24-0002

17750 GARNET ST NW  
THE W 383.06 FT OF E 749.56 FT, AS MEAS ALG S LINE THEREOF, OF SE1/4 OF NW1/4 OF SEC 3 TWP 32 RGE 25 LYGS OF A LINE WHICH IS 75 FT S OF , AS MEAS AT RT ANG, TO FOL DESC LINE: BEG AT A PT ON W LINE OF SD 1/4 1/4 860 FT N OF SW COR THEREOF, TH IN AN ELY D

05-32-25-12-0001

UNPLATTED RAMSEY TWSP NW1/4 OF NE1/4 SEC 5-32-25-SUBJ TO EASE TO RURAL CO-OP POWER ASSN

04-32-25-43-0007

17314 SAPPHIRE ST NW  
LOT 2 BLK 1 PINE COVE; EX RD; SUBJ TO EASE OF REC

03-32-25-21-0001

THE NE1/4 OF NW1/4 OF SEC 3 TWP 32 RGE 25, SUBJ TO EASE OF REC

04-32-25-12-0007

7600 181ST AVE NW  
THE W 450 FT OF N 100 FT OF NW1/4 OF NE1/4 OF SEC 4 TWP 32 RGE 25, TOG/W THAT PRT OF W 500 FT OF SD 1/4 1/4 LYGS OF N 100 FT THEREOF, SUBJ TO EASE OF REC

04-32-25-12-0008

THE E 500 FT OF N 100 FT OF NW1/4 OF NE1/4 OF SEC 4 TWP 32 RGE 25, EX THAT PRT THEREOF LYGELY OF FOL  
DESC LINE: BEG AT A PT ON N LINE OF SD 1/4 1/4 864 FT E OF NW COR THEREOF TH S 9 DEG 50 MIN E 375.52 FT & SD  
LINE THERE TERM, SUBJ TO EASE OF REC

04-32-25-24-0004  
7631 178TH LN NW  
CAROLINE ACRES LOT 2 BLK 2 CAROLINE ACRES(SUBJ TO EASE AS SHOWN ON PLAT)

04-32-25-24-0005  
7611 178TH LN NW  
CAROLINE ACRES LOT 3 BLK 2 CAROLINE ACRES(SUBJ TO EASE AS SHOWN ON PLAT)

04-32-25-13-0001  
7363 175TH AVE NW  
THE SW1/4 OF NE1/4 OF SEC 4 TWP 32 RGE 25, SUBJ TO EASE OF REC

05-32-25-11-0002

UNPLATTED CITY OF RAMSEY S1/2 OF NE1/4 OF NE1/4 SEC 5-32-25

04-32-25-44-0003

THAT PRT OF SE1/4 OF SE1/4 OF SEC 4 TWP 32 RGE 25 LYGNLY OF CSAH NO 63 & LYG W OF E 15 ACRES OF W1/2  
THEREOF, EX RD, SUBJ TO EASE OF REC

09-32-25-12-0012  
17289 VARIOLITE ST NW  
LOT 2 BLK 1 BECKER ROLLING PINES, TOG/W OUTLOTS B & D SD ADD, SUBJ TO EASE OF REC

04-32-25-14-0007

THE SE1/4 OF NE1/4 OF SEC 4 TWP 32 RGE 25, EX E 528 FT OF N 659.64 FT THEREOF, AS MEAS ALG N & E LINES  
THEREOF, ALSO EX W 330 FT THEREOF, AS MEAS ALG SD N LINE, SUBJ TO EASE OF REC

04-32-25-14-0005  
7363 176TH AVE NW  
THE W 330 FT OF SE1/4 OF NE1/4 OF SEC 04-32-25 (AS MEAS ALG N LINE THEREOF) EX RD, SUBJ TO EASE OF REC

04-32-25-43-0008  
17365 SAPPHIRE ST NW  
LOT 1 BLK 2 PINE COVE; EX RD; SUBJ TO EASE OF REC

04-32-25-11-0007  
7280 181ST AVE NW  
LOT 2 BLK 1 DRYDEN ADD; SUBJ TO EASE OF REC

05-32-25-14-0002  
17730 GIBBON ST NW  
DEERWOOD LOT 8 BLK 1 DEERWOOD(SUBJ TO EASE AS SHOWN ON PLAT)

04-32-25-24-0002  
7711 178TH LN NW  
CAROLINE ACRES LOT 2 BLK 1 CAROLINE ACRES(SUBJ TO EASE AS SHOWN ON PLAT)

05-32-25-13-0001

UNPLATTED RAMSEY TWP SW1/4 OF NE1/4 SUBJ TO EASE TO UNITED POWER ASSN 4/24/68

09-32-25-42-0003

THAT PRT OF NW1/4 OF SE1/4 OF SEC 09 TWP 32 RGE 25 LYING NLY OF FOL DESC LINE, COM AT SW COR OF SD 1/4 1/4,  
TH ON AN ASSD BRG OF N 01 DEG 04 MIN E 218.43 FT TO POB OF SD LINE, TH N 71 DEG 20 MIN 50 SE C E 809.12 FT, TH  
N 63 DEG 21 MIN 30 SEC E 602.98 FT

04-32-25-21-0005  
18000 XENOLITH ST NW  
THE W 374 FT OF E 440 FT OF S 585 FT OF W 1/2 OF NE1/4 OF SEC 4 TWP 32 RGE 25, EX RD, SUBJ TO EASE OF REC

04-32-25-41-0002

THE W 1/2 OF NE1/4 OF SE1/4 OF SEC 4 TWP 32 RGE 25, EX E 15 ACRES THEREOF, SUBJ TO EASE OF REC

04-32-25-11-0002  
7230 181ST AVE NW  
THE N 377 FT OF W 231 FT OF E 462 FT OF NE1/4 OF NE1/4 OF SEC 4 TWP 32 RGE 25, EX RD, SUBJ TO EASE OF REC

03-32-25-22-0001  
18045 NOWTHEN BLVD NW  
THAT PRT OF NW1/4 OF NW1/4 OF SEC 3 TWP 32 RGE 25 LYG NELY OF CSAH NO 5, EX RD, SUBJ TO EASE OF REC

04-32-25-24-0003  
7651 178TH LN NW  
CAROLINE ACRES LOT 1 BLK 2 CAROLINE ACRES(SUBJ TO EASE AS SHOWN ON PLAT)

03-32-25-24-0003  
17725 NOWTHEN BLVD NW  
THAT PRT OF SE1/4 OF NW1/4 OF SEC 3 TWP 32 RGE 25 DESC AS FOL: COM AT INTER OF S LINE OF SD 1/4 1/4 & C/L OF CSAH NO 5, SD PT OF INTER BEING 862.82 FT W OF SE COR OF SD 1/4 1/4, TH NWLY ALG SD C/L ALG A CUR CONC TO NE HAV A RAD OF 1800.40 FT A CEN ANG O

04-32-25-12-0006  
7400 181ST AVE NW  
THAT PRT OF NW1/4 OF NE1/4 OF SEC 4 TWP 32 RGE 25 DESC AS FOL: BEG AT A PT ON N LINE OF SD 1/4 1/4 864 FT E OF NW COR THEREOF, TH S 9 DEG 50 MIN E 375.52 FT, TH CONT S 9 DEG 50 MIN E 3.48 FT, TH S 16 DEG 56 MIN W 362.27 FT, TH W PRL/W SD N LINE TO A PT

04-32-25-21-0003

THAT PRT OF W 1/2 OF NE1/4 OF NW1/4 OF SEC 4 TWP 32 RGE 25 LYGN OF S 585 FT THEREOF & LYGE OF W 300 FT THEREOF, TOG/W THAT PRT OF S 585 FT OF SD W 1/2 LYG W OF E 440 FT THEREOF, EX RD, SUBJ TO EASE OF REC

04-32-25-22-0001

THE N1/2 OF NW1/4 OF NW1/4 OF SEC 4 TWP 32 RGE 25, SUBJ TO EASE OF REC

04-32-25-21-0004  
7750 181ST AVE NW  
UNPLATTED RAMSEY TWP THE W 300 FT OF ALL TH PART OF THE W 1/2 OF NE1/4 OF NW1/4 OF SEC 4-32-25 ANOKA CNTY, MN LYING N OF THE S 585 FT THEREOF (SUBJ TO EASE RESTRICTIONS & RESERVATIONS OF RECORD IF ANY)

03-32-25-24-0012  
6805 GREEN VALLEY RD NW  
THE E 366.5 FT OF S 373.37 FT OF SE1/4 OF NW1/4 OF SEC 3 TWP 32 RGE 25, EX RD, SUBJ TO EASE OF REC

04-32-25-14-0006  
7240 181ST AVE NW  
THE W 66 FT OF E 528 FT OF NE1/4 OF NE1/4 OF SEC 4 TWP 32 RGE 25, TOG/W E 528 FT OF N 659.64 FT OF SE1/4 OF SD NE1/4 AS MEAS ALGN & E LINES THEREOF, EX RD, SUBJ TO EASE OF REC

03-32-25-24-0009  
6825 GREEN VALLEY RD NW  
THE E 291.66 FT OF FOL DESC TRACT: THAT PRT OF SE1/4 OF NW1/4 OF SEC 3 TWP 32 RGE 25 DESC AS FOL: BEG AT A PT ON S LINE OF SD 1/4 1/4 416 FT W OF SE COR THEREOF, TH W ALG SD S LINE 414.2 FT TO C/L OF CSAH NO 5, TH NWLY ALG SD C/L 276 FT, TH NELY AT RT AN

03-32-25-24-0008  
17705 NOWTHEN BLVD NW  
THAT PRT OF THE SE1/4 OF NW1/4 SEC 3-32-25 DESC AS FOL BEG AT A PT ON THE S LINE OF SD 1/4, 1/4 SD PT BEING

724.16 FT W OF THE SE COR THEREOF TH WLY ALG SD S LINE TO THE INTER/W THE C/L OF CSAH#5 TH N WLY ALG SD C/L 276 FT TH NELY AT A RT ANG 290.4 FT TH

04-32-25-43-0004

7431 175TH AVE NW

THAT PRT OF THE N 365.83 FT OF THE SW1/4 OF THE SE1/4 LYG NWLY OF THE C/L OF ANOKA CO HWY NO 63 EX RD SUBJ TO EASE OF REC

03-32-25-22-0006

17950 NOWTHEN BLVD NW

THAT PRT OF THE S 418.49 FT OF THE N 940.26 FT (AS MEAS ALG THE W LINE) OF THE NW1/4 OF THE NW1/4 SEC 3 - 32-25 LYG WLY OF THE C/L OF CSAH NO 5, EX THE W 428.54 FT THEREOF (AS MEAS ALG THE N LINE OF SD 1/4, 1/4) TOG/W THAT PRT OF SD 1/4, 1/4 LYG SLY OF SD N

03-32-25-24-0013

17841 NOWTHEN BLVD NW

THAT PRT OF SE1/4 OF NW1/4 OF SEC 3 TWP 32 RGE 25 LYG N & E OF CSAH NO 5, AKA NOWTHEN BLVD & LYGNLY & WLY OF FOL DESC LINE: COM AT INTER OF S LINE OF SD 1/4 1/4 & SD C/L, SD PT OF INTER BEING 857.09 FT W OF SE COR OF SD 1/4 1/4, TH N 40 DEG 51 MIN 58 SE

04-32-25-42-0003

THAT PRT OF NW1/4 OF SE1/4 OF SEC 4-32-25 DESC AS FOL: BEG AT NE COR OF SD 1/4.1/4 TH W ALG N LINE THEREOF 162.5 FT, TH S PRL/W E LINE OF SD 1/4, 1/4, 536 FT, TH SELY TO PT ON SD E LINE 120 FT N OF SE COR AS MEAS ALG SD E LINE, TH N ALG SD E LINE TO POB;

09-32-25-12-0005

17121 VARIOLITE ST NW

LOT 2 BLK 1 RAMSEY RIDGE; SUBJ TO EASE OF REC

03-32-25-22-0003

7160 181ST AVE NW

THE W 428.54 FT OF S 418.49 FT OF N 940.26 FT OF NW1/4 OF NW1/4 OF SEC 3 TWP 32 RGE 25, AS MEAS ALG N & W LINES THEREOF, SUBJ TO EASE OF REC

04-32-25-43-0005

THAT PRT OF SW1/4 OF SE1/4 OF SEC 4 TWP 32 RGE 25 LYG NLY OF C/L OF CSAH NO 63 & LYG SLY OF N 365.83 FT THEREOF, EX RD, SUBJ TO EASE OF REC

04-32-25-44-0009

7350 175TH AVE NW

THAT PRT OF W 355.54 FT OF SE1/4 OF SE1/4 SEC 4-32-25 LYG SLY OF C/L OF CO RD NO 63; EX RD; SUBJ TO EASE OF REC

04-32-25-43-0009

17349 SAPPHIRE ST NW

LOT 2 BLK 2 PINE COVE; EX RD; SUBJ TO EASE OF REC

04-32-25-22-0002

THE S1/2 OF NW1/4 OF NW1/4 OF SEC 4 TWP 32 RGE 25, SUBJ TO EASE OF REC

04-32-25-21-0007

7630 181ST AVE NW

THE E1/2 OF NE1/4 OF NW1/4 OF SEC 04 TWP 32 RGE 25, EX N 754 FT THEREOF, EX RD, SUBJ TO EASE OF REC

05-32-25-14-0005

8061 177TH AVE NW

DEERWOOD LOT 11 BLK 1 DEERWOOD(SUBJ TO EASE AS SHOWN ON PLAT)

09-32-25-12-0006

17295 VARIOLITE ST NW

LOT 1 BLOCK 1 BECKER ROLLING PINES

09-32-25-12-0008

OUTLOT A BECKER ROLLING PINES SUBJ TO EASE OF REC

04-32-25-43-0011

17305 SAPPHIRE ST NW

LOT 4 BLK 2 PINE COVE; EX RD; SUBJ TO EASE OF REC

05-32-25-14-0003

17820 GIBBON ST NW

DEERWOOD LOT 9 BLK 1 DEERWOOD(SUBJ TO EASE AS SHOWN ON PLAT)

05-32-25-14-0004

17811 GIBBON ST NW

DEERWOOD LOT 10 BLK 1 DEERWOOD(SUBJ TO EASE AS SHOWN ON PLAT)

04-32-25-42-0002

NW1/4 OF SE1/4 OF SEC 04 TWP 32 RGE 25, EX THAT PRT DESC AS FOL: BEG AT NE COR OF SD 1/4,1/4, TH W ALG N LINE THEREOF 162.5 FT, TH S PRL/W E LINE OF SD 1/4,1/4, 536 FT, TH SELY TO A PT ON SD E LINE 1 20 FT N OF SE COR THEREOF, TH N ALG SD E LINE TO POB;

04-32-25-24-0011

CAROLINE ACRES OUTLOT B CAROLINE ACRES(SUBJ TO EASE AS SHOWN ON PLAT)

03-32-25-23-0001

17860 NOWTHEN BLVD NW

THE SW1/4 OF NW1/4 OF SEC 3 TWP 32 RGE 25, SUBJ TO EASE OF REC

04-32-25-24-0010

CAROLINE ACRES OUTLOT A CAROLINE ACRES(SUBJ TO EASE AS SHOWN ON PLAT)

04-32-25-43-0006

17348 SAPPHIRE ST NW

LOT 1 BLK 1 PINE COVE; EX RD; SUBJ TO EASE OF REC

05-32-25-11-0001

UNPLATTED RAMSEY TWSP N 1/2 OF NE1/4 OF NE1/4 SEC 5-32-25-SUBJ TO EASE TO RURAL CO-OP POWER ASSN

03-32-25-24-0005

6815 GREEN VALLEY RD NW

THE N 832 FT OF S 1205.37 FT OF E 366.5 FT OF SE1/4 OF NW1/4 OF SEC 3 TWP 32 RGE 25, AS MEAS ALG E & S LINES THEREOF, SUBJ TO EASE OF REC

04-32-25-43-0010

17325 SAPPHIRE ST NW

LOT 3 BLK 2 PINE COVE; EX RD; SUBJ TO EASE OF REC

03-32-25-22-0002

THE N 521.77 FT, AS MEAS ALG W LINE THEREOF, OF THAT PRT OF NW1/4 OF NW1/4 OF SEC 3 TWP 32 RGE 25 LYG WLY OF C/L OF CSAH NO 5, EX RD, SUBJ TO EASE OF REC

03-32-25-24-0007

17745 NOWTHEN BLVD NW

TH PRT OF SE1/4 OF NW1/4 SEC 03-32-25 DESC AS FOL: FROM THE SE COR OF SD SE1/4 OF NW1/4 TH W ON THE S LINE A DIST OF 830.2 FT TO C/L OF CO RD NO 5 AKA NOWTHEN BLVD TH NWLY WITH AN INTER ANG TO NE OF 1 30 DEG 45 MIN & ON THE CHORD OF THE CUR IN SD PUB RD

04-32-25-23-0004

7959 177TH AVE NW

THE S 173.08 FT OF W 750 FT OF SW1/4 OF NW1/4 OF SEC 4 TWP 32 RGE 25, TOG/W W 66 FT OF LOT 2 BLK 2 SHAWN

ACRES, AS MEAS PRL TO MOST WLY LINE OF SD LOT & AT RT ANG, SUBJ TO EASE OF REC

09-32-25-12-0010

OUTLOT C BECKER ROLLING PINES SUBJ TO EASE OF REC

04-32-25-41-0006

7361 175TH AVE NW

THE W 305.14 FT OF THE E 15 ACRES OF THE W 1/2 OF NE 1/4 OF SE 1/4 OF SEC 04 TWP 32 RGE 25 & THAT PRT OF THE W 305.14 FT OF THE E 15 ACRES OF THE W 1/2 OF SE 1/4 OF SE 1/4 OF SD SEC LYG NWLY OF THE C/L OF C O RD NO 63, EX RD, SUBJ TO EASE OF REC

04-32-25-21-0006

7700 181ST AVE NW

THE N 754 FT OF E 1/2 OF NE 1/4 OF NW 1/4 OF SEC 04 TWP 32 RGE 25, EX RD, SUBJ TO EASE OF REC

04-32-25-24-0008

7650 178TH LN NW

CAROLINE ACRES LOT 3 BLK 3 CAROLINE ACRES(SUBJ TO EASE AS SHOWN ON PLAT)

04-32-25-24-0006

7730 178TH LN NW

CAROLINE ACRES LOT 1 BLK 3 CAROLINE ACRES(SUBJ TO EASE AS SHOWN ON PLAT)

04-32-25-24-0012

CAROLINE ACRES OUTLOT C CAROLINE ACRES(SUBJ TO EASE AS SHOWN ON PLAT)

09-32-25-12-0004

17151 VARIOLITE ST NW

LOT 1 BLK 1 RAMSEY RIDGE; SUBJ TO EASE OF REC

04-32-25-12-0004

7446 181ST AVE NW

THAT PRT OF NW 1/4 OF NE 1/4 OF SEC 4 TWP 32 RGE 25 DESC AS FOL: COM AT A PT ON N LINE OF SD 1/4 1/4 864 FT E OF NW COR THEREOF, TH S 9 DEG 50 MIN E 375.52 FT TO POB, TH CONT S 9 DEG 50 MIN E 3.48 FT, TH S 16 DEG 56 MIN W 362.27 FT, TH W PRL/W SD N LINE T

04-32-25-23-0003

8001 177TH AVE NW

THE SW 1/4 OF NW 1/4 OF SEC 4 TWP 32 RGE 25, EX S 173.08 FT OF W 750 FT THEREOF, SUBJ TO EASE OF REC

04-32-25-11-0005

THAT PRT OF W 231 FT OF E 462 FT OF NE 1/4 OF NE 1/4 OF SEC 4 TWP 32 RGE 25 LYGS OF N 377 FT THEREOF, SUBJ TO EASE OF REC

04-32-25-12-0002

UNPLATTED RAMSEY TWP THE N 100 FT OF NW 1/4 OF NE 1/4 OF SEC 4-32-25, EX W 450 FT THEREOF, AND EX E 500 FT THEREOF-

Exhibit C

03-32-25-31-0010

17591 Nowthen Blvd NW

THAT PRT OF NE1/4 OF SW1/4 OF SEC 3 TWP 32 RGE 25 LYG ELY OF CSAH NO 5 & LYG SLY OF CSAH NO 63, EX THAT PRT THEREOF LYG S OF COUNTY DITCH NO 27, ALSO EX THAT PRT LYG NLY OF A LINE DRAWN S 79 DEG 42 MI N 29 SEC W FROM A PT ON E LINE OF SD 1/4 1/4 382.42 F

03-32-25-31-0011

6810 Green Valley Road

UNPLATTED CITY OF RAMSEY THAT PART OF THE NE1/4 OF SW1/4 OF SEC 3-32-25 ANOKA CNTY, MN LYING ELY OF CNTY ST AID HWY NO 5 SLY OF CNTY ROAD NO 63 & LYING NLY OF A LINE DRAWN S 79 DEG 42 MIN 29 SEC W FR OM A POINT ON THEE LINE OF SAID NE1/4 OF SW1/4 DIST 3

Exhibit D

29-32-25-12-0001

UNPLATTED RAMSEY TWP NW1/4 OF NE1/4 SEC 29-32-25-EX R R RT OF WAY-SUBJ TO EASE TO RURAL CO-OP POWER ASSN-

29-32-25-11-0003

LOT 1 BLK 1 HY-10 RAMSEY 2ND ADDITION; SUBJ TO EASE OF REC

19-32-25-42-0002

OUTLOT C NORTHFORK IT ASCA SHORES ADD

20-32-25-33-0001

UNPLATTED RAMSEY TWP SW1/4 OF SW1/4 SEC 20-32-25-EX EASE TO RURAL CO-OP POWER ASSN- -SUBJ TO EASE TO RURAL COOP POWER ASSN 4/12/67-

19-32-25-41-0004

THAT PRT OF OUTLOT C NORTHFORK LYG IN E1/2 OF SEC 19 TWP 32 RGE 25 & LYG SLY OF C/L OF 153RD AVE NW, EX PRT PLATTED AS NORTHFORK LINKS ADD, EX RD, SUBJ TO EASE OF REC

20-32-25-32-0001

UNPLATTED RAMSEY TWP NW1/4 OF SW1/4 SEC 20-32-25-EX EASE TO RURAL CO-OP POWER ASSN- -SUBJ TO EASE TO RURAL COOP POWER ASSN 4/12/67-

29-32-25-22-0004

THAT PRT OF NW1/4 OF NW1/4 LYG NELY OF NELY R/W LINE OF BURLINGTON NORTHERN R/R EX RD SUBJ TO EASE OF REC

29-32-25-21-0001

PRT NE1/4 NW1/4 LYG NLY OF NLY R/W LINE OF BN INC EX RD SUBJ TO EASE OF REC

**Date: 03/03/2011**

By: Tim Gladhill  
Community Development

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Information

**Title:**

Consider Ordinance to Amend City Code Section 117-118 (Town Center) of the Ramsey City Code;  
Case of City of Ramsey

**Background:**

The intent of the proposed ordinance is to make a simple amendment to the title of the section to reflect the new name of the former Ramsey Town Center development, now known as The COR. City Staff anticipates forwarding additional recommendations for amendments to the zoning district in terms of bulk standards, uses, and design guidelines in the near future to reflect work done by the City's Housing and Redevelopment Authority (HRA) to present a revised development plan. The current amendment is needed for some house cleaning purposes related to cleaning up existing agreements tied to the development, such as the Parking Use and Maintenance Agreement (PUMA).

**Notification:**

The Public Hearing was properly notified in the Anoka County Union.

**Observations:**

The intent of this ordinance is administrative in nature to reflect current naming schemes, processes, and laws. All references to Town Center are renamed The COR. The amendment also reflects the fact that the Architectural Review Board has disbanded and amends the review process accordingly. Finally, one policy change that is proposed is related to religious institutions and assembly space. The Religious Land Use and Institutionalized Persons Act (RLUIPA) essentially states that all assembly uses must be treated equally. In other words, by allowing a cinema/theater in the TC-2 district as a permitted use, the City should allow a religious institution as a permitted use, versus a conditional use as currently stated.

**Funding Source:**

Amendments to the zoning code are being handled as part of regular staff duties.

**Staff Recommendation:**

City Staff recommends approval of the ordinance.

**Committee Action:**

Motion to adopt the ordinance amending City Code Section 117-118 (Town Center).

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Attachments

Proposed Ordinance

Form Review

| Inbox                         | Reviewed By   | Date                            |
|-------------------------------|---------------|---------------------------------|
| Tim Gladhill (Originator)     | Tim Gladhill  | 02/25/2011 10:55 AM             |
| Aaron Backman                 | Aaron Backman | 02/25/2011 11:07 AM             |
| Form Started By: Tim Gladhill |               | Started On: 02/23/2011 01:50 PM |



Sec. 117-118. - ~~Town Center~~The COR District.

- (a) *Intent.* The primary intent of the ~~Town Center~~COR District is to create a focal point in the community that embodies the principles of transit-oriented and mixed-use development. The ~~Town Center~~COR District envisions a distinctly different development pattern, with a more urban structure of streets and blocks, than the suburban and rural patterns that have shaped the community to date. The ~~Ramsey Town Center~~COR area is comprised of a number of distinct subdistricts intended to define the type and intensity of uses, location of amenities and overall character of development. The ~~Town Center~~COR District incorporates the ~~Ramsey Town Center~~COR Master Plan and Development Guidelines by reference to provide necessary building and site design features that are essential to a pedestrian environment. Any reference to Ramsey Town Center or Town Center shall be interpreted to mean the same as The COR.
- (b) *Town center*The COR subdistrict definition. The ~~Town Center~~COR District consists of five subdistricts that define the type and intensity of land use.
- (1) *~~CORFC-1~~ Mixed-Use Core Subdistrict.* The mixed-use core is intended to provide a mix of residential, retail, service, professional, community service, recreational and similar uses on every block near, and within easy walking distance of the transit station. The broadest variety and highest intensity of uses, including high density housing and lodging facilities, are encouraged near the station. Vertically-integrated mixed use projects with retail, restaurant and service uses, especially at corner locations, are strongly encouraged. This district incorporates the highest architectural and design standards to encourage pedestrian mobility and street activity. The majority of the uses within this district will rely on parking structures to accommodate the parking needs of customers and employees. In order to contribute to an active pedestrian environment, each block within the ~~FC~~COR-1 subdistrict shall include at least two of the following uses: commercial, office, civic and/or residential use.
  - (2) *~~FC~~COR-2(COR-2) Commercial Subdistrict.* The ~~FC~~COR-2 Commercial Subdistrict is designated to provide a location for retail commercial that has building and/or site designs inconsistent with the ~~FC~~COR-1 Subdistrict, including larger scale retail and other auto-oriented commercial uses. Such uses tend to benefit from direct highway access and good visibility, and may have market areas that extend beyond the community. These commercial and auto-oriented uses shall be clustered in compact identifiable areas and not present the look of typical strip suburban development. Buildings shall be designed with a pedestrian orientation and relationship to the primary street that is compatible with the adjacent ~~FC~~COR-1 subdistrict.
  - (3) *~~FC~~COR-3 and ~~FC~~COR-3a Workplace Subdistrict.* The workplace area is intended to accommodate medical and technology-related office and research uses, as well as other office uses and ancillary retail and service uses designed to support serve employees and office visitors. Uses with high concentrations of employees are most desirable. The ~~FC~~COR-3 subdistrict is further defined by a ~~FC~~COR-3a subdistrict that allows exclusively schools. Due to the unique design and site layout needs of a school, different standards are in place in the ~~FC~~COR-3a subdistrict than other development within the ~~FC~~COR-3 subdistrict.
  - (4) *~~FC~~COR-4 (~~FC~~COR-4a, ~~FC~~COR-4b and ~~FC~~COR-4c) Neighborhood Subdistrict.* The Neighborhood Subdistrict ~~comprises the northern portion of the Town Center District. The subdistrict~~ is intended to include a full range of housing types, from small-lot single-family detached to high-density senior and general apartments, as well as a limited number of small-scale retail and office uses at appropriate locations (i.e., at corners). Neighborhood design incorporates many traditional single-family neighborhood features such as alleys, carriage houses (secondary units), front porches, and traditional street lighting. Neighborhoods shall be designed with suitable transitions between different housing types, and with well-integrated open space and natural amenities within walking distance of all homes. Traditional neighborhood design of streets, sidewalks and paths provide easy pedestrian mobility throughout the subdistrict. Protection of natural areas and corridors that link the natural environment to everyday life is emphasized in this area. The ~~FC~~COR-4 subdistrict is further defined into three categories according to the residential net density:

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- a. The **TCOR-4a** subdistrict is the lowest density area in the **TCOR-4** District allowing up to ten dwelling units per acre.
  - b. The **TCOR-4b** subdistrict is the medium density area in the **TCOR-4** District allowing up to 15 dwelling units per acre. This area is located along higher volume roadways within the **Town CenterCOR** and along its perimeter.
  - c. The **TCOR-4c** subdistrict shall provide the highest densities in the **TCOR-4** District requiring a minimum of 15 dwelling units per acre. This area is adjacent to the mixed-use core.
- (5) **TCOR-5 Park and Open Space Subdistrict.** The Park And Open Space Subdistrict is intended to preserve environmental features, provide amenities and create focal points and community gathering places within easy access of all areas of the **Town CenterCOR**. A minimum of ten percent of the gross acreage of the **Town CenterCOR** shall consist of open space that is improved for public use as guided by the master plan and any other subsequent agreements between the city and developer. Areas designated within the **TCOR-5** subdistrict, however, are restricted from other types of development, with the exception of certain civic uses, as shown in Table 1.
- (c) **Town CenterCOR development regulations.**
- (1) Uses. Table 1 specifies permitted and conditional uses within each subdistrict of the **Town CenterCOR** District. Any use may be combined within buildings (vertically) or in separate buildings (horizontally), unless otherwise specified.

Table 1: Permitted, Conditional and Prohibited Uses

| Use List   | TC-1 | TC-2 | TC-3 and 3a |    | TC-4a, b and c |   |   | TC-5 |
|--|------|------|-------------|----|----------------|---|---|------|
|  |      |      | 3           | 3a | a              | b | c |      |
| <b>RESIDENTIAL</b>   |      |      |             |    |                |   |   |      |
| Single-family detached   | N    | N    | N           | N  | P              | N | N | N    |
| Twinhomes  | N    | N    | N           | N  | P              | N | N | N    |
| Duplexes   | N    | N    | N           | N  | P              | N | N | N    |
| Row houses/townhouse   | P    | N    | N           | N  | P              | P | P | N    |
| Multistory apartments/condominiums                                     | P    | N    | N           | N  | N              | P | P | N    |
| Secondary units  | N    | N    | N           | N  | P              | N | N | N    |
| Live-work units  | P    | N    | P           | N  | P              | P | H | N    |
| <b>PERSONAL SERVICES</b> such as laundry, barbershops and beauty shops |      |      |             |    |                |   |   |      |
| <2,500 sq. ft.   | P    | P    | P           | N  | H              |   |   | N    |
| >2,500 sq. ft.   | P    | P    | P           | N  | N              |   |   | N    |
| <b>PROFESSIONAL AND MEDICAL OFFICES AND CLINICS</b>                    |      |      |             |    |                |   |   |      |
| <5,000 sq. ft.   | P    | P    | P           | N  | H              |   |   | N    |
| >5,000 sq. ft.   | P    | P    | P           | N  | N              |   |   | N    |
| <b>GENERAL OFFICES</b>   |      |      |             |    |                |   |   |      |
| <5,000 sq. ft.   | P    | P    | P           | N  | C              |   |   | N    |
| 5,000 - 35,000 sq. ft.   | P    | P    | P           | N  | N              |   |   | N    |
| >35,000 sq. ft.  | N    | P    | P           | N  | N              |   |   | N    |
| <b>ACCOMMODATION AND FOOD SERVICE USES</b>                             |      |      |             |    |                |   |   |      |
| Bed and breakfast residence  | P    | P    | N           | N  | H              |   |   | N    |
| Lodging facilities   | P    | P    | C           | N  | N              |   |   | N    |

|   |      |       |  |   |   |   |   |   |   |                   |
|---|------|-------|--|---|---|---|---|---|---|-------------------|
| Restaurant, café (including seasonal)                               | P(a) | P     |  | P | N | P | C | C | C | :lt;2,500 sq. ft. |
| Tavern, bar   |      |       |  |   |   |   |   |   |   | :lt;2,500 sq. ft. |
| ENTERTAINMENT AND RECREATION USES                                   |      |       |  |   |   |   |   |   |   |                   |
| Theater, cinema   | P    | P     |  | C | N | N | N | N | N |                   |
| Health club, fitness center   | P    | P     |  | P | N | N |   |   |   | N                 |
| Health club, fitness center :lt;5,000 sq. ft.                       | P    | P     |  | P | N | N |   |   |   | N                 |
| GENERAL RETAIL AND SERVICES (including grocery, etc.)               |      |       |  |   |   |   |   |   |   |                   |
| :lt;2,500 sq. ft.   | P    | P     |  | P | N | C | C | P |   | N                 |
| :lt;35,000 sq. ft.  | P    | P     |  | C | N | N |   |   |   | N                 |
| :gt;35,000 sq. ft.  | C    | C     |  | C | N | N |   |   |   | N                 |
| RESTRICTED USES   |      |       |  |   |   |   |   |   |   |                   |
| Private clubs and lodges  | N    | N     |  | N | N | N |   |   |   | N                 |
| Motor vehicle implement, and recreation equipment sales and service | N    | N     |  | N | N | N |   |   |   | N                 |
| Adult uses - principal and accessory                                | N    | N     |  | N | N | N |   |   |   | N                 |
| Uses with drive-thrus   | N    | C     |  | C | N | N |   |   |   | N                 |
| Accessory car washes  | N    | C     |  | N | N | N |   |   |   | N                 |
| Gas stations  | N    | N (b) |  | N | N | N |   |   |   | N                 |
| Open and outdoor services, sales, display or rental                 | N    | N     |  | N | N | N |   |   |   | N                 |
| PUBLIC USES AND SERVICES  |      |       |  |   |   |   |   |   |   |                   |
| Municipal buildings   | P    | N     |  | N | N | N |   |   |   | C                 |
| Post office - service no distribution facility                      | P    | N     |  | N | N | N |   |   |   | N                 |
| Museums/cultural centers  | C    | N     |  | N | N | N |   |   |   | C                 |
| Religious institutions  | C    | pe    |  | C | N | C |   |   |   | N                 |
| Commercial day care centers   | P    | P     |  | P | N | C |   |   |   | N                 |
| Hospitals   | N    | C     |  | P | N | N |   |   |   | N                 |
| Libraries   | P    | P     |  | P | N | C |   |   |   | N                 |
| Educational facilities (excludes daycares)                          | N    | N     |  | N | C | N |   |   |   | N                 |
| Essential public services   | P    | P     |  | P | P | P |   |   |   | P                 |
| INDUSTRIAL  |      |       |  |   |   |   |   |   |   |                   |
| Manufacturing   | N    | N     |  | N | N | N |   |   |   | N                 |
| Warehousing   | N    | N     |  | N | N | N |   |   |   | N                 |
| Outside storage   | N    | N     |  | N | N | N |   |   |   | N                 |

Key:

P - Permitted Use

C - Conditionally Permitted Use

N - Use Not Permitted

H - Permitted with home occupation permit

- a. In the TC-1 subdistrict, one story restaurants are allowed when the facade cornice height is a minimum of 22 feet in height.
- b. In the TC-2 subdistrict, accessory gas uses are allowed under the following conditions:
  1. Gas operations that are accessory to a permitted principal use.

2. Gas and convenience item sales shall not comprise more than 25 percent of the gross receipts of the principal use business.
3. Payment for sale of gas must be paid at the pump or inside the principal building. No accessory structures are allowed as part of the gas operations.
4. No more than five percent of the square footage of the principal use building may be dedicated for the gas operations and convenience item sales.
5. No franchise food operations can be contained in the area designated within the principal building for gas operation and convenience item sales
6. Gas operations located in the side or rear of the principal use building.
7. Gas operations are located within 100 feet of principal use building
8. Gas islands and canopy are architecturally harmonious and contain the same exterior building materials as the principal use building.
9. Gas operations shall constitute no more than four islands with a limit of eight individual dispensers.
10. Gas operations that are located in the city's wellhead protection area must meet the following standards:

- (i) Double walled storage tanks with corrosion protection.
- (ii) Spill protection to catch spills that may occur during delivery of products.
- (iii) Overfill protection including automatic shutoff devices, overfill alarms and ball float valves or approved equal.
- (iv) Leak detection, including interstitial monitoring of the double walled tank.
- (v) Product release monitoring, including installation of groundwater monitoring wells and monthly monitoring of these wells will be required only after a reportable leak or spill has been detected.
- (vi) Tank tightness testing on an annual basis.
- (vii) Annual reports summarizing monthly monitoring results, monthly inventory control, and tank tightness testing.

(2) Development standards.

| Development Standard          | TC-1      | TC-2      | TC-3 and 3a |         | TC-4a, b and c | TC-5     |
|-------------------------------|-----------|-----------|-------------|---------|----------------|----------|
| Minimum lot size              | None      | None      | None        | None    | None           | 0.5 acre |
| Minimum lot width (if lotted) | 20 feet   | 80 feet   | 40 feet     | 40 feet | 20 feet        | n/a      |
| Minimum lot depth (if lotted) | 80 feet   | 100 feet  | 80 feet     | 80 feet | 80 feet        | n/a      |
| Allowable residential         | >15 DU/AC | >15 DU/AC | None        | None    | 4a - up to 10  | n/a      |

|   |   |  |  |   |                                      |               |
|---|---|--|--|---|--------------------------------------|---------------|
| density in dwelling units per acre <sup>(a)</sup>                                       |   |  |  |   | 4b - up to 15<br>4c - min. of 15     |               |
| Minimum floor area ratio (FAR) for nonresidential uses/vertically mixed buildings/sites | .75   | .25  | .25  | .25   | n/a                                  | n/a           |
| Setbacks  |   |  |  |   |                                      |               |
| Front yard (min. - max)   | 0 - 5 feet as measured from building front to right-of-way <sup>(b)</sup> (60% of front facade w/in max.) | 0 - 15 feet as measured from building front to right-of-way <sup>(b)</sup> | 0 - 15 feet as measured from building front to right-of-way <sup>(b)</sup> | 30 feet min, 60 feet max as measured from building front to right-of-way <sup>(b)</sup> | 0 - 25 feet <sup>(b)</sup>           | n/a           |
| Side yard   | no req.   | 10 feet if separate bldgs.   | 10 feet if separate bldgs.   | 10 feet if separate bldgs.  | no req. unless req. by Building Code | n/a           |
| Rear yard   | no req.   | no req.  | no req.  | 30 feet minimum   | no req. unless req. by Building Code | n/a           |
| Driveway length (minimum)   | 25 feet for residential units   | 250 feet for residential units   | 250 feet for residential units   | 250 feet for residential units  | 250 feet for residential units       | n/a           |
| Building height (min. - max.)   | 2 - 5 stories   | 1 - 4 stories  | 2 - 4 stories  | 2 - 4 stories   | 1 - 4 stories                        | 1 - 2 stories |

- a. Residential density is based on the net area of the parcel in question for parcels. In the event that public open space that is not dedicated to the city is developed independently of any particular residential project, the land area of the open space shall be divided equally among those abutting projects for purposes of density calculations.
- b. Setbacks for residential units located within the TC-1 Zoning District shall be measured from building front to edge of right-of-way, or edge of sidewalk easement as defined by the City and said sidewalk must be encumbered by a sidewalk easement recorded with the office of the Anoka County Recorder. Setbacks for residential units located within the TC-4 Zoning District shall be measured from building front to edge of sidewalk, edge of right-of-way, or to back of street curb, whichever is appropriate.

- (d) *General development standards.* All development within the ~~Town Center~~COR District shall meet the ~~Ramsey Town Center~~COR Development Guidelines that are incorporated into this chapter by reference. These standards will be used by the city as the minimum requirements for evaluating development proposals and site plans. However, the standards are not intended to restrict creativity in design. An applicant may request modification or waiver of any standard in favor of an alternate approach that will achieve the same design objective.
- (e) *Parking standards.* Parking in the ~~Town Center~~COR District is intended to be shared to the greatest extent practicable in all mixed-use areas. The parking standards are intended to provide a practical basis for providing adequate parking within the ~~Town Center~~COR District through a careful analysis of uses, shared parking arrangements, use of public street parking and reduction allowances for the proximity to the transit station. A parking plan shall be prepared as part of the development plan to address the number, location, sharing arrangements, and public use when applicable. The parking plan shall also attempt to anticipate to the extent possible, how to address longer term parking arrangements if the possibility of use conversion or building expansion exists. Parking shall be provided under any of the following arrangements:
  - (1) Off-street parking in the ~~TC~~COR-1 and ~~TC~~COR-2 subdistricts shall be secured for public use through parking easements and other appropriate conveyances. Shared parking arrangements

between nearby uses are encouraged in both subdistricts.

(2) On-street parking adjacent to buildings may be used for the purposes of calculating parking requirements for street level, nonresidential uses.

(3) Within the **FECOR-4** subdistrict, parking on individual parcels serving individual uses may be provided if designated and approved as part of the master plan.

(4) In order to ensure the pedestrian orientation of the **Town-CenterCOR** Districts, maximum parking standards are set based on the following:

|                              |                      |
|------------------------------|----------------------|
| Retail                       | 4 per 1,000 sq. ft.  |
| Restaurants                  | 5 per 1,000 sq. ft.  |
| Offices                      | 3 per 1,000 sq. ft.  |
| Medical offices, clinics     | 4 per 1,000 sq. ft.  |
| Health clubs                 | 3 per 1,000 sq. ft.  |
| Theaters, places of assembly | 1 per 4 seats        |
| Residential                  |                      |
| Attached or detached         | Required: 2 per unit |
| Multifamily units            | Required: 2 per unit |

(54) Maximum required parking. If a parking structure is provided on site, maximum parking stalls do not apply. If additional parking is sought that does not meet these maximum requirements, a conditional use permit can be sought to increase maximums up to 25 percent.

(65) The city may require payment of an amount equal to the value of the required parking on a per-stall price basis. Funds collected by the city shall be deposited in a special fund used only to acquire and/or develop off-street parking facilities for the **Town-CenterCOR**. The city will determine the appropriate contribution.

(76) A development agreement is completed that specifies that each property in the **Town-CenterCOR** shall be financially responsible for its proportionate share of a shared parking facility. The proportionate share shall be determined on the basis of the property's off-street parking needs, as determined by the parking study. Financial responsibility shall cover the construction and continuing maintenance of the parking facility. The parking facility may be constructed and maintained by the city or by a private management entity acceptable to the city.

(f) *Signage.* Signage in this district is allowed as prescribed in this subdivision. Signage as prescribed by other sections of this Code is not applicable.

(1) Permitted signs for personal and professional services, retail commercial, and public uses and services in **FECOR-1**, **FECOR-3**, **FECOR-4** and **FECOR-5** districts:

a. Wall-mounted or painted signs, provided the following standards are met:

1. The sign shall be affixed to the front facade of the building, and shall project outward from the wall to which it is attached no more than six inches.
2. The area of the sideboard shall not exceed five percent of the ground floor building facade area or 24 square feet, whichever is less.
3. The height of the lettering, numbers, or graphics shall not exceed 12 inches.
4. The sign shall be granted to commercial uses occupying the ground floor of buildings facing public streets only and shall not be allocated to other uses.
5. Limited to one sign per business.

- b. The area of signboard shall not exceed five percent of the ground floor building facade area.
- c. Wall-mounted building directory signs identifying the occupants of a commercial building, including upper story business uses, provided the following standards are met:
  - 1. The sign is located next to the entrance.
  - 2. The sign shall project outward from the wall to which it is attached no more than six inches.
  - 3. The sign shall not extend above the parapet, eave, or building facade.
  - 4. The area of the signboard shall not exceed three square feet, with each tenant limited to one square foot.
  - 5. The height of the lettering, numbers, or graphics shall not exceed four inches.
  - 6. One such sign is allowed per public building entrance.
- d. Applied letters may substitute for wall-mounted signs, if constructed of painted wood, painted cast metal, bronze, brass, acrylic or black anodized aluminum. The height of applied letters shall not exceed 12 inches.
- e. Projecting signs, including graphics or icon signs, mounted perpendicular to the building wall, provided the following standards are met:
  - 1. The signboard shall not exceed an area of six square feet.
  - 2. The distance from the ground to the lower edge of the signboard shall be ten feet or greater.
  - 3. The height of the top edge of the signboard shall not exceed the height of the wall from which the sign projects, if attached to a single story building, or the height of the sill or bottom of any second story window, if attached to a multistory building.
  - 4. The distance from the building wall to the signboard shall not exceed six inches.
  - 5. The width of the signboard shall not exceed three feet.
  - 6. Limited to one sign per business. Projecting signs are not permitted in conjunction with wall-mounted, free standing, or applied letter signs.
  - 7. Granted to ground floor commercial uses only.
- f. Awning signs, for ground floor uses only, provided that the following standards are met:
  - 1. If acting as the main business sign, it shall not exceed 24 square feet in area, and the height of the lettering, numbers, or graphics shall not exceed 12 inches.
  - 2. If acting as an auxiliary business sign, it shall be located on the valance only, shall not exceed four square feet in area, and the height of the lettering, numbers, or graphics shall not exceed four inches.
  - 3. Limited to two such signs per business.
  - 4. If acting as the main business sign, it shall not be in addition to a wall-mounted or applied letter sign.

g. Window or door signs, provided that the following standards are met:

whichever is less.

1. The sign shall not exceed ten percent of the window or door area or four square feet,
2. The sign shall be silk screened, hand painted, applied letters/graphics, neon tubing or other sign technologies that meet these standards.
3. Limited to one sign per business, applied on either the window or the door, but not on both.
4. The sign shall not have an opaque backing of any type although smoked glass is allowed.
5. May be in addition to only one of the following: a wall-mounted sign, a freestanding sign, an applied letter sign, a projecting sign or a valance awning sign.

h. One freestanding sign, provided that the following standards are met:

1. The building in which the advertising business is located, shall be set back a minimum of six feet from a public street right-of-way.
2. The area of each face of the signboard shall not exceed six square feet and the signboard shall not have more than two readable faces.
3. The height of the top of the signboard, or of any posts, brackets, or other supporting elements shall not exceed six feet from the ground.
4. The signboard shall be constructed of wood, acrylic, aluminum or metal and shall be architecturally compatible with the style, composition, materials, colors and details of the building.
5. No part of the sign shall encroach on the right-of-way and its location shall not interfere with pedestrian or vehicular circulation.
6. Limited to one sign per building and shall not be in addition to wall-mounted, applied letter
7. The readable faces of the sign shall be perpendicular to the adjacent street.

or projecting signs.

- i. Businesses with frontage on more than one public street are allowed the permitted sign criteria for each street frontage.
- j. Businesses with service entrances may identify these with one wall-mounted or applied letter sign not exceeding two square feet.
- k. One directional sign, facing a rear parking lot. This sign may be any type of permitted sign other than a freestanding sign, but shall be limited to three square feet in area.
- l. In addition to other signage, restaurants and cafes shall be permitted one wall-mounted display featuring the actual menu as used at the dining table, to be contained within a shallow wood or metal case and clearly visible through a glass front. The display case shall be attached to the building wall, next to the main entrance, at a height of approximately five feet, shall not exceed a total area of two square feet, and may be lighted.

(2) Permitted signs for personal and professional services, retail commercial, and public uses and services in ~~TCCOR~~-2 districts:

- a. Wall, canopy or marquee sign. Total sign area may not exceed 15 percent of the front building facade. At least 50 percent of the signage area must be placed on the measured wall with remaining signage area, if desired, distributed on any other wall. Sign height shall not exceed the top of the parapet wall or, if no parapet wall, sign height shall not exceed the height of the eaves. The gross surface area of a wall, canopy or marquee sign may be increased by ten percent if such wall sign:
  1. Consists only of individual, outlined alphabetic, numeric and/or symbolic characters without background except that provided by the building surface to which the sign is to be affixed;
  2. Illumination, if any, is achieved through shielded illumination, shielded silhouette lighting, or shielded spot lighting but not any lighting where the light source is visible or exposed on the face or sides of the characters; and
  3. A wall, canopy or marquee sign may be located on the outermost wall of any principal building but shall not project more than 16 inches from the wall to which the sign is to be affixed. A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed.
- b. Ground sign. There shall not be more than one ground sign for each parcel. The gross surface area of a ground sign shall not exceed 100 square feet for each exposed face nor exceed an aggregate gross surface area of 200 square feet.
- c. Menu board. One on-site menu board per drive-up or walk-up lane of a drive-in restaurant up to a maximum of 32 square feet each. Menu boards are allowed a message on one side only and cannot contain an advertising message.
- d. Directional signs.
  1. Directional or instructional signs are permitted in accordance with section 117-463(l).
  2. Parking lot directional signs designating parking area entrances and exits are limited to one sign for each entrance and/or exit and shall not exceed four square feet for each exposed face. Parking lot directional signs shall not project higher than five feet in height, as measured from the established grade of the parking area to which such signs are accessory.
  3. Parking lot instructional signs designating the conditions of use or identification parking areas shall not exceed eight square feet and shall not project higher than ten feet in height for wall signs and seven feet in height for ground signs, as measured from the established grade of the parking area to which such signs are accessory.
  4. Window signs are restricted to 30 percent of the area of the window in which the sign is to

be displayed.

(3) Prohibited signs (except as allowed in subsection (f)(2) of this section):

- a. Signs employing mercury vapor, low pressure and high pressure sodium and metal halide lighting; plastic panel rear-lighted signs.
- b. Signs on roofs, dormers, and balconies.
- c. Billboards.
- d. Signs painted or mounted upon the exterior side or rear walls on any principle or accessory

building or structure, except as otherwise permitted hereunder.

- e. Free standing pylon signs over six feet in height.
- f. Back-lit awnings.
- g. Interchangeable letter boards or panels.
- h. Flashing signs.
- i. Off-premises signs.

(4) Real estate signage. Real estate signs advertising that a particular property is for sale, rent, or lease are limited to one sign per property.

(g) *Development review process within ~~Town-Center~~The COR Districts.* Development within the ~~Town-Center~~COR will generally consist of a subdivision and site plan. In these cases, the applicant will follow the normal subdivision and site plan requirements of the city subject to the submittal requirements contained herein. For subdivisions, the review process will include sketch plan review, preliminary plat, and final plat. For site plans, the review process will include a preliminary site plan and final site plan.

(1) *Sketch plan review.*

- a. Pre-meeting with city staff. Prior to making an official subdivision application to the city for development of a parcel within the ~~Town-Center~~COR District, the applicant shall meet with city staff to present the proposed development. City staff shall review the development with all relevant ordinances and ensure compatibility with the ~~Town-Center~~COR District intent, master plan and development guidelines for the ~~town-center~~COR.
- b. A sketch plan shall be prepared in accordance with the regulations of this chapter and the applicant shall submit the plan to the zoning administrator for review and comment, to ensure compliance with the ~~town-center~~COR master plan and development guidelines, the ~~Town-Center~~COR District and other city codes and regulations.
- ~~c. The sketch plan shall be submitted to the town center review board for its review and comment. The town center review board shall review the proposed project for its compatibility with the town-center master plan and development guidelines and make a recommendation to the planning commission and city regarding the proposed development.~~
- cd. The planning commission shall review the sketch plan for its consistency with the ~~town-center~~COR master plan and development guidelines and make a recommendation to the city council as to the appropriateness of the sketch plan.
- de. The sketch plan shall be scheduled for a council meeting within 30 days after the submittal of the planning commission meeting.

~~f. The city council shall approve, postpone, or disapprove the sketch plan.~~

(2) *Preliminary plat and site plan.*

a. *Requirements for preliminary plans.*

- 1. *Preliminary site plan.* The preliminary site plan shall be drawn at a scale of one inch equals 50 feet, 100 feet, or 200 feet. The submission may be composed of one or more sheets and drawings and shall include:

- include curbing);
- (i) Location of all proposed buildings and their proposed uses;
  - (ii) Location of driveways and parking areas (all driveways and parking areas must include curbing);
  - (iii) Indicate front, side and rear yard setbacks proposed;
  - (iv) Indicate square footage and dimensions of all proposed lots; and
  - (v) Location of all easements, width and purpose.
2. *Landscape plan.* The landscape plan shall be prepared at a scale of one inch equals 50 feet and shall contain the following information:
- (i) Indicate areas for berming and sodding;
  - (ii) Indicate the location of proposed plantings, identify plant materials;
  - (iii) Indicate any existing vegetation; and
  - (iv) Indicate any trees to be removed.
3. *Grading and drainage plan.* The grading and drainage plan shall be drawn at a scale of one inch equals 50 feet, 100 feet or 200 feet and shall contain the following information:
- (i) Existing and proposed, grades with a minimum of two-foot contour intervals to a known sea level datum;
  - (ii) Sufficient spot elevations on all proposed hard surface areas;
  - (iii) Estimated runoff of the area based on ten- and 100-year storm events;
  - (iv) Provisions to carry runoff to the nearest adequate outlet, such as storm drain, natural drainageway, or street;
  - (v) Location of proposed ponding areas, indicating the size and depth of the pond and amount of acre feet of water to be stored;
  - (vi) Finished floor elevations of all buildings;
  - (vii) Identify soils by type and location, including identification of the water table, and suitability of soil for the proposed development; and
  - (viii) Identify any areas located in a flood hazard zone as identified by the department of natural resources.
4. *Topographic map.* The topographic map shall be drawn at a scale of one inch equals 100 feet and shall contain the following information:
- (i) Two-foot contour intervals;
  - (ii) Indicate watercourses, rock outcroppings, and other significant land features; and
  - (iii) Use U.S. Geological Service datum for mapping.
5. *Floor plans and elevations.* All floor plans and elevations shall be drawn to a legible scale

and include the following information:

- (i) Floor plans indicating square footage and dimensions of all proposed rooms and areas within the structures; and
- (ii) Elevations of the proposed building, identifying exterior treatment, materials to be

used, and paint color.

6. *Preliminary plat.* If a subdivision is required, the preliminary plat shall be prepared in accordance with article III of this chapter.

b. *Preliminary plat and site plan review process.*

1. Pre-meeting with city staff. Prior to making an official application to the city, the applicant shall meet with city staff. City staff shall review the development with all relevant ordinances and ensure compatibility with the ~~town-center~~COR master plan and development guidelines.
2. A preliminary plat and site plan shall be prepared in accordance with the regulations of this chapter and shall submit the plan to the zoning administrator 30 days prior to the public hearing.
3. The preliminary plat and site plan shall be submitted to the city staff for review and comment, to ensure compliance with other city codes and regulations.

~~4. The preliminary plat and site plan shall be submitted to the town-center review board for its review and comment. The town-center review board shall review the proposed project for its compatibility with the town-center master plan and development guidelines and make a recommendation to the planning commission and city regarding the proposed development.~~

45. The planning commission shall hold a public hearing on the preliminary plat and site plan. The notice for public hearing shall be published in the official newspaper at least ten days, but not more than 30 days, prior to the public hearing, at which time the item will be heard. Notices will also be sent to property owners within 350 feet of the subject property.

56. A written evaluation from the city staff shall be forwarded to the planning commission and the applicant prior to the public hearing.

67. The planning commission shall simultaneously hold a public hearing on the preliminary plat and site plan. Following the public hearing, the planning commission shall submit in writing to the city council its recommendation as to the appropriateness of the preliminary plat and site plan in relation to the ~~town-center~~COR master plan and development guidelines.

78. The preliminary plat and site plan shall be scheduled for a council meeting within 30 days after the submittal of the planning commission meeting.

89. The city council shall approve, postpone, or disapprove the preliminary plat and site plan.

(3) *Final plat and site plan.*

a. *Requirements for final plan.*

1. *Final site plan.* The final site plan shall be prepared at a scale of one inch equals 50 feet, 100 feet or 200 feet, and shall contain the following information:

- have curbing);
- (i) Location of proposed structures;
  - (ii) Location of proposed driveways and parking areas (all driveways and parking must have curbing);
  - (iii) Indicate front, rear and side yard setbacks.
2. *Final landscape plan.* The final landscape plan shall be drawn at a scale of one inch equals 50 feet and shall contain the following information:
- (i) Plant types (botanical and common names), number, location, and size;
  - (ii) Areas to be sodded;
  - (iii) Indicate existing vegetation; and
  - (iv) Indicate trees to be removed.
3. *Final grading and drainage plan.* The grading and drainage plan shall be drawn at a scale of one inch equals 50 feet, 100 feet or 200 feet and shall contain the following information:
- (i) Existing and proposed grades with a minimum of two-foot contour intervals to a known sea level datum;
  - (ii) Sufficient spot elevations on all proposed hard surface areas;
  - (iii) Estimated runoff of the area based on ten- and 100-year storm events;
  - (iv) Provisions to carry runoff to the nearest adequate outlet;
  - (v) Location of any proposed ponding areas, indicating the size and depth of the pond and amount of acre feet of water to be stored;
  - (vi) Finish floor elevations of all buildings;
  - (vii) Identify soils by type and location, including identification of the water table, and suitability of soil for the proposed development; and
  - (viii) Identify any areas located in a flood hazard zone as identified by the department of natural resources.
4. *Floor plans and elevations.* All floor plans and elevations shall be drawn to a legible scale and shall include the following information:
- (i) Floor plans indicating square footage and dimensions of all proposed rooms; and
  - (ii) Elevations of the proposed building, identifying exterior treatment, material, and paint color.
5. *Final plat.* If a subdivision is required, the final plat shall be prepared in accordance with this Code. With the final plans, the developer shall submit, for approval by the city, a development schedule for construction of all structures, open space, and recreational facilities.
- b. *Final plat and site plan review process.*

1. Upon approval of the preliminary plat and site plan, a final plat and site plan shall be prepared in accordance with the regulations of this chapter and submit it to the zoning administrator ~~30 days prior to the public hearing~~21 days prior to the City Council meeting.
2. The final plat and site plan shall be submitted to the city staff for review and comment, to ensure compliance with the preliminary plan, site plan and other city codes and regulations.
3. The final plat and site plan shall be submitted to the ~~town-center~~COR review board for its review and comment. The ~~town-center~~COR review board shall review the proposed project for its compatibility with the preliminary plat, site plan, ~~town-center~~COR master plan and development guidelines and make a recommendation to the city council regarding the proposed final plat and final site plan.
4. The city council shall approve, postpone, or disapprove the final plat and site plan based on its appropriateness and conformance with the preliminary plat and site plan and the ~~town-center~~COR master plan and development guidelines.
5. Major changes. If the applicant proposes major changes in the final site plan that are inconsistent with the preliminary site plan, these changes can only be made by re-submission of a new preliminary site plan and rezoning application to the zoning administrator, and re-scheduling of a new public hearing before the planning commission and review again by the council. The following constitute major changes:
  - (i) Increase in density;
  - (ii) Change in architectural design or style;
  - (iii) Change in type of ownership, private, condominium, or rental;
  - (iv) Change of more than ten percent in total floor area;
  - (v) Increase in height of any building;
  - (vi) Major modification in the landscape plan;
  - (vii) Reduction in the proposed open space;
  - (viii) Change in the development schedule;
  - (ix) Change in the road location or standards; and
  - (x) Any changes determined to be major by the council.
6. Minor changes. The council may, in its discretion, permit minor deviations from the preliminary site plan which do not change the concept or intent of the proposed development as previously approved.
7. Denial. The council shall deny any application if it finds the final plans do not substantially conform to the preliminary plat and site plan as previously approved by the council as well as the ~~town-center~~COR master plan and development guidelines. If the final plans are subsequently modified to conform to the approved preliminary plan, the applicant may resubmit said final plans to the council for approval.
8. No development shall occur nor shall any building permits be issued for any construction

that is not in accord with the approved final plans.

- (h) *Relationship to other Code sections.* The ~~Town-Center~~COR District is structured to establish a regulatory framework intended to be administered separate from certain sections of this chapter. In order to prevent overlapping development regulations, the following portions of this chapter are not applicable to the ~~Town-Center~~COR District: article II, divisions 3 (Zoning Districts), 6 (Performance Standards), and 8 (Signs), unless it is determined by the city that provisions from these sections are better suited to address any particular aspect of a development proposal. The provisions contained in article III of this chapter shall regulate land subdivision of the ~~Town-Center~~COR District.

*(Code 1978, § 9.20.25; Ord. No. 82-02, 3-20-1982; Ord. No. 86-2, 8-25-1986; Ord. No. 93-06, 4-23-1993; Ord. No. 96-12, 7-29-1996; Ord. No. 97-09, 7-28-1997; Ord. No. 03-21, 8-25-2003; Ord. No. 03-22, 8-25-2003; Ord. No. 03-40, 11-3-2003; Ord. No. 04-11, 5-17-2004; Ord. No. 04-41, 12-6-2004; Ord. No. 05-11, 5-30-2005; Ord. No. 05-15, 8-15-2005; Ord. No. 07-06, § 2, 2-27-2007)*

**Regular Planning Commission**

**Item #: 6.3.**

**Date: 03/03/2011**

By: Tim Gladhill  
Community Development

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Information

Title:

Staff Update

Background:

Attached is the Staff Update for February, 2011.

Notification:

Observations:

Funding Source:

The Staff Update is handled as part of regular staff duties.

Staff Recommendation:

Committee Action:

For informational purposes only.

---

Attachments

Staff Update

Form Review

**Inbox**

Tim Gladhill (Originator)

Aaron Backman

Form Started By: Tim Gladhill

Final Approval Date: 02/25/2011

**Reviewed By**

Tim Gladhill

Aaron Backman

**Date**

02/25/2011 10:15 AM

02/25/2011 11:08 AM

Started On: 02/24/2011 09:02 AM

# Memo

**DATE:** February 25, 2011  
**TO:** Ramsey Planning Commission  
**FROM:** Community Development Staff  
**RE:** Staff Update

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**City Council Update.** The following is a brief summary of actions taken in November that may be of interest to the Planning Commission:

*Ordinance to Amend City Code Section 117-118 (R-1 Residential District) of the Ramsey Zoning Code Related to Rear Yard Setbacks in the R-1 Residential (MUSA) District.* The City Council adopted the ordinance to amend rear yard setbacks in the MUSA area.

*Ordinance for Sale of Property and Conveyance of Deeded Easement for Cross of Hope.* The City Council approved conveyance of real property and easement to Cross of Hope related to the approved site plan and minor plat.

*Request for Home Occupation Permit to Operate a Home Based Office for Carefree Home Services.* The City Council approved the request from Michael Beach to continue the Home Occupation of Carefree Home Services.

*Request for Site Plan, Final Plat, and Conditional Use Permit Review of Cross of Hope.* The City Council approved the plat, site plan, and Conditional Use Permit for the Cross of Hope expansion. Two additional steps, vacating certain easements and conveying real property, will be considered in February to complete the review.

**Great River Energy Transmission Line Project.** The City has been contacted by Great River Energy regarding a proposed transmission line through the City of Ramsey. Information will be forwarded to the Planning Commission as it becomes available.

**PC: 03.03.2010**

**Regular Planning Commission**

**Item #: 6.4.**

**Date: 03/03/2011**

By: JoAnn Shaw  
Community Development

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**Information**

Title:

Zoning Bulletin

Background:

Enclosed for your review are the zoning periodicals.

Notification:

Observations:

Funding Source:

Staff Recommendation:

Committee Action:

---

**Attachments**

Zoning Bulletins

**Form Review**

**Inbox**

Tim Gladhill  
Aaron Backman  
Form Started By: JoAnn Shaw  
Final Approval Date: 02/25/2011

**Reviewed By**

Tim Gladhill  
Aaron Backman

**Date**

02/25/2011 10:04 AM  
02/25/2011 11:01 AM  
Started On: 02/25/2011 09:57 AM

# Zoning Bulletin

## in this issue: 2010 Annual Index

References are to the 2010 issue and page on which the article begins.

### ABANDONMENT

Asphalt plant does not produce asphalt for nearly two years (NH)  
June 10 2

### ACCESSORY USES

Homeowners argue wind turbine tower is not an accessory use to a residence (IN) Oct. 10 2

Hotel appeals denial of authorization to construct proposed parking deck (NC) Sept. 10 8

Town says sheds violate ordinance prohibiting accessory building (IN) Nov. 25 9

### ADMINISTRATION

See also Authority of Governing Body; Rezoning

County board actions violate state open meeting laws (ID) May 10 2

District council withdraws election to make final decision on special exemption request (MD) Apr. 10 6

Rezoning from critical environment to planned development as legislative act vs. administrative act (UT) Mar. 25 12

### ADULT ENTERTAINMENT BUSINESSES

City considering altering zoning regulations to regulate sexually oriented businesses (OH) May 10 12

City considering prohibiting certain businesses in its downtown (OH) Oct. 10 12

- City rejected zoning regulations changing zoning code for (NJ) Nov. 25 12
- City zoning ordinance deters new massage parlors near residential neighborhoods (IL) Apr. 25 10
- Code reorganization includes new regulations for sexually oriented businesses (WI) Feb. 25 12
- Corporation records images at residence and sells them from another address (11th Cir.) Aug. 25 9
- Definition of “adult-oriented” business (CT) Feb. 25 10
- Regulating location of sexually oriented businesses (MO) Feb. 25 11
- State legislation prohibits locating sexually oriented businesses near churches, parks, schools (KS) Apr. 25 11
- Town considering new zoning district for strip clubs (MA) Dec. 10 11
- Town limits location of adult-oriented businesses (2d Cir.) Apr. 25 2
- Town says gentlemen’s club violates state statute prohibiting sexually oriented businesses in certain locations (NJ) Nov. 10 9
- Zoning amendment limiting location of sexually oriented businesses (PA) Apr. 10 12

#### AFFORDABLE HOUSING

- City approves new zoning law allowing workforce housing in downtown (NY) July 25 12
- City approves new zoning law for developments (NC) July 25 12

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- City permits workforce temporary housing within city limits (ND) Apr. 10 12
- Commission denies affordable housing site plan application as unlikely to get another agency's approval (CT) Nov. 10 2
- Governor recommends municipal control over low income housing (NJ) June 10 11
- Limit on regulatory barriers to construction (CA) Apr. 10 11
- State considering bill that provides "zoning obligation," not "affordable-housing obligation" (NJ) Dec. 10 12
- State considers bill reforming affordable housing laws and abolishing state's COAH (NJ) July 10 12
- State overturns town's denial of comprehensive permit for affordable housing development (MA) Apr. 25 8
- Task force examines state issues of, suspends COAH applications for third round certification (NJ) Mar. 10 12
- Voters reject initiative repealing state's affordable housing law (MA) Dec. 10 11
- Zoning board of appeals imposes 94 conditions on permit approval (MA) Oct. 10 4

#### AGRICULTURAL USES

- City considers allowing bee hives in neighborhoods (AK) Aug. 25 11
- County allows wind speed indicators in rural conservation zones (MD) Nov. 10 11
- County zoning law challenged by beekeepers (MD) Dec. 25 11
- Parcel not "agricultural land" subject to preservation goals because lacks profitability (OR) June 25 9

#### ALCOHOL

- City considers opening "dry areas" to alcohol sales (TX) Sept. 25 12
- County withdrawing legislation creating zoning regulations allowing wineries (MD) Oct. 25 11

#### ALTERNATIVE ENERGY SOURCES

- City bans wind farms within city's zoning jurisdiction (IL) May 25 11
- City considers amending bylaws to add solar energy overlay district (MS) May 25 11
- County allows wind speed indicators in rural conservation zones (MD) Nov. 10 11
- County approved numerous land-use related bills, including windmills (MD) Aug. 25 11
- County considering zoning regulations governing installation of wind generation systems (NB) Nov. 10 12
- Homeowners argue wind turbine tower is not an accessory use to a residence (IN) Oct. 10 2

- Legislation approved regulating wind turbines for individual homeowners (OH) June 10 12
- Legislation pending expediting siting wind energy facilities in cities and towns (MA) Aug. 10 12
- Regulations governing statewide use of OWBs (outdoor wood boilers) tabled (NY) Nov. 25 12
- State senator halts proposed wind siting bill (MA) Sept. 25 11
- Town considering changes to zoning laws governing construction of new wind turbines (RI) Oct. 10 12
- Township regulates construction of alternative energy systems, wood-fired burners; wind turbines, solar panels (PA) Aug. 25 12
- Wind turbines legislation (CA) Mar. 25 11
- Wind turbines legislation (MA) Feb. 25 11
- Wind turbines legislation (OH) Feb. 25 12
- Zoning limitations on solar panels (NJ) June 10 12

#### ANIMAL HUSBANDRY

See also Agricultural Uses

- Individuals' right to be free of regulation imposing "undue economic burden" on Mar. 10 12
- Landowner seeks building permit for horse boarding enterprise (ME) Nov. 25 4

#### AUTHORITY OF GOVERNING BODY

- Application complies "with all applicable requirements of land use ordinance" with conditions (NC) Feb. 10 4
- Commission approves earth removal operations, later challenged (CT) Feb. 25 2
- DNR authority to approve or disapprove city's granting of variance request (MN) Mar. 25 2
- Fire district must seek PUD modification in relation to its proposed fire station (CO) Jan. 25 10
- Planning board grants site plan approval conditioned on grant of use variance (NJ) Feb. 10 2
- Scope of zoning board of appeals jurisdiction (CT) July 10 9
- Zoning board of appeals imposes 94 conditions on permit approval for affordable housing development (MA) Oct. 10 4
- Zoning commission approves revised site plan application, does not resubmit plan to wetlands commission for secondary approval (CT) Aug. 10 8
- Zoning ordinance interpretation found consolidation of lots would be permissible under applicable city ordinances (VA) July 25 5

#### CHURCHES

See Religious Facilities

#### CLEAN WATER REGULATIONS

See also Environmental Protection

Citizens challenge approval of development as increasing water pollution (UT) May 10 4

Planning board denies landowner's special permit application under wetlands ordinance (NH) May 25 4

Zoning code in effect at time of project filing governs project through completion (NJ) Apr. 10 11, Apr. 25 11

Zoning code in effect at time of project filing governs project through completion, awaits governor (NJ) May 10 11

Zoning code in effect at time of project filing governs project through completion, signed by governor (NJ) June 10 11

#### COMMERCIAL RECREATION

Landowner seeks building permit for horse boarding enterprise (ME) Nov. 25 4

#### COMMERCIAL SPEECH

See Constitutionality

#### CONDITIONAL USE PERMITS

After receiving application for license to operate pawnshop, city adopts interim ordinance prohibiting pawnshops (MN) Sept. 25 8

Appeal of issuance is untimely (WA) Jan. 25 6

City issues stop work order on construction of sign that violates zoning code (MN) June 25 2

Hearing examiner finds developers' rights vested in 1994 (WA) Sept. 25 6

Permit for electrical substation expansion granted despite opposition (KS) Dec. 25 8

#### CONDITIONS

Court finds condition in approved application is illegal and integral to the approval (CT) Nov. 25 2

#### CONDOMINIUMS

See Planned Unit Developments

#### CONSTITUTIONALITY

See also First Amendment

Billboard company owner challenges permit denial, arguing sign ordinances were unconstitutional (CA) July 25 9

City allegedly "singled him out" for enforcement of "junk-dealer ordinance" (7th Cir.) Mar. 10 2

City bans certain types of billboards and signs, but allows exceptions to those bans (9th Cir.) July 10 2

City ordinance prohibits "advertising signs" but allows "identification signs" (3d Cir.) Aug. 25 2

Definition of "adult-oriented" business (CT) Feb. 25 10

Regulations of signs and billboards on private and government property as "unconstitutionally underinclusive" (2d Cir.) Mar. 10 4

#### DEVELOPER AGREEMENTS

County council considering using (MD) Mar. 25 11

#### DEVELOPMENT IMPACT FEES

See Fees

#### DISCLOSURES

County referendum laws to align with state's (MD) June 25 11

#### DUE PROCESS

City zoning inspector orders asphalt driveway be removed and threatens litigation (6th Cir.) Sept. 25 4

#### DURATION OF RIGHTS

Special permit holder fails to construct road within lapse period (MS) May 25 8

#### EMINENT DOMAIN

City code imposes setback distances for natural gas compressor stations (5th Cir.) July 10 5

City plans may change how bluff setbacks are measured (NY) Aug. 10 12

#### ENERGY EFFICIENCY

See also Utilities

Legislation approved regulating wind turbines for individual homeowners (OH) June 10 12

NYC passes energy consumption bills to improve existing buildings' energy efficiency (NY) Apr. 10 12

Zoning limitations on solar panels (NJ) June 10 12

#### ENFORCEMENT (EQUITABLE ESTOPPEL)

City employee errs in telling building permit applicant he is using correct survey of lot (MN) Aug. 25 7

County code requires civil penalties for violations be paid prior to a hearing (DE) Nov. 10 4

#### ENFORCEMENT, DEFENSES TO

Property owner argues municipal estoppel because of reliance on misrepresentations by town officials (NH) May 10 6

#### ENVIRONMENTAL PROTECTION

Citizens group contends county shoreline regulations violate state statutory prohibition on direct fees on development (WA) June 25 6

City imposes sewer impact fees and water capital-recovery fees (AL) Oct. 10 7

Designated "green communities" must adopt zoning bylaws encouraging renewable energy projects (MA) June 25 12

Planning board denies landowner's special permit application under wetlands ordinance (NH) May 25 4

Rezoning from critical environment to planned development as legislative act vs. administrative act (UT) Mar. 25 12

Sierra Club pressing legislatures to act on numerous pending bills related to shale gas drilling (PA) Oct. 10 12

Towns considering regulating wood-burning furnaces (CT) Oct. 10 11

Township regulates construction of alternative energy systems, wood-fired burners, wind turbines, solar panels (PA) Aug. 25 12

While variance applications were pending, amendments to statute were enacted, requiring mitigation plans before variance approval (MD) Sept. 10 2

#### EQUAL PROTECTION

City allegedly "singled him out" for enforcement of "junk-dealer ordinance" (7th Cir.) Mar. 10 2

#### EXHAUSTION OF REMEDIES

Adjoining landowner appeals grant of variances but does not further appeal dismissal of that action (CT) Sept. 10 5

#### FAIR HOUSING

City zoning laws changing to allow group homes in residential areas (AL) Oct. 10 11

Legislation abolishing state COAH and moving responsibilities to state planning commission (NJ) Mar. 10 12

Legislation proposed to change FHA and COAH (NJ) Feb. 25 11

#### FEES

Citizens group contends county shoreline regulations violate state statutory prohibition on direct fees on development (WA) June 25 6

City imposes sewer impact fees and water capital-recovery fees (AL) Oct. 10 7

Developer seeks return of performance bond impact fee, citing town's improper accounting of fund (NH) July 25 2

Home builders association alleges city violated state statutory law calculating development impact fees (AZ) Jan. 10 7

Town seeks award of attorney fees related to successfully defending violation of excavation statute (NH) Mar. 25 9

#### FINES

City rejects ordinance allowing fines for violations of zoning regulations (CT) Dec. 10 11

#### FIRST AMENDMENT

- Allowing churches meeting certain requirements to avoid special use permit process (IL) Feb. 25 8
- Billboard company owner challenges permit denial, arguing sign ordinances were unconstitutional (CA) July 25 9
- City bans certain types of billboards and signs, but allows exceptions to those bans (9th Cir.) July 10 2
- City prohibits “advertising signs” but allows “identification signs” (3d Cir.) Aug. 25 2
- Denials for zoning and signage variances constitute unlawful retaliation (6th Cir.) Mar. 10 7
- Developer claims refusal to meet with him violates his right to petition government (2d Cir.) Jan. 25 2
- Expansion allowed as church not to be treated differently from secular institutions (10th Cir.) June 10 11
- Regulations of signs and billboards on private property and government property as “unconstitutionally underinclusive” (2d Cir.) Mar. 10 4
- State allows political signs on private residential property (IL) Nov. 25 11
- State prohibits government from zoning that imposes “unreasonable burden” to practice religion (AZ) May 25 11
- Town limits location of adult-oriented businesses (2d Cir.) Apr. 25 2
- Town says gentlemen’s club violates state statute prohibiting sexually oriented businesses in certain locations (NJ) Nov. 10 9

#### FOURTEENTH AMENDMENT

- County code requires civil penalties for violations be paid prior to a hearing on the issue (DE) Nov. 10 5

#### GAMING FACILITIES

- City amends ordinance regulating internet gaming parlors (VA) Dec. 25 12
- City proposing to have state development agency oversee planning and zoning in its casino zone (NJ) Nov. 10 12
- County moratorium enacted allowing more time to prepare zoning ordinance dealing with gambling venues (DE) June 25 11
- Referendum public vote on proposed casino (MD) Apr. 10 11, Aug. 25 12
- Township permits casinos in mixed-use district (PA) Apr. 25 11, Feb. 25 12
- Zoning legislation authorizing casino as part of appropriations package cannot be decided by referendum (MD) July 25 11

#### GREENHOUSE GAS REGULATION

- Model Policy Guide for local governments (CA) Mar. 10 11

#### GROUP HOMES

City allows group homes in residential areas (AL) Oct. 10 11

#### HEARINGS

See also Notice

County board amends proffer after public hearing (VA) Oct. 25 4

#### HOMELESS SHELTERS

City guidelines recently approved for downtown (KY) Nov. 25 11,  
Oct. 25 11

#### HOME-RULE CHARTER

Voters to decide about adopting (PA) Nov. 10 12

#### ILLEGAL ZONING

City ordinances create exception from a city-wide billboard moratorium for a city-owned property (MD) June 25 4

#### LAND USE

Citizens challenge approval of development as increasing water pollution (UT) May 10 4

Citizens of another state, owning nearby property, appeal commission approvals of land use applications (CT) Aug. 10 10

City bans fast food restaurants to control traffic and obesity (CA) Sept. 25 11

City proposing changes to signage regulations (MS) May 25 11

City voting on ordinance regulating size and placement of soil piles by developers (MO) Oct. 10 11

City zoning legislative changes in educational and medical districts (PA) June 25 12

Community gardens only allowed as “accessory uses” (NC) June 25 12

County approved numerous land-use related bills, including windmills (MD) Aug. 25 11

County withdrawing legislation creating zoning regulations allowing wineries (MD) Oct. 25 11

Landowners say historic district ordinance that refers only to an “area” is invalid under state law (VA) July 25 4

Municipal land use law reexamination time changed (NJ) Oct. 25 12

Parcel not “agricultural land” subject to preservation goals because lacks profitability (OR) June 25 9

Rezoning from critical environment to planned development as legislative act vs. administrative act (UT) Mar. 25 12

Rezoning from critical environment to planned development subject to referendum vote (UT) Apr. 10 2

Township permits casinos in mixed-use commercial areas (PA) Apr. 25 11

#### LAND USE PETITION ACT (LUPA)

- Stay provisions (WA) Feb. 25 6
- Timing for proceeding (WA) Jan. 25 6

**LIABILITIES**

- Sign company sues for damages related to their interpretation of zoning ordinance (AL) Dec. 10 2

**LOW INCOME HOUSING**

- See Affordable Housing

**MARIJUANA REGULATION**

- City proposes ordinance to address state's medical marijuana law (MI) May 25 12
- City proposes six-month moratorium on dispensaries in city (ME) July 10 12
- County approves moratorium on new dispensaries to allow time to draft zoning regulations (CO) July 25 11
- County changes zoning code to prohibit sale or production of medical marijuana (MI) Oct. 10 11
- District considering bill regulating marijuana dispensaries (D.C.) Apr. 25 12, Sept. 10 12
- Regulating medical marijuana dispensaries (CA) Feb. 25 10
- Regulating medical marijuana dispensaries (ME) Feb. 25 10
- Zoning regulations needed for dispensaries, if legalized in state (AZ) Oct. 25 11

**MULTIFAMILY UNITS**

- See Planned Unit Developments

**MUSLIM CENTERS**

- See Religious Facilities

**NONCONFORMING USES**

- Asphalt plant does not produce asphalt for nearly two years (NH) June 10 2
- City rezones individual property as "historic preservation overlay district" (IA) Aug. 10 4
- Developer divides conforming lot, rendering it nonconforming (MA) Dec. 10 9
- Hotel appeals denial of authorization to construct proposed parking deck (NC) Sept. 10 8
- Landowner purchases nonconforming lots, then applies for variance (MA) May 10 8
- Operation of a noncomplying mobile home park (TN) Feb. 25 4
- Sign company applies for permit for digital billboard two days before city adopts ordinance prohibiting digital billboards (MO) Dec. 25 2

- Special exception to expand nonconforming gas station (PA) Jan. 25  
8
- Variance for “expansion of a nonconforming use,” vs. “new use”  
(NJ) June 10 9

## NOTICE

- Adjacent landowners appeal township decision to approve subdivi-  
sion and land development application (PA) Dec. 10 4
- City zoning inspector orders asphalt driveway be removed and  
threatens litigation (6th Cir.) Sept. 25 4
- County board actions violate state open meeting laws (ID) May 10  
2
- Is proposed zoning changes in local newspapers actual notice? (IL)  
Jan. 25 4
- Legislation proposed allowing cities to post notices online, instead  
of in newspapers (MI) Mar. 10 12
- State requiring more notice of some public meetings (MO) May 25  
12

## OIL/GAS REGULATIONS

- City blocking natural gas pipelines in redevelopment zones (NJ)  
Dec. 25 12
- City imposes setback distances for natural gas compressor stations  
(5th Cir.) July 10 5
- Legislation proposed requiring fencing and signage on and around  
storage tanks (MS) May 10 11
- Sierra Club pressing for action on numerous pending bills related to  
shale gas drilling (PA) Oct. 10 12
- Special exception to expand nonconforming gas station (PA) Jan. 25  
8
- State clarifies role of municipalities governing oil, gas mining in their  
jurisdictions (NY) May 10 11
- State gives DNR exclusive authority over oil/gas production opera-  
tions (OH) May 10 12

## OVERLAY PERMIT

- City considers amending bylaws to add solar energy overlay district  
(MS) May 25 11
- Grant of overlay district permit challenged under Growth Manage-  
ment Act (WA) Jan. 10 9

## PETS

- Appeal of conditional use permit is untimely (WA) Jan. 25 6
- City considering zoning update limiting number of dogs per house-  
hold (CA) July 10 11

## PLANNED UNIT DEVELOPMENTS

See also Residential Use

County broadens definition of “community benefit” (MD) Apr. 25 11

County considering bill to allow developers to increase number of townhomes in projects without resubmitting plans (MD) Nov. 10 11

New state law passed for zoning guidelines to create “granny flats” (NY) Nov. 25 12

#### PRE-EMPTION

Agency’s refusal to certify variance challenged as not needed under local ordinance (MN) June 10 7

City code imposes setback distances for natural gas compressor stations (5th Cir.) July 10 5

Town ordinance gives preference to applicants using less-intrusive “alternate technologies” (2d Cir.) Aug. 10 2

#### PROCEEDINGS

Abutters challenge the validity of town ordinance adopting a smart growth zoning district (MA) Oct. 25 6

City adopts new zoning classification (UT) Apr. 10 2

County amends proffer after public hearing (VA) Oct. 25 4

Town agency fails to timely file “decision and report” with zoning commission (CT) Oct. 25 2

Trial court revokes developer’s permit (WA) Feb. 25 6

#### PUBLIC HOUSING

See Affordable Housing

#### REASONABLENESS OF DECISION

City grants conditional use permit for electrical substation expansion despite opposition (KS) Dec. 25 8

#### RELIGIOUS FACILITIES

Church sues city over ordinance prohibiting building on industrial or commercial property (MI) Dec. 10 11

City allows churches meeting certain requirements to avoid special use permit process (IL) Feb. 25 8

City considering zoning ordinance requiring religious institutions to apply for special use permits to build in business or commercial districts (IL) Dec. 25 11

County ban on opening new religious facilities coincides with Muslim center proposals (IL) Sept. 25 11

Expansion allowed as church not to be treated differently from secular institutions (10th Cir.) June 10 11

Restricting location of churches (AZ) Feb. 25 10

State legislation prohibits locating sexually oriented businesses near churches, parks, schools (KS) Apr. 25 11

State prohibits government from zoning that imposes “unreasonable burden” to practice religion (AZ) May 25 11

Zoning ordinance allows religious use by special exception permit (NY) June 25 7

#### RESIDENTIAL USE

City allows group homes in residential areas (AL) Oct. 10 11

City considering ordinance allowing bee hives in neighborhoods (AK) Aug. 25 11

City considering ordinance allowing farm stands, gardens on vacant lots (OH) Oct. 25 12

City cracking down on SRO buildings being used as hotels (NY) May 25 12

City denial of landowners’ request for rezoning as private detriment vs. public benefit (MO) Apr. 10 9

City establishes different building height regulations on one-family dwellings in the same zoning district (VA) May 25 2

City prohibits trucks in residential areas, upheld by appellate court (FL) Dec. 25

City reduces residential density (MD) Apr. 25 11

Corporation records images at residence and sells them from another address (11th Cir.) Aug. 25 9

County allows farmers markets or produce stands in residential areas (MD) Aug. 10 11

Homeowners argue wind turbine tower is not an accessory use to a residence (IN) Oct. 10 2

Homeowners renting lakefront house for short-term periods as commercial or residential use (IN) Apr. 25 6

Neighbors challenge occupancy limit as prohibited boarding house (ME) Mar. 10 9

Residences as nonprofit museums (NY) June 10 12

State allows political signs on private residential property (IL) Nov. 25 11

State trying to enforce use of private rental cabins (MN) Sept. 10 12

Town limits number of nonrelated students living together (CT) May 10 10

#### RETALIATORY DENIAL

Zoning board of appeals denies request for zoning and signage variances (6th Cir.) Mar. 10 7

#### REVOCATION OF APPROVAL

Subdivision plans are constructively approved by failure to act within statutory time period (MA) Aug. 10 6

#### REZONING

City denial of landowners' request as private detriment vs. public benefit (MO) Apr. 10 9

Classification from critical environment to planned development subject to referendum vote (UT) Apr. 10 2

Protester claims spot rezoning is illegal spot zoning (MT) Aug. 25 5

Rezoning from critical environment to planned development as legislative act vs. administrative act (UT) Mar. 25 12

#### RIGHT TO PETITION

Town refuses to meet with developer after he files lawsuit against town (2d Cir.) Jan. 25 2

#### SENIOR HOUSING

See Planned Unit Developments

#### SHORT-TERM RENTALS

City to crack down on SRO buildings being used as hotels (NY) May 25 12

Homeowners renting lakefront house for short-term periods as commercial or residential use (IN) Apr. 25 6

Ordinance being considered tightening regulations on (CO) Nov. 25 11

State trying to enforce use of private rental cabins (MN) Sept. 10 12

#### SOLAR PANELS

See Alternative Energy

#### SPECIAL EXCEPTION

Zoning board grants special exception with conditions (PA) Oct. 25 9

Zoning ordinance allows religious use by special exception permit (NY) June 25 7

#### SPECIAL USE PERMITS

City allows churches meeting certain requirements to avoid process (IL) Feb. 25 8

City considers requiring religious institutions to apply for special use permits to build in business or commercial districts (IL) Dec. 25 11

City says corporation does not have standing to appeal denial of permit application for restaurant Mar. 25 7

Holder fails to construct road within lapse period (MS) May 25 8

Planning board denies landowner's special permit application under wetlands ordinance May 25 4

Residences as nonprofit museums (NY) June 10 12

Scattering ashes of deceased relatives on land does not constitute a cemetery (VA) May 25 6

#### SPOT ZONING

- City approves zoning variance, allowing company to expand its mining operations (MS) Nov. 25 6
- City creates exception from a city-wide billboard moratorium for city-owned property (MD) June 25 4
- City rezones individual property as “historic preservation overlay district” (IA) Aug. 10 4
- Protester claims rezone is illegal spot zoning (MT) Aug. 25 5

## STANDING

- See also Notice
- Abutters say zoning actions led to traffic causing them injury (MA) Nov. 10 7
- Adjacent landowners appeal township decision to approve subdivision and land development application (PA) Dec. 10 4
- Billboard company owner challenges permit denial as unconstitutional (CA) July 25 9
- Citizens challenge approval of development as increasing water pollution (UT) May 10 4
- Citizens’ group appeals denial of application to amend town zoning regulations (CT) Jan. 10 2
- Citizens of another state, owning nearby property, appeal commission approvals of land use applications (CT) Aug. 10 10
- City grants permit to telecommunications provider (NY) Apr. 25 4
- City says corporation does not have standing to appeal denial of permit application for restaurant Mar. 25 7
- Environmental organizations challenge development variance grants (MD) June 10 4
- Landowner appeals board’s denial of developer’s variance application (NJ) July 25 7

## STATE LEGISLATION

- Bill consolidating municipalities into counties pending (PA) July 10 12
- Bill mandates property donated for conservation with tax credits issued must be held in perpetuity for that use (NC) Aug. 10 12
- Changing FHA and abolishing COAH (NJ) Feb. 25 11
- Clarifies role of municipalities governing oil, gas mining in their jurisdictions (NY) May 10 11
- Considering bill eliminating municipal zoning and replacing it with county-wide zoning (PA) Sept. 10 12
- Extending deadline for municipalities to adopt comprehensive plans (WI) Apr. 25 12
- Gives DNR exclusive authority over oil and gas production operations (OH) May 10 12
- GMA, overlay district permit as zoning amendment (WA) Jan. 10 9

- Prohibits government from zoning that imposes “unreasonable burden” to practice religion (AZ) May 25 11
- Prohibits locating sexually oriented businesses near churches, parks, schools (KS) Apr. 25 11
- Proposed allowing cities to post notices online, instead of in newspapers (MI) Mar. 10 12
- Proposed requiring fencing and signage to be posted on and around oil and gas storage tanks (MS) May 10 11
- Regulating location of sexually oriented businesses (MO) Feb. 25 11
- Regulating sign posting (VA) Feb. 25 12
- Requiring more notice of some public meetings (MO) May 25 12
- Restricting location of churches (AZ) Feb. 25 10
- Tightening state Sunshine Law provisions (MO) Mar. 25 11
- Zoning limitations on solar panels (NJ) June 10 12

#### SUBDIVISION PLANS

- Commission approves preliminary plan based on conformance with Master Plan (MD) Feb. 10 10
- Commission denies subdivision application based on unsuitability of land (CT) Feb. 10 8
- Commission denies subdivision preliminary plat approval (AL) Nov. 25 7
- Constructively approved by failure to act within statutory time period (MA) Aug. 10 6
- Ordinance prohibits residential use in agricultural district, but zoning ordinance permits such use (VA) Apr. 10 4

#### SUBSTANTIVE IMMUNITY

- Sign company sues for damages related to interpretation of zoning ordinance (AL) Dec. 10 2

#### SUSTAINABILITY

- Senate passes Livable Communities Act creating neighborhood grants for sustainable living projects (U.S.) Sept. 10 11

#### TATTOO PARLORS

- See Adult Entertainment Businesses

#### TELECOMMUNICATIONS ACT

- Board denies provider’s permit application in minutes (7th Cir.) Mar. 25 5
- Town gives preference to applicants using less-intrusive “alternate technologies” (2d Cir.) Aug. 10 2

#### TIMING

- Appeal of conditional use permit is untimely (WA) Jan. 25 6
- City proposing new zoning code followed by six-month grace period for adoption (CO) July 10 12

- Eliminating "time of decision" rule, adherence to current, not past, zoning regulations (NJ) Mar. 10 12
- Subdivision plans are constructively approved by failure to act within statutory time period (MA) Aug. 10 6
- While variance applications were pending, amendments to statute were enacted, requiring mitigation plans before variance approval (MD) Sept. 10 2
- Zoning code in effect at time of project filing governs project through completion (NJ) Apr. 10 11, Apr. 25 11
- Zoning code in effect at time of project filing governs project through completion, awaiting governor (NJ) May 10 11
- Zoning code in effect at time of project filing governs project through completion, signed by governor (NJ) June 10 11

#### TORTIOUS INTERFERENCE

- Relying on zoning allowing their desired use, auto dealerships purchase property (NC) Dec. 10 6

#### TOWNHOMES

- See Planned Unit Developments

#### USES IN GENERAL

- See also Accessory Uses; Agricultural Uses
- Renting lakefront house for short-term periods as commercial vs. residential use (IN) Apr. 25 6
- Scattering ashes of deceased relatives on land does not constitute a cemetery (VA) May 25 6

#### UTILITIES

- Board denies provider's permit application in minutes (7th Cir.) Mar. 25 7
- City grants permit to telecommunications provider (NY) Apr. 25 4
- NYC passes energy consumption bills to improve existing buildings' energy efficiency (NY) Apr. 10 12

#### VALIDITY OF ORDINANCES/REGULATIONS

- Abutters challenge validity of adopting a smart growth zoning district (MA) Oct. 25 6
- After receiving application for license to operate pawnshop, city adopts interim ordinance prohibiting pawnshops (MN) Sept. 25 8
- City adopts billboard ordinance without explaining the reasons for adoptions (8th Cir.) Sept. 25 2
- City adopts ordinance imposing sewer impact fees and water capital-recovery fees (AL) Oct. 10 7
- City adopts rent control ordinance challenged as "de facto zoning" (MD) Oct. 10 9

- City allows churches meeting certain requirements to avoid special use permit process (IL) Feb. 25 8
- City establishes different building height regulations on one-family dwellings in the same zoning district (VA) May 25 2
- Commission denies subdivision application based on unsuitability of land (CT) Feb. 10 8
- Commission denies subdivision preliminary plat approval (AL) Nov. 25 7
- Homeowners argue city's "point of sale" ordinance violates due process rights (7th Cir.) Jan. 10 5
- Landowner says township must develop comprehensive plan before adopting ordinance covering unincorporated areas (OH) Jan. 10 10
- Landowners contend historic district ordinance that refers only to an "area" is invalid under state law (VA) July 25 4
- Ordinance prohibiting residential use in agricultural district, but zoning ordinance permits such use (VA) Apr. 10 4
- Town limits location of adult-oriented businesses (2d Cir.) Apr. 25 2
- VARIANCES**
- Adjoining landowner appeals grant of variances but not dismissal of that action (CT) Sept. 10 5
- Agency's refusal to certify variance challenged as not needed under local ordinance (MN) June 10 7
- Applicant seeks variance from ordinance that reduced lot size, citing difficulty in marketing land for sale (CT) Sept. 10 10
- Borough grants height variance for communications tower (PA) Dec. 25 6
- City approves zoning variance, allowing company to expand its mining operations (MS) Nov 25 6
- City finds historical use and zoning is "condition peculiar" to property resulting in need for variance (IN) July 10 7
- Environmental organizations challenge development variance grants (MD) June 10 4
- Landowner appeals denial of developer's variance application (NJ) July 25 7
- Landowner purchases nonconforming lots, then applies for variance (MA) May 10 8
- Resident seeks area variance to allow his front-yard parking (NY) Dec. 25 5
- Variance for "expansion of a nonconforming use," vs. "new use" (NJ) June 10 9
- While variance applications were pending, amendments to statute were enacted, requiring mitigation plans before variance approval (MD) Sept. 10 2

**VESTED RIGHTS**

See also Conditional Use Permits

City issues stop work order on construction of sign that violates zoning code (MN) June 25 2

Hearing examiner finds developers' rights vested in 1994 (WA) Sept. 25 6

Relying on zoning allowing their desired use, auto dealerships purchase property (NC) Dec. 10 6

Sign company applies for permit for digital billboard two days before city adopts ordinance prohibiting digital billboards (MO) Dec. 25 2

**WIND TURBINES**

See Alternative Energy

**WORKFORCE HOUSING**

See Affordable Housing

**ZONING AMENDMENTS**

City encourages development (NJ) May 10 12

City votes to limit tattoo parlors, pawn shops, auto repair shops in downtown (NJ) Dec. 25 11

City zoning regulation changes to support city farming (WA) May 25 12

County board amends proffer after public hearing (VA) Oct. 25 4

Governing wind turbines (MA) Feb. 25 11

Limiting location of sexually oriented businesses (PA) Apr. 10 12

Permitting gaming facilities in township's mixed use district (PA) Feb. 25 12

Town limits number of nonrelated students living together (CT) May 10 10

**ZONING REGULATIONS**

See also Validity of Ordinances/Regulations

Citizens' group appeals denial of application to amend town (CT) Jan. 10 2

City considering prohibiting certain businesses in its downtown (OH) Oct. 10 12

City guidelines recently approved for downtown (KY) Oct. 25 11

City ordinance prohibits "advertising signs" but allows "identification signs" (3d Cir.) Aug. 25 2

City rejects ordinance allowing fines for violations of zoning regulations (CT) Dec. 10 11

Grant of overlay district permit challenged under state's Growth Management Act (WA) Jan. 10 9

- Homeowners argue city's "point of sale" ordinance violates due process rights (7th Cir.) Jan. 10 5
- Neighbors challenge occupancy limit as prohibited boarding house (ME) Mar. 10 9
- Provide maximum density for zoning district (SC) Feb. 10 6
- State senate considering "tourism district bill" to regulate Atlantic City's major tourism areas (NJ) Dec. 25 11

# ZONING PRACTICE

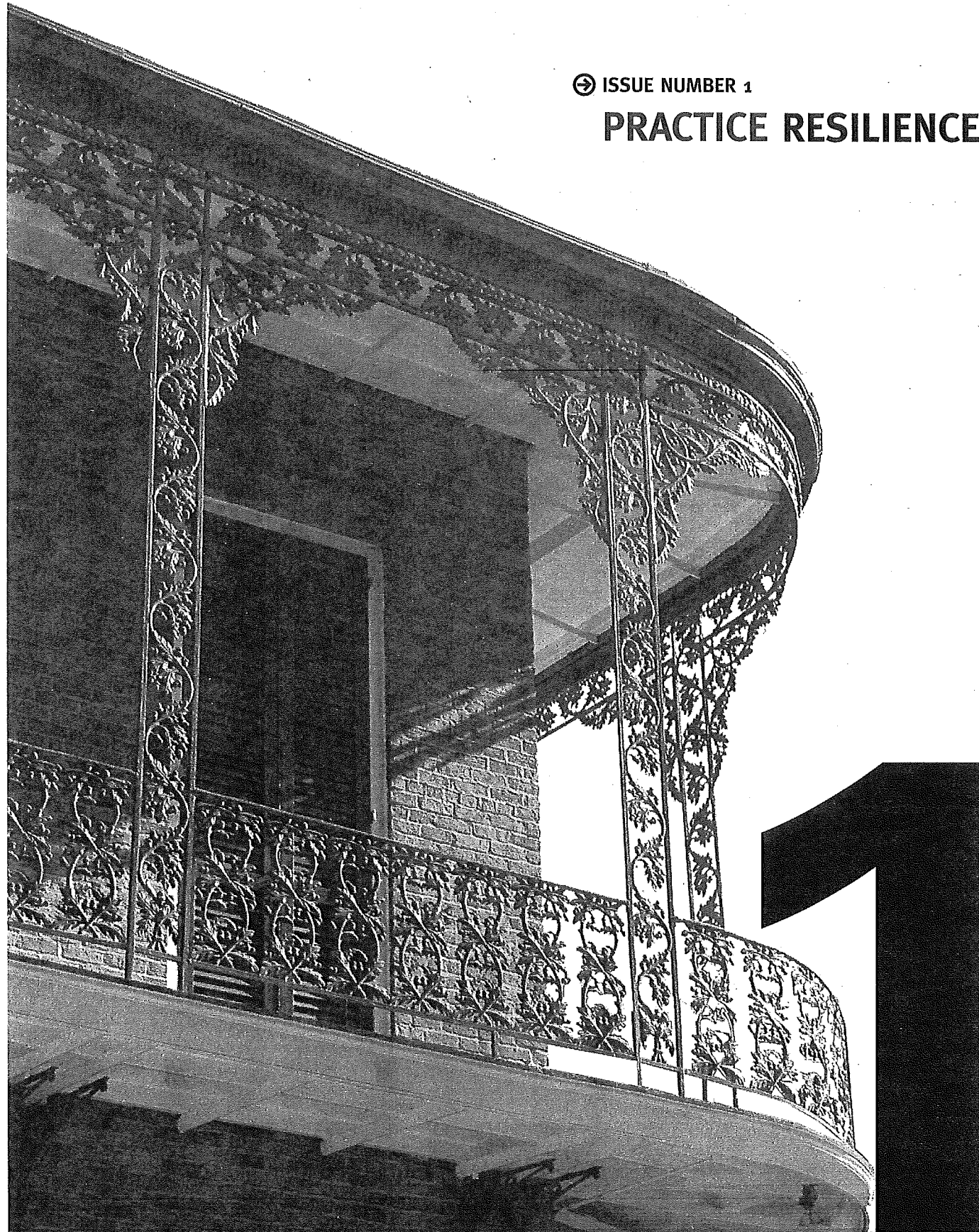
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## PRACTICE RESILIENCE



# Coastal Hazards and Smart Growth

By John Jacob and Tommy Pacello

Peirce Lewis, author of *New Orleans: The Making of an Urban Landscape*, called New Orleans the “inevitable city in the impossible place.”

## INEVITABLE COMMUNITIES

Every coastal city or town to one degree or another faces the dilemma of having to be in a place that no city should be in. According to Richard Campanella in *Bienville's Dilemma: A Historical Geography of New Orleans*, if Bienville—the person who originally sited and laid out New Orleans in the early 1700s—had followed environmental planning prescriptions in use today, New Orleans would have been placed far upstream, in a much better location, but in a far worse situation. New Orleans would have been on much higher ground and subject to much less flooding (the better location), but it would have had much less access to coastal traffic (a far worse situation). Bienville sited New Orleans in just about the best available location to take advantage of the premier situation on the Gulf Coast: the mouth of the largest river in North America. Every coastal city faces Bienville's dilemma as they consider where and how to grow.

After Katrina it was common to hear calls for the abandonment of New Orleans. Why should we spend public money on resuscitating a city in such a wretched location? Good planning, after all, would avoid such places from the get-go. The problem is there is no avoiding a place like the mouth of the Mississippi. There is going to be a city there no matter what. The question is what kind of city. And the same goes for most coastal cities to one degree or another. They are by necessity in a hazardous location. That is the starting point when thinking about planning for coastal cities.

New Orleans is a city on its way back, in part because of its situation and in part because of the unique evolution of culture and landscape that resulted in one of the great cities of the world. It is a place worth defending, but perhaps *not every inch*. Perhaps there are parts more defensible than

## THE 10 PRINCIPLES OF COASTAL SMART GROWTH

- 1 Mix land uses, including water dependent uses.
- 2 Take advantage of compact building design that enhances, preserves, and provides access to waterfront resources.
- 3 Create a range of housing opportunities and choices to meet the needs of both seasonal and permanent residents.
- 4 Create walkable neighborhoods with physical and visual access to and along the waterfront for public use.
- 5 Foster distinctive, attractive communities with a strong sense of place that capitalizes on the waterfront's heritage.
- 6 Preserve open space, farmland, natural beauty, and critical environmental areas that characterize and support coastal and waterfront communities.
- 7 Strengthen and direct development towards existing communities and encourage waterfront revitalization.
- 8 Provide a variety of land- and water-based transportation choices.
- 9 Make coastal development decisions predictable, fair, and cost-effective through consistent policies and coordinated permitting processes.
- 10 Encourage community and stakeholder collaboration in development decisions, ensuring that public interests in and rights of access to the waterfront and coastal waters are upheld.

From the National Oceanic Atmospheric Administration's 2009 report, *Smart Growth for Coastal and Waterfront Communities* (EPA-231-K-09-001). <http://coastalsmartgrowth.noaa.gov/report.html>

others. The neighborhoods of New Orleans that are in some ways most representative of its character are for the most part in the best locations—on the highest ground, low though it is. The character of these places is defined by a unique architecture and urban pattern, a pattern defined first and foremost by walkability and by a compact mix of residential and commercial uses. This pattern is what defines smart growth today: compact form, mixed uses, and a distinctive and vibrant urban character. We argue here that this compact urban pattern conveys not only character to a city but that it also endows coastal cities with a certain amount of resilience to coastal hazards.

## THE COASTAL HAZARDS WE FACE

Tropical storms are the preeminent coastal hazard along the Gulf of Mexico, where most of our experience as authors is. All tropical storms bring a strong risk of flooding on the flat coastal plain that extends inland from the Gulf from less than 25 to more than 75 miles, and hurricanes bring the devastating force of storm surges to the near-shore areas. In fact, this flooding and surging, including tsunamis, represents the primary hazard to all coastal communities, regardless of location.

In addition to the “acute” issues of storms and surges, flat-lying areas like the Gulf Coast are also subject to more “chronic” issues such as subsidence, sea level rise, and coastal erosion. For the most part the same planning principles apply.

## DURABILITY AND SENSE OF PLACE—SMART GROWTH ON THE COAST

Smart growth is about vibrant places that use less energy and materials. It is about designing for people and then accommodating cars, a hierarchy ignored by most postwar community planning in the United States until quite recently.

## ASK THE AUTHOR JOIN US ONLINE!

Go online during the month of January to participate in our "Ask the Author" forum, an interactive feature of Zoning Practice. John Jacob and Tommy Pacello will be available to answer questions about this article.

Go to the APA website at [www.planning.org](http://www.planning.org) and follow the links to the Ask the Author section. From there, just submit your questions about the article using the e-mail link. The authors will reply, and Zoning Practice will post the answers cumulatively on the website for the benefit of all subscribers. This feature will be available for selected issues of Zoning Practice at announced times. After each online discussion is closed, the answers will be saved in an online archive available through the APA Zoning Practice web pages.

### About the Authors

John Jacob is a professor and extension specialist at Texas A&M University. He is the director of the Texas Coastal Watershed Program, and holds a joint appointment with the Texas A&M Sea Grant Program and with Texas AgriLife Extension Service through the Department of Recreation, Parks, and Tourism Sciences. His current project, Coastal CHARM (Community Health and Resource Management), focuses on enabling coastal communities in Texas to improve quality of life in cities and towns while preserving and enhancing the natural coastal environment.

Tommy Pacello is an attorney and a planner from Memphis, Tennessee. He is an associate with the Austin, Texas, firm Code Studio, where he specializes in implementing plans using innovative zoning and form-based codes. Pacello has most recently been working on the Louisiana Land Use Toolkit, a model development code for the state of Louisiana, the second phase of which will include a set of Louisiana specific coastal development ordinances. Follow this project at [www.landusetoolkit.com](http://www.landusetoolkit.com).



John Jacob

⊕ The unique urban character and durability of its construction have made Venice, Italy, into a very resilient coastal city, in spite of permanent flooding over much of the city as a result of subsidence.

There are 10 often-cited principles that define smart growth (see sidebar for the "coastal" list). In our view, the first two principles underlie all the rest: compact form and mixed uses. Without some minimum amount of density, there is no walkability, and there are no distinctive, attractive communities with a sense of place that are not walkable. A mix of uses characterizes vibrant places and

is a key element of walkability. Density alone does not endow vibrancy to a place. Think of large apartment complexes with no commercial streets or districts nearby. A mix of uses is what makes a place interesting.

Virtually all of our most loved and vibrant coastal cities exemplify the 10 smart growth principles, in large part because they were laid out and established well before the advent of the automobile. They had no choice but to be walkable. A Charleston or a Savannah could not emerge where separation of uses was mandated. We would find New Orleans completely uninteresting if it were nothing more than a collection of big box stores in a sea of parking lots separated from residential districts.

Density and mixed use have endowed pre-automobile coastal cities with character and durability, two important attributes that give the best cities a lasting sense of place. Venice, Italy, for example, has been subject

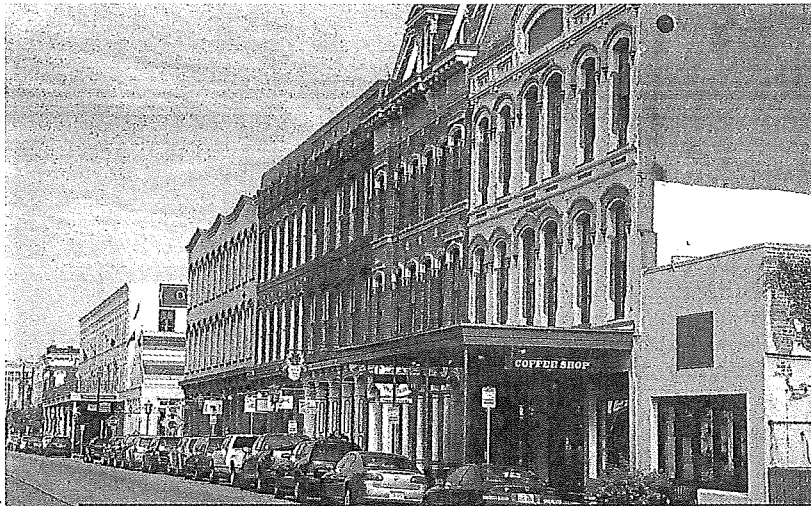
to coastal subsidence that would have destroyed a lesser city. It is a city with such an outstanding sense of place and character that its citizens have long been dedicated to its defense. The durability of its construction gives them something to *defend* across the centuries. Its character gives them something they *want* to defend at all costs.

Contrast Venice with the Brownwood subdivision in Baytown, Texas, just east of Houston. The scale is quite different from Venice's, but the reaction to a similar amount of subsidence is illustrative. Brownwood was a very neat and tidy 500-unit subdivision of comfortable suburban homes. Brownwood is the poster child in the Houston region of what happens when subsidence results from excessive withdrawals of groundwater. Brownwood was abandoned in the early 1980s as it subsided and was inundated by the adjacent Galveston Bay. In the end



Jim Olive and Lighthawk

⊕ The Brownwood Subdivision in Baytown, just east of Houston, was inundated as a result of subsidence, but had neither the durability of construction to withstand the flooding nor the sense of place that would have enabled its citizens to rise to its defense, although some attempts at diking were made.



⊕ These structures on the Galveston, Texas, "Strand" were all built before the Great Storm of 1900.

Brownwood did not have enough of a sense of place nor the durability of construction to engender any kind of lasting defense.

Galveston, Texas, however, provides another example of durability and sense of place. The most damaging storm ever to hit the United States in terms of loss of life destroyed all of Galveston, except the iconic Strand. The Strand is the original business district of Galveston, an impressive and beautiful group of buildings all dating to the period before the Great Storm of 1900. This remnant from the storm appears to have been enough to rally the hardy citizens of Galveston to rebuild their otherwise destroyed community, a herculean effort that involved raising substantial portions of the city and the construction of a massive seawall. Contrast Galveston with a sister city just down the coast: Indianola in Lavaca Bay. Indianola was a thriving, albeit somewhat smaller, city competing with Galveston. Two storms about 10 years apart devastated the city between 1875 and 1886. There was much less loss of life from these storms than from the later Galveston storm, but after the one in 1886, Indianola packed it in and left, never to be rebuilt again. There just didn't appear to be enough remaining structures to want to rebuild and start again, in contrast to Galveston, where a durable sense of place had formed around the Strand.

A sense of place, something that smart growth should foster, appears to endow some resiliency to coastal communities in terms of the additional desire coastal citizens might have to defend or restore these places after a storm. But might not the prin-

ciples of smart growth result in safer growth as well? We argue that they do, and further, that density is a key predictive characteristic of resilience in terms of coastal hazards.

#### DENSITY, WALKABILITY, AND HAZARD RESILIENCE

The discussion below highlights six postulated ways that density or compact form in the context of a walkable place could result in a greater resilience to coastal hazards. Some items on the list are self-evident—less area to protect, for example. But little research has been conducted on the specific issue of density and walkability in the context of hazard resilience. We hope this article will spur more research.

#### COMMUNICATING DENSITY— DECODING DENSITY

1. **Drop the planning jargon.** When engaging in the planning process it can be difficult for non-planning professionals to understand density when it's being talked about as units per acre or floor area ratio.
2. **Illustrate density.** A more effective approach to communicating density is by using pictures or illustrations, or better yet, a local example of a neighborhood where density was done right.
3. **Connect density with real benefits.** Density can afford greater engineered protection from flooding and storms, making places safer. It also contributes to quality of life issues by encouraging neighborhood coffee shops or restaurants to open within walking distance of residents

#### Less Area to Protect

A city of 500,000 people at 4,000 people/square mile (a common suburban density in Houston) will occupy 125 square miles, while the same population at 15,000 people/square mile (the density of the French Quarter in New Orleans) will occupy only 33 square miles, a considerably smaller area needing protection. If each of these areas were arranged in a square and needed protection all the way around, the first city would require 45 miles of levees, whereas the second city would only require 23 miles of levee protection. At \$5 to \$10 million per mile for levee construction, a savings of close to \$200 million could be realized; or more importantly, much better levees, maintained to a higher degree, could be built to protect the smaller area occupied by the same amount of people. Most of the levees built in New Orleans were built to protect and to enable development at suburban densities, areas nowhere close to the French Quarter in terms of density (or livability).

Less area to protect can be significant at much lower densities than those described above. Even for a smaller coastal town or village, the difference between large-lot development (e.g., 1,500 people/square mile) and a more compact form consistent with a small town (e.g. 8–10 units/acre, or about 7,000–8,000 people/square mile) can be considerable. For a 500-person community, that difference would be 40 versus about 200 acres, potentially a very significant difference in low-lying country.

#### More Choices of Where to Locate

The smaller area of the denser city described above obviously enables a greater ability to choose and stick to the higher or more protected ground, affording much greater opportunity for limiting settlement to the safer but scarcer locations where the situation is better, as described above.

#### Sturdier Buildings

More compact growth enables the construction of sturdier buildings in two ways. First, people living in compact cities are much less dependent on automobiles and all the costs associated with them, and consequently could have more money to spend on housing (and could therefore build sturdier houses if they wished to or were required to do so for affordable insurance). Secondly, where buildings share walls, such as in town houses, the cost of masonry construction per building is much less, making that kind of construction

much more affordable. Masonry construction is inherently much more floodproof than conventional stick-built homes.

### Proximity of Refuge

Mixed use is a hallmark of smart growth. Modern conventional diffuse growth dictates the separation of uses, with miles and miles of suburban residential developments unbroken by business districts. Smart growth practitioners design communities where residential and commercial areas are in close proximity, if not intermixed. Commercial buildings can be built to much more rigorous standards than residential single-family buildings, no matter what the type of construction. The nearby presence of substantial commercial buildings could provide very real refuge when storms approach with little time for evacuation. But to be bona fide refuges, they must be nearby—not miles away as they were in most of the Lower Ninth Ward and elsewhere in New Orleans. This idea of refuge on a community scale is the “safe room” writ large.

Galveston provides a good example of how such a refuge could work. During the 1900 hurricane the highest rate of survivorship was of people who took refuge in the Strand. The only way to have substantial buildings within walking distance of residential areas is to build an area compact enough that pedestrian traffic could be a significant part of the retail business. Most municipalities along the Gulf Coast have codes that proscribe this kind of mixed use, and most places prescribe such large lots for single-family homes (greater than 7,000 square feet) that walkability is out of the question.

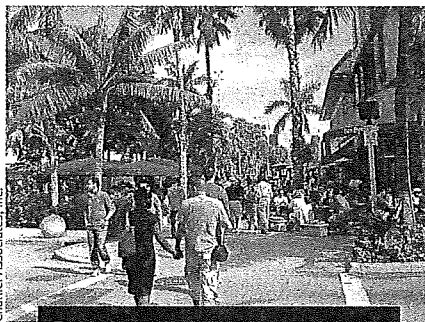
### Greater Social Cohesion

An urban pattern that facilitates and promotes more walking perforce promotes and facilitates more social interaction. More social interaction should lead to a greater amount of social capital or social cohesion. Networks of mutual assistance on a neighborhood scale can only occur where there is interaction. Interaction is likely to be less in car-dependent neighborhoods than walkable neighborhoods. Where people can walk to the corner store or coffee shop, they are much more likely to frequently encounter their neighbors and know more about the details of their lives (e.g., who might need assistance making it to a shelter or evacuating).

### Transit and Evacuation

Denser cities will have far fewer cars per capita than diffuse cities. Mass transit enables the

transport of many more people over equivalent distances than cars can. Whether or not a mass transit system could move more people out of harm’s way than the equivalent population in private automobiles is an open question. The debacle of the Rita-inspired Houston evacuation, with its clogged freeways, is still fresh. The state of Texas and Houston, however, have taken extensive measures to ensure that contra flow is put in place early, such that the next evacuation could be much smoother. How well a mass-transit-aided evacuation would work depends on a number of factors, including the number of buses and trains available, the lead times involved, and how far the transit system extend beyond the areas of immediate danger. It is conceivable that hurricane-safe refuges or sanctuaries could be built at the inland termini of major coastal metropolitan transit systems.



Charlier Associates, Inc.

Building vibrant urban character into coastal communities may also lead to greater urban resilience in the face of coastal hazards.

### PLANNING AND CODING FOR COMPACT, MIXED USE PLACES

Just building compact, mixed use, and vibrant places will not cure all that ails coastal development. To a certain extent, smart growth in a “stupid” place should not be considered smart. But as previously discussed, just about anywhere on the coast could be considered hazardous, so we are at a disadvantage from the beginning. Coastal communities must address three fundamental questions about development along the coast: Where do we build? What do we build? And how do we build?

### WHERE DO WE BUILD?

Advocating for compact, mixed use, and vibrant places on the coast does not eliminate the need to examine the lay of the land for the best possible location. During a storm event, a difference of a foot or two in eleva-

tion on a flat coastal plain can mean the difference between a community suffering severe flooding damage and escaping relatively unscathed. Ultimately, this question of where to build is a planning question.

Building behind coastal dunes is obviously better than in the dunes or in front of them. Likewise, building outside of the floodplain or surge zone or behind an engineered levee is clearly better than building in one of these zones or in an area outside some community-scaled protection. Even in a hazardous coastal environment, there are still choices to be made. These choices will usually be of the “Bienville Dilemma” type discussed above, but some effort can be taken to decrease vulnerability.

This idea of allowing the natural, or in some cases manmade, features of the land to tell us how to plan and code for development is nothing new. This type of approach was advocated by landscape architect Ian McHarg in his influential book, *Design with Nature* (1969) and more recently refined by architect Douglas Farr in his book *Sustainable Urbanism: Urban Design with Nature* (2008).

There are multiple approaches to planning that are rooted in McHargian theory and smart growth principles. Your community’s approach may vary, but objectively mapping the natural and built environment to identify the following areas of your community can help answer the question of where to build:

- Low resiliency (undeveloped): areas that are too environmentally sensitive, too vulnerable to hazards to develop
- Low resiliency (developed): areas that have been repeatedly destroyed by storms or flooding and are infeasible to protect through engineered defensive strategies
- High resiliency (infill): developed areas with proven resiliency that can become more compact
- High resiliency (undeveloped): undeveloped areas that are elevated or protected by multiple layers of defense and could be targeted for future compact, mixed use development

High and low resiliency are relative terms. For example, an unprotected mound three feet above sea level might be an area of high resiliency in the porous Delta Plains of Terrebonne Parish, Louisiana, but may be considered low resiliency in Gulfport, Mississippi, where the engineered seawall generates safer places. In Terrebonne Parish this mound might be the safest place for a small hamlet-style rural settlement, while in Gulf-

port, where there are safer places to develop, this mound would remain undeveloped.

### WHAT DO WE BUILD?

As discussed above, compact communities with a sense of place are the most enduring coastal communities anywhere. First and foremost, then, we want to build great communities. The principles of smart growth enable us to build great as well as safe and resilient coastal communities.

Generally, in areas of high resiliency, development codes should generate compact, mixed use, and vibrant places, but in areas of low resiliency, these same codes should limit growth and density. Strategies for getting the right rules in the right areas are discussed below.

### Zoning for Areas of High Resiliency

Development codes for areas of high resiliency must have zoning districts that allow compact,

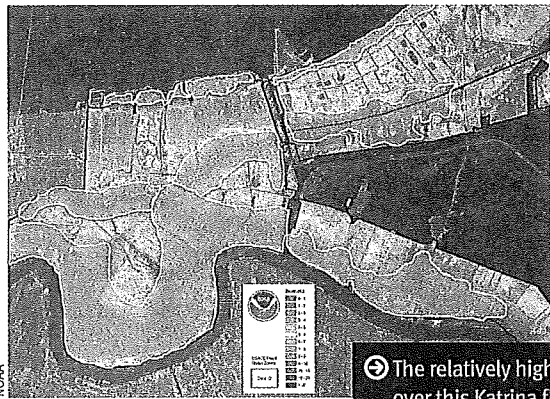
cottages or row houses are desired may be mapped to reflect this pattern. Ideally, this more prescriptive approach will be coupled with a more streamlined approval process.

In addition to placemaking qualities, building type regulations also provide communities with the ability to require building-specific hazard defense strategies, depending on the zoning district where the building is located. Buildings in high-resiliency areas that still may be prone to occasional flooding might be required to address their ground floors differently than buildings that are less likely to be flooded.

**Lot Size.** Zoning for reasonable minimum lot size is essential in generating compact form. Recent residential patterns through much of the coast consist of 7,000- to 9,000-square-foot lots or larger. This is a recipe for sprawl, not compactness.

Historically, we didn't build this way.

Some of the most loved and resilient neighborhoods in New Orleans mix detached homes on lots averaging around 3,500 square feet to achieve densities of 12 or more units/acre. Streets of detached cottages, mixed with larger homes, can create compact residential pattern that allow coastal communities to become resilient and loveable places.



② The relatively high topographic ridges (shown in white over this Katrina flood zone map) in New Orleans could accommodate all of the pre-Katrina population at roughly French Quarter densities. The edges of these ridges would have had at most about two feet of floodwater during Katrina. Some adaptation in terms of durable structures and elevation would still be necessary in these areas. The kind of construction found in the French Quarter would be consistent with the lower edges of the ridges.

mixed use development. But simply setting high-density thresholds and allowing a wide mix of uses will not generate the vibrant and loveable places that make New Orleans and Venice impossible to abandon.

Coastal communities must also consider how their regulations help build neighborhoods, not just subdivisions. The community is likely to be more tolerant of density in infill settings if the form of the density fits with their neighborhood. Development codes can help shape this form in a more predictable manner.

**Building Types.** Developing a palette of building types or development types that are available in each zoning district can help in a number of ways. It can allow a community to influence the types of buildings on given streets or blocks. Areas intended for three to eight-story mixed use or apartment buildings could be mapped to only allow these building types, while areas where compact

Development codes can promote this pattern by allowing smaller lot sizes or by averaging lot sizes, with upper and lower thresholds.

**Lot Coverage.** Maximum lot coverage is another regulatory device that must be addressed if compact development is to occur. The tendency in some coastal areas is to discourage compact development by applying low lot coverages of 20 to 40 percent. The idea is that by spreading development out the large pervious lot areas will absorb stormwater.

While this approach may at first seem reasonable, there is no amount of pervious lot area that can absorb the storm surge associated

with a major storm event. The "safe" land is too valuable for this approach. A more appropriate approach is to allow much higher lot coverage (70 to 90 percent) in areas of high resiliency. By building compactly in the high-resiliency areas, communities are able to leave the less resilient land open for stormwater.

**Street Setbacks.** As with lot size and lot coverage, large minimum setbacks can lead to difficulties in building compactly. Allowing, or in some conditions requiring, a built-to environment where the buildings are placed at the street can help in two ways. It makes building compactly more efficient and helps activate the streetscape by reorienting the street toward the pedestrian scale.

### Building Compactly in Rural Areas?

It may seem counterintuitive, but even in coastal areas that are perceived as "rural" in character, compact, mixed use, and vibrant development patterns can contribute to improved resiliency. Fundamentally, the same policy applies. If density is clustered into small rural nodes it shrinks the area to be protected and can make certain defense strategies more affordable. An example of this development type can be seen in the clustered density of Hallig Hoog, Germany.

The settlements on this rural island are on a handful of elevated *terpen*, or earthen mounds. The top of each one- to three-acre *terpen* is developed with a small number of compact farmsteads, homes, shops, restaurants, hotels, or civic buildings. Several times a year, storms flood the lowlands, but the elevated *terpen* and their associated development are out of harm's way. Each *terpen* has a compact design, with a clustered density of around eight to 12 units per acre, but maintain a low overall gross density of less than one unit/40 acres. This settlement pattern provides the two benefits noted above. The compact, mixed use, walkable clusters maintain a rural form while shrinking the area that must be protected from storms and flooding, and it allows the community to pool their resources to elevate and maintain the *terpen*.

A similar development pattern is achievable along the United States coast through the use of innovative zoning and subdivision rules. Alternative subdivision types, such as cluster or conservation subdivisions, along with mixed use zoning districts that allow for consideration of gross density in rural areas, can work together to allow this pattern. The zoning districts should respect the rural character using building type or other form controls to promote hamlet-style settlements in "rural"



Sandra Blumenthal

➤ At Hallig Hooge in Germany, density is clustered on individual mounds, leading to a compact, yet rural, pattern.

high-resiliency areas. Further, these clusters may eventually grow into the coastal towns and cities of tomorrow.

### Zoning for Areas of Low Resiliency

The most difficult issue a community is likely to face in managing coastal growth will be limiting development in low-resiliency areas. To effectively do this there must be a concerted effort by the community to coordinate all of the growth management tools at their disposal. Policies addressing zoning as well as targeting investment in infrastructure and public services toward areas of high resiliency must work together to make this a successful strategy. In some cases the concept of transfer of development rights might be a viable option to quiet opposition or legal challenges to any perceived downzoning.

From a zoning perspective, the main objective is to minimize development or, at a minimum, rethink redevelopment. Zoning districts should be rural in nature with gross densities no higher than one unit/20 acres. Rural and agricultural uses, along with resource extraction and other non-development-focused land uses, may continue.

**Inevitable Structures.** The reality of the coast is that even in areas of the lowest resiliency, where no one should build anything, there will still be a need for certain structures. Ice houses for coastal fishermen, oil and gas staging areas, and other inevitable structures will exist. These structures may build on stilts, use floating building designs, temporary structures, or other building-specific defense strategies to deal with such hazardous environments. Zoning codes should accommodate such uses and building strategies in these areas of low resiliency.

**Built Areas of Low Resiliency.** Areas of low resiliency that have already been built require a different approach. Communities may be forced to choose whether to abandon or to fortify. Some communities may rezone the area so that if destroyed in future storms the existing

structures must be rebuilt applying building specific defense strategies. Other communities may choose to relocate remaining residents to safer places. The Center for Planning Excellence in Baton Rouge, Louisiana, will soon publish a "Coastal Best Practice Manual" that will help coastal communities think through many of these challenging issues.

### HOW DO WE BUILD?

Once a community has answered the questions where to build (e.g., in high-resiliency areas) and what to build (e.g., compact, mixed use, vibrant places), it must finally address the question of how to build.

Clearly, the answer is structures that are built to the best and latest building codes with local amendments that consider the caliber of storm events in your community. Buildings in hazardous coastal areas should be able to withstand stronger winds than buildings further inland. In most coastal areas concrete houses are going to be better at withstanding surges and occasional flooding than stick-built houses. See the discussion above about how compact form could enable more investment in better buildings.

### A TIME TO REBUILD: SEIZING THE OPPORTUNITY AHEAD OF TIME

Very often the best opportunity to correct some of the mistakes of the past is right after a disaster. But that is also just about the worst possible time to plan for redevelopment. Unless some prior thinking and planning has gone into how to redevelop destroyed areas after a catastrophic storm, these areas will likely redevelop just as they were before the storm. Not only is good planning necessary, public buy-in to the process will be critical to developing the political will to make the necessary changes. The Florida Division of Community Planning has just released a publication and website on post-disaster redevelopment planning ([www.dca.state.fl.us/fdcp/dcp/PDRP/toolbox.cfm](http://www.dca.state.fl.us/fdcp/dcp/PDRP/toolbox.cfm)).

### CONCLUSION

Building a vibrant and walkable (and therefore compact) coastal community is the first and most important step toward building a safe and resilient coastal community. But it is far from the only step. Communities must be committed to focusing compact growth in areas of high resiliency while limiting growth in areas of low resiliency. Development codes are another very important part of the battle. Coastal communities must also make policy decisions about where they invest in infrastructure and public services. Providing sewer, water mains, or high-capacity roads in areas of low resiliency will work against even the most stringent development codes.

Our oldest and most beloved coastal cities provide us with some of the best models to follow: the least hazardous location for the best possible situation, and a town form worth defending. These communities have weathered coastal hazards for generations. Where they have failed, it is because they ceased to follow the model, such as the lower parts of New Orleans. If we build for people first, respecting the limits of nature, our coastal communities will indeed be enduring.

Architectural detail of a balcony in New Orleans's French Quarter. © iStock.com/Paul Giamou; design concept by Lisa Barton.

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HOW RESILIENT IS YOUR  
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