

# Memo

**To:** Honorable Mayor and City Council  
**From:** Joe Kohlmann, City Administrator  
**Date:** November 13, 2012  
**Re:** North Waseca Fire Lane

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Staff has prepared revisions to the Zoning Ordinance regarding Fire Lanes.

The current ordinance states:

**1011.20 FIRE LANES.**

Subd. 1. All fire lanes in the City shall be located, identified and the use thereof restricted to one of the following classifications as so designated on the official Zoning Map. All fire lanes are to provide lake access to the public.

a. Class I shall be used for pedestrian access to the lake, fishing from shore, launching canoes and other small boats not requiring a trailer, no sporting activities, involving thrown objects such as catch, softball, baseball, Frisbee, volleyball and football.

b. Class II can be used for all the activities as designated in Class I as well as snowmobile access during the winter.

c. Class III shall only be used for fishing, boat launching, and winter vehicular access to the lake.

d. Class IV shall be used for pedestrian access and fishing from shore.

**Proposed Revisions:**

Subd. 1.c. Class III shall only be used for fishing from shore, launching of boats not exceeding twenty seven feet (27') in length and not exceeding ten thousand pounds (10,000) in weight and vehicular access to the lake. For the purposes of this Subd. 1.c., "length" shall mean the horizontal measurement from the swim platform or furthest point away from the tip of the bow to the tip of the bow.

Also Attached is a draft Resolution to formally adopt recommendations from the North Waseca Task Force. One thought is that Staff could review this with the SLMPD prior to adoption.

**Council Action Requested:**

Discuss Proposed Ordinance Revisions and Draft Resolution.

**1011.19**     **SUBDIVISION OF TWO FAMILY LOTS.**   The subdivision of base lots containing two-family dwellings to permit individual private ownership of a single dwelling within such a structure is acceptable upon approval by the City Council. Approval of a subdivision request is contingent upon the following requirements:

Subd. 1.     Prior to a two-family dwelling subdivision, the base lot must meet all the requirements of the zoning district.

Subd. 2.     There shall be no more than one principal structure on a base lot in all residential districts. The principal structure or a unit lot created in a two-family subdivision will be the portion of the attached dwelling existing or constructed on the platted unit lots.

Subd. 3.     Permitted accessory uses as defined by the zoning districts are acceptable provided that they meet all the zoning requirements.

Subd. 4.     A property maintenance agreement must be executed by the applicant and submitted to the City Attorney for review and approval. The agreement shall insure that the maintenance and upkeep of the structure and the lots to meet minimum City standards. The agreement must be filed with the Hennepin County Recorder's Office as a deed restriction against the title to each unit lot.

Subd. 5.     Separate public utility service shall be provided to each subdivided unit and shall be subject to the review and approval of the City Engineer.

Subd. 6.     Subdivision is to be platted and recorded in conformance with the requirements of Section 1030 of this Code.

**1011.20**     **FIRE LANES.**

Subd. 1.     All fire lanes in the City shall be located, identified and the use thereof restricted to one of the following classifications as so designated on the official Zoning Map. All fire lanes are to provide lake access to the public.

- a.     Class I shall be used for pedestrian access to the lake, fishing from shore, launching canoes and other small boats not requiring a trailer, no sporting activities, involving thrown objects such as catch, softball, baseball, Frisbee, volleyball and football.
- b.     Class II can be used for all the activities as designated in Class I as well as snowmobile access during the winter.

- c. Class III shall only be used for fishing, boat launching, and winter vehicular access to the lake.
- d. Class IV shall be used for pedestrian access and fishing from shore.

Subd. 2. The following fire lanes shall be classified as follows:

- a. Class I. 1-Crescent, 11-Pearl, 14-North Channel, 15-South Channel, 17-North Manitou, 2-Lake Place, 4-West Point, 6-North Sunrise, 7-South Sunrise, 9-Aspen, 10-Hazel, 16-Woodlawn, 19-Apgar, 20-North Brentwood, 21-South Brentwood.
- b. Class II. 3-Interlachen, 8-South Waseca, 13-Woodpecker\*, 18-Bay\*.
- c. Class III. 5-North Waseca.
- d. Class IV. 12-Hill (inaccessible)

- These fire lanes shall be allowed to have winter motor vehicular traffic access to the lake.

*(Hours same as park hours – City admin. note not part of ordinance)*

**CITY OF TONKA BAY  
ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE AMENDING SECTION 1011.20, SUBDIVISION 1 OF THE  
TONKA BAY CITY CODE RELATING TO FIRE LANES

The City Council of the City of Tonka Bay ordains:

Section 1.

Section 1011.20 FIRE LANES. Subd. 1. of the Tonka Bay City Code is amended to read as follows:

Subd. 1. All fire lanes in the City shall be located, identified and the use thereof restricted to one of the following classifications as so designated on the official Zoning Map. All Fire Lanes shall be open for use from 7:00 a.m. to 10:00 p.m. All fire lanes are to provide lake access to the public.

Section 2.

Section 1011.20 FIRE LANES. Subd. 1. c. of the Tonka Bay City Code is amended to read as follows:

Subd. 1.c. Class III shall only be used for fishing from shore, launching of boats not exceeding twenty seven feet (27') in length and not exceeding ten thousand pounds (10,000) in weight and vehicular access to the lake. For the purposes of this Subd. 1.c., "length" shall mean the horizontal measurement from the swim platform or furthest point away from the tip of the bow to the tip of the bow.

Section 3.

This ordinance becomes effective from and after its passage and publication

Adopted by the City Council of the City of Tonka Bay on \_\_\_\_\_, 2012.

Approved:

\_\_\_\_\_  
William LaBelle, Mayor

Attested:

\_\_\_\_\_  
Joseph Kohlmann, Clerk/City Administrator

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## RESOLUTION 12-

### A RESOLUTION ADOPTING NORTH WASECA FIRE LANE TASK FORCE RECOMMENDATIONS

WHEREAS, the North Waseca Task Force was created at the August 14, 2012 City Council Meeting following concerns raised by area property owners relating to safety, traffic and public nuisance issues at the North Waseca Fire Lane; and

WHEREAS, said Task Force met on two occasions to discuss issues, compromises and solutions relating to said fire lane; and

WHEREAS, the Task Force concluded the existing Resolution 00-58, A Resolution Establishing Rules and Regulations for the use of Class III Fire Lanes, provides rules and regulations for the management of the North Waseca Fire Lane and is in full force and effect; and

WHEREAS, the Task Force recommended that the Tonka Bay City Council request the following support from the South Lake Minnetonka Police Department Chief of Police in order to provide for the safe enjoyment of the fire lane by all citizens:

1. Routine Patrol of the North Waseca Fire Lane as would be normal in the daily policing activities within the City of Tonka Bay, specifically, and particularly between Memorial Day and Labor Day.
2. Prompt response to any citizen calls relating to the North Waseca Fire Lane.
3. An incident report from June 1<sup>st</sup> through September 30<sup>th</sup> to be provided to the Tonka Bay City Council each year which would contain the following information:
  - a. Number of calls to the North Waseca Fire Lane with response times.
  - b. Police Reports regarding calls at the North Waseca Fire Lane.
  - c. Citations written as a result of calls to the North Waseca Fire Lane; and

WHEREAS, the Task Force also recommended that the Tonka Bay City Council adopt the following:

1. Signage at the North Waseca Fire Lane should be codified such that all rules and regulations are clearly communicated and visible.
2. That swimming in the area of the North Waseca Fire Lane is clearly identified as not permitted, due to the risk of accident or injury. A sign shall be placed at the North Waseca Fire Lane prohibiting swimming.
3. That Staff study the possibility of providing for a seasonal and temporary restroom facility for the North Waseca Fire Lane.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Tonka Bay that the aforementioned recommendations be adopted.

PASSED at a regular meeting of the Tonka Bay City Council this 13th day of November, 2012.

Motion introduced by \_\_\_\_\_ and seconded by \_\_\_\_\_.

Roll Call Vote: Ayes –  
Nays –  
Absent –

\_\_\_\_\_  
William LaBelle, Mayor

ATTEST:

\_\_\_\_\_  
Joseph Kohlmann, Clerk/Administrator