CITY OF TONKA BAY
ITEM NO. 9C

Memo

To: Honorable Mayor and City Council

From: Joseph Kohlmann, City Administrator

Date: December 10, 2013

Re: Woodpecker Ridge Road Fire Lane Petition

Staff has received the *attached petition* form Judd Bracket (125 Woodpecker). He has stated that he is in the process of acquiring all of the signatures and requested he have until Meeting time (12/10) to get the signatures. Staff agreed to place him on the agenda because we will not have another Council Meeting for approximately 30 days.

In short, he is requesting that the Fire Lane Ordinance be amended to prohibit "four wheel vehicles" on the Woodpecker Ridge Road Fire Lane.

As you recall, the City recently amended the Fire Lane Ordinance in 2013 to include weight restrictions and discussed everything within the Fire Lane Ordinance Section at great length.

*Attached is the **unsigned** version of the petition, signatures will be available at meeting time.*

Attached is a copy of the Fire Lane Ordinance Section

Council Action Requested:
Review and discuss.

WOODPECKER RIDGE ROAD FIRE LANE PETITION

DATE: December 3, 2013

TO: Mayor and City Council Members of Tonka Bay, MN

TOPIC: Maintain Woodpecker Ridge Road Fire Lane Status as a Class II Restricting Four Wheel Vehicles

EXPLANATION: Woodpecker Ridge Road is a substandard residential street that has two sharp curves with limited visibility. The residential area serviced by this street includes Willow Woods and homes on Woodpecker Ridge Road, totaling 22 single family homes.

Currently Gideon's Bay can be accessed by four wheel vehicles at four locations- Waseca, Tonka Bay Marina, Excelsior and Bay Street fire lanes/access points. All of these locations originate in predominately commercial areas rather than residential, thereby minimizing the exposure and disruption resulting from four wheel vehicles accessing and leaving Gideon's Bay.

Allowing four wheel vehicle access on the Class II fire lane on Woodpecker Ridge Road creates a significant public and private safety concern for pedestrians, including children, recreation and family pets. We request your reconsideration and ask that the Tonka Bay Ordinance be amended to limit the fire lane access at Woodpecker Ridge Road to pedestrians and snowmobiles. This level of restriction is consistent with the public signage at the site and in the manner in which the fire lane has been managed by city employees for over 20 years.

AGREED UPON BY THE FOLLOWING PEOPLE:
(Please sign your name with address and date)

1. _____

2. _____

3. _____

4. _____

c. Class III shall only be used for the following: fishing from shore, winter vehicular access to the lake by vehicles not exceeding 10,000 pounds in weight, launching and retrieving of watercraft not exceeding twenty-seven feet (27') in length or exceeding ten thousand pounds (10,000) in weight. For purposes of this subdivision, length shall mean the horizontal measurement from the foremost to the aftermost points of the watercraft, including all equipment and attachments in their normal operation positions. *(Amended July 23, 2013; effective date August 8, 2013)*

d. Class IV 12-Hill (inaccessible)

* These fire lanes shall be allowed to have winter vehicular traffic access to the lake as limited in Section 1011.20, Subd. 1(c). *(Amended July 23, 2013; effective date August 8, 2013)*

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

a. <u>Class I.</u> 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. <u>Class II.</u> 3-Interlachen, 8-South Waseca, 13-Woodpecker*, 18-Bay*.

c. <u>Class III.</u> 5-North Waseca.

d. <u>Class IV.</u> 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)

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.