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Thanks also to the many residents, both from Park Point and other Duluth neighborhoods, who attended meetings or wrote in with their concerns.

Introduction

The Park Point community within the city of Duluth is the interface between the natural ecosystem of Lake Superior and the urban industrial waterfront of Minnesota's third largest city. Park Point (also known as Minnesota Point), extending into the Lake Superior/St. Louis River estuary, is the largest freshwater sandbar in the world. As such, it contains extensive public recreation and natural resource values, and shelters critical habitat areas within St. Louis Bay. It also serves as the breakwater for the Duluth-Superior harbor, one of the largest generators of shipping tonnage in the United States. The presence of extensive waterborne commerce and heavy industrial activity within the harbor have direct impacts upon Park Point.

Existing residential and commercial development on the Point have created incompatibilities – i.e., an airport adjacent to old growth forest – and new development pressures that are taxing the existing infrastructure and the culture of the community. Park Point is clearly an urban environment in transition.

Park Point also has unique cultural features: waterfront parks and open space, marinas, sight-seeing and scenic viewing opportunities and water- and land-based recreation, close to downtown Duluth. It contains historically significant structures. The resources and facilities of the area are heavily used by many members of the larger community and visitors to the city.

The land use code, as it applies to Park Point, is antiquated and does not accurately reflect current land use nor guide development appropriately.

The Park Point Urban Impact Study is intended to address key issues facing the Park Point community:

- What corrective measures can be employed to stem the erosion of public beachland?
- What is the status of natural and scenic areas under the City's land use ordinances, and do they require special treatment?
- What are the practical limits of housing development and housing density?
- How do these limits affect the amount of impervious surface under the shoreland management ordinances?
- How can the need to move high volumes of recreational traffic be balanced with the traffic calming needs of a traditional neighborhood?
- What growth pressures are anticipated related to tourism and commercial development during the next five years, and how should these be addressed?

The study documents community input and the initiatives of various agencies and other stakeholders in protecting and enhancing the resource and quality of life values that make Park Point a unique and attractive element of the Duluth region. The study's primary product is a series of recommendations for action and suggestions as to the responsibilities for implementation of the recommendations.

Background

Several previous studies of Park Point provide a foundation for the Urban Impact Study.

Minnesota Point Environmental Management Plan (1999)

In May 1997 the State Legislature passed the Minnesota Point Protection Act. That year the Park Point Community Club received a grant through the Legislative Commission on Minnesota Resources to identify and protect environmentally sensitive areas on the peninsula. The project included extensive digitized mapping of Minnesota point for use in further studies and evaluations regarding vegetation, habitat, specific plant species, bird counts, erosion mitigation and historical events. Topics covered in the inventory are listed in Appendix 3, References. This detailed inventory, and the following recommendations, form the basis for many of the recommendations in this Urban Impact Study. The recommendations of the *Environmental Management Plan* are summarized as follows. Many actions, notably the Pine Forest SNA designation and continuing dune stabilization activities, have been accomplished or are well underway.

Short-Term Actions

- Move the Pine Knot cabin;
- Designate the Minnesota Point Pine Forest as a State Scientific and Natural Area (now accomplished);
- Continue negotiations with the City, Corps of Engineers, Airport Authority and DNR to protect more of the Pine Forest;
- Erect informational signs;
- Establish new zoning categories for protected open space.

Ongoing Actions

- Dune stabilization through plantings of beach grass and other vegetation;
- Installation of snow fencing to stabilize dunes and metal fencing to protect newly planted areas;
- Removal of non-native plant species;
- Control motorized traffic in environmentally sensitive areas;
- Control foot traffic through trail marking, trail closures, dune bridges;
- Control wildfires in the forest;
- Additional trash receptacles in public areas;
- Public awareness and monitoring;
- Increased police patrols and enforcement of traffic ordinances.

Long-term Actions

- Limit the growth of Sky Harbor Airport into the Pine Forest;
- Update/revise shoreline map, vegetation and bird surveys at regular intervals (10-20 years).

Park Point Sketch Plan (1973)

In the early 1970s the City's Department of Research and Planning undertook a series of neighborhood sketch plans that summarized issues, problems and assets within neighborhoods. The *Park Point Sketch Plan* addressed the natural qualities and manmade features which make Park Point a unique neighborhood, existing development patterns, and recommended improvements to land use, traffic management and public facilities. There is a remarkable degree of similarity between the some of the problems and recommendations identified in the Sketch Plan and those identified by residents and

visitors some thirty years later. Recommendations include the following:

- Preservation of the pine forest, possibly with a new zoning designation;
- Protection of dunes and beach;
- More variety in housing types to attract younger families;
- Provision of marina space;
- Improvement to neighborhood services.

Lower St. Louis River Habitat Plan (May 2002)

This plan, prepared by the St. Louis River Citizens Action Committee with funding from the U.S. EPA and other sources, focuses on the lower 21 river miles of the St. Louis River, extending from the Fond du Lac dam as far as Park Point, as the boundary between the estuary and Lake Superior. It is intended to serve as a guide for resource management and conservation of the area's ecosystems. "The combination of ecosystems within the Lower St. Louis River area – estuarine wetland and aquatic habitats, baymouth bar complex, and surrounding upland forest – are very unusual in Lake Superior, the Upper Midwest, the Great Lakes region, and the world." The plan identifies "conservation targets" – the elements of native biological diversity that are used to focus actions on a broader range of natural resources. Park Point's resources fall into the category of Baymouth Bar Community Targets:

- Beaches
- Beachgrass dunes
- Dune shrublands
- Interdunal wetlands
- Dune pine forests

Park Point also includes migratory bird assemblage target areas, and habitat of the rare piping plover (a federal endangered species).

The plan identifies five major threats to the area's habitat:

1. Loss of habitat due to development, commercial shipping, and other sources.
2. Increased sedimentation due to development, forest management practices, and other sources.
3. Competition from undesirable exotic species introduced by commercial shipping, development, and other sources.
4. Exposure to sediment-associated contaminants from historical and ongoing point and non-point sources.
5. Degradation of water quality due to the above-mentioned problems.

Relevant strategies in the *Habitat Plan* include:

- Protect critical remaining natural areas, including the barrier beach and dune communities of Park Point, specifically the pine forest and publicly owned recreation areas and beachfront.
- Modify current land use/zoning regulations to meet the other goals of the plan.
- Develop a Comprehensive Port Plan to identify areas for marine commerce utilizing existing harbor infrastructure rather than high quality habitat areas.
- Develop a Comprehensive Dredge Material Management Plan to reduce the need for dredging by reducing sedimentation, and encourage beneficial reuse of dredged materials.

Zoning Questionnaire (2001)

In 2001 a survey was undertaken by two UMD Urban and Regional Studies students assisting the Park Point Long Range Planning Committee. A total of 104 surveys

were returned of approximately 800 distributed via the *Breeze* newsletter. Highlights are as follows:

A new zoning category should be created for existing open space or undeveloped areas on Park Point: "P" or "Park," prohibiting any further development. Areas included existing open space, including Lafayette Square, Franklin Park and the area near the Aerial Lift Bridge (over 90% of respondents agreed).

- Areas currently zoned single-family (R-1C) should remain R-1C; additional townhouse development (R-2) should not be permitted (80% agreed). Apartments, townhouses and other structures should not exceed three stories in height; building bulk should also be limited to protect views (90% agreed).
- Expansion of commercial activity should be discouraged (80% agreed).
- Eliminate the Light Manufacturing District (M-1) on Minnesota Avenue (77% agreed).
- Change non-waterfront-related land uses on Minnesota Avenue from Waterfront Commercial (W-1) to single-family residential (R-1C) (63% agreed).
- There was less unanimity on whether street ends should be vacated – 52% favored vacating street ends on the lake side; 58% favored vacating them on the bay side.

Sky Harbor Airport and Park Point Comprehensive Plan

This brief document was produced in 2002 by the Duluth Airport Authority to illustrate airport expansion needs and access and security issues. It discusses the following issues:

- The airport as an integral part of the Duluth/Superior region's general aviation capability;

- The airport's inability to expand geographically beyond its existing boundaries due to physical and environmental constraints;
- Recent and planned improvements, including a new security gate and controlled access system;
- Proposed location for a perimeter fence intended to prevent public access to runways, aircraft and equipment.

The controversial issue of the placement of this fence has now been at least partially resolved through the DNR's designation of the Minnesota Point Pine Forest Scientific and Natural Area (SNA) and the subsequent selection of a preferred fence alignment that minimizes disturbance to the forest. Fence construction began in late 2002 and is now substantially complete.

Land Use and Zoning

The percentage and acreage devoted to various land uses on Park Point are shown in the following table. Note that "High-Density" and "Medium-Density Residential" refer primarily to single-family detached houses on relatively small lots.

Of the 583.5 acres on Park Poin, the single largest land use is parkland with 260 acres (44.4 percent of total), followed by undeveloped / open space with 118.8 acres (20 percent of total) and residential land use with 100 acres (17.3 percent of total). In Neighborhood District Five, which includes Park Point, the Central Hillside Neighborhood and the Central Business District, the top three land uses, by percent are; parkland at 40.6 percent (769 acres), residential development at 21.22 percent (402 acres) and undeveloped/ open space at 18.27 percent (346 acres).

Land Use	Acres	Percent
Airport	33.4	5.7
Undeveloped/Open Space	118.8	20.0
Parkland	259.2	44.4
Transportation/Harbor	22.0	3.8
Office/Commercial	1.2	0.2
Medical/Nursing Homes	7.9	1.4
Institutional	40.1	6.8
Warehousing	0.1	0.0
High-Density Residential	37.1	6.4
Medium-Density Residential	58.9	10.1
Multi-Family Residential	4.8	0.1
Totals	583.5	99*

* May not add up to 100 percent due to rounding of numbers

Commercial / office, warehousing and multifamily residential all occupy very small amounts of land area on Park Point.

Park Point is surrounded by water on all sides, and docks and boat facilities are common. Individual property owners on the harbor side of the Point have private docks for their own watercraft. In addition, there are two large marinas (Lakehead Boat Basin and Harbor Cove Marina), the private Sand Point Yacht Club, and a smaller private marina at 20th Street and Minnesota Avenue.

Because of its coastal location, all of Park Point is considered to fall within the 100-year floodplain. It also falls within the City's shoreland area. Both floodplain and shoreland are regulated through the City's Water Resources Management Ordinance (see Appendix 1). To meet floodplain requirements, ground floor elevations must be raised to 3 feet above the highest known flood elevation of 607 feet. Minnesota Avenue, the main

arterial of Park Point, ranges from 604 to 610 feet in elevation for its four-mile length.

Shoreland regulations require larger minimum lot sizes than the underlying zoning; however, these requirements only apply to newly-created lots, and these are few in number, since very little privately-owned vacant land remains on Park Point.

Parks and Recreation

The City of Duluth classifies its parks into one of four functional classifications.

- Regional Parks are commonly used by residents from throughout the city and users from outside the city;
- District Parks are commonly used by city residents;
- Neighborhood Parks are commonly used by residents from the neighborhood in close proximity to the park;
- Undeveloped Parks are those areas that consist primarily of forested open space, often with trails, but no structures.

There are three City parks on Park Point:

Park Point Community Recreation Area: This large park comprises 342.9 acres at the end of Minnesota Avenue, just north of Sky Harbor Airport. Minnesota Avenue bisects the park, which provides access to both the harbor and Lake Superior. Facilities include a main beach house, boat launches, restrooms, a swimming beach on Lake Superior, playground equipment, ballfield and soccer fields, a rollerblading/biking trail, volleyball courts, a picnic area with shelters, 35 tables and eight barbeque grills, and the trailhead for the Park Point

Nature Trail, which extends several miles to the south end of Park Point. The area has several paved parking lots which can accommodate approximately 385 cars. Because the park faces both the harbor and Lake Superior, there is ample opportunity to access the water for a variety of activities, including swimming, kayaking, canoeing or birdwatching.

The Park Point Community Recreation Area provides facilities unique to the region and should be reclassified as a Regional Park.

Lafayette Square Community Recreation Center. This district park is 1.8 acres in size and is located about midway down the peninsula, at 30th Street on the east side of Minnesota Avenue. Facilities include the community center building, a softball/soccer field, a skating rink (hockey and pleasure skating) and a volleyball area, as well as a small paved parking lot for eight to 10 vehicles. A footpath leads to the Lake Superior beach.

Franklin Park and Playground (Tot Lot). This district park, at 12th Street and Lake Avenue, is just 0.8 acre in size. The park is bisected by the 12th Street Diagonal. The tot lot is on the west side of the Avenue and has playground equipment and picnic tables with on-street parking. Parking spaces for approximately 20 vehicles are located on the east side of Lake Avenue. The lakeside area receives frequent visits from tourists and city residents, as it is close to the Aerial Lift Bridge with easy access to Lake Superior.

Lake Superior Beach. The entire Lake Superior beach from the Aerial Lift Bridge to the Superior Entry is City parkland, and serves as a regional park. Much of this

land was apparently transferred from State to City in 1939, with the stipulation that it be used for public recreation and public health. The inland boundary of the public beach area generally follows the right-of-way of Lake Avenue as platted (the "paper street") south of 12th Street. North of 12th Street, the public beach borders private properties.

Other public or semi-public facilities include:

Sand Point Yacht Club Beach. The Sand Point Yacht Club at 19th Street provides a public easement area on the bayfront, accessed via a pathway from the marina entrance drive. Accretion of sand as a result of shipping activity in the bay has increased the amount of shoreline south of the Sand Point property. In 1989 the public easement was apparently extended to the south while a small easement area at the northern boundary was vacated. The Yacht Club has again requested to shift the public easement further south, and is awaiting City Council consideration of this request. The easement boundaries should continue to be adjusted to follow the changing shoreline, provided that convenient public access and sufficient public open space are preserved.

Duluth Boat Club. The former Naval Reserve Center near 14th Street has been acquired by the City with a matching grant from the Lake Superior Coastal Program, and is being developed as a new boat club facility for rowing, kayaking, sailing and other activities. Project partners include the nonprofit Boat Club, UMD's Outdoor Program, St. Scholastica's Outdoor Program, the Rotary Club and others. The Department of Natural Resources will construct a public boat landing and parking lot.

Open Space

Park Point includes a wide variety of open space areas under a complex variety of ownership and management arrangements. The City, the Minnesota Department of Natural Resources, the U.S. Army Corps of Engineers, the Duluth Airport Authority, and St. Louis County all own or manage land. Some open space areas are protected or regulated by special legislation or ordinances, while the status of others is less well-defined. Major public landholdings are as follows:

Southworth Marsh

Located on the east (harbor) side of Minnesota Avenue between 40th and 43rd Streets, the marsh was originally created by the Corps of Engineers in 1935 from dredge spoils taken out of the harbor. In 1938 the City of Duluth purchased the land from the Minnesota Point Land Company for \$1,000. In 1938 the marsh was 22 acres in size. Today it is approximately 7 acres in size due to erosion.

Following years of neighborhood efforts to build support for its protection, the marsh was dedicated by the Duluth City Council in May 1999 as the Mira M. Southworth Lake Superior Wetlands Preserve. The resolution (99-0375) states the City's intent not to allow the use of off-road vehicles, camping, permanent structures, excavating or damage to or removal of vegetation, as well as to enforce all applicable laws, ordinances and regulations to protect the Preserve's resources.

Hearding Island

Like Southworth Marsh, Hearing Island, located on the bay side of the Point between 19th and 24th Streets, was

created from dredge spoils by the Army Corps of Engineers in the 1930s. The five-acre island is owned by the State of Minnesota and is managed by the Minnesota Department of Natural Resources as a Wildlife Management Area. It provides valuable habitat for nesting waterfowl and is a popular picnic spot for boaters.

Minnesota Point Pine Forest Area

This old growth red and white pine forest was given special protection through the Minnesota Point Protection Act of 1997 and was declared a State Scientific and Natural Area (SNA) in 2002. The area contains approximately 118 acres, with 19 acres actually owned by the Minnesota Department of Natural Resources. It is designated as a Public Use unit, open to the public for nature observation and educational and research activities.

Other property owners include the City of Duluth, the Army Corps of Engineers and the Superior Water Light & Power Company. The forest contains support facilities for the airport and the airport landing zone, two municipal wells, (one for the City of Superior, Wisconsin and a second for the City of Cloquet, Minnesota) and the Pine Knot Cabin, the last remaining cabin of a small settlement called "Peabody's Landing." At one time 20 - 30 seasonal cabins and small houses could be found within the Pine Forest.

Corps of Engineers Property

U.S. Army Corps of Engineers owns a large parcel of land (approximately 51 acres) known as the "St. Louis River Dock," located at the southern tip of Park Point and forming the north side of the Superior Entry into the harbor. The area is subject to erosion problems and the Corps recently installed sand-filled tubes in an attempt to

reduce erosion. This is the site of the former Minnesota Point Lighthouse, which was built in 1858 and continued to operate until 1878. The Lighthouse is considered to be the oldest structure in the city and its location marks the zero point from which all Lake Superior surveys originated. It was added to the National Register of Historic Places in 1974 and to the Duluth Heritage Preservation Landmarks in 1995. The area may also contain significant archeological sites.

The property is granted under a perpetual easement to the City of Duluth for passive public park and recreational purposes. According to a recent communication from the Corps of Engineers, there are no current plans to “excess” (dispose of) the property.

County Tax Forfeit or Conservation Land

St. Louis County holds a tract of land on the bay side between 13th and 15th Streets. The land is used by some residents for gardening, but is otherwise undeveloped. An adjacent parcel to the south was recently developed with a small cluster of single-family homes on a cul-de-sac street. The County may also own additional smaller parcels on Park Point. The disposition of county conservation land has been controversial in the past. Current County policy is that shorelands (areas within 1,000 feet of the shoreline) may not be sold to private owners, although they could be transferred to the City or a conservation organization.

State legislation (Section 282.018) states that land adjacent to public waters may not be sold except under limited circumstances (i.e., parcels with 150 feet or less of waterfront may be sold with the approval of the Commissioner of Natural Resources). There is continuing concern that permanent protection of this

tract is not guaranteed. While small in size, its bayfront location gives it a high value for potential development and development pressures arise from time to time.

Other landowners on Park Point include:

- **Duluth Airport Authority:** controls approximately 100 acres of City-owned land, including Sky Harbor Airport itself and three parcels within the Pine Forest.
- **Superior Water Light & Power Company:** owns a wellfield within the Pine Forest, about five acres in size.

Transportation

Streets

Park Point’s only land access is via the Aerial Lift Bridge on South Lake Avenue. Within six blocks of the bridge Lake Avenue turns into the 12th Street diagonal and then into Minnesota Avenue, which continues the length of Park Point to the airport. The total length of the three streets is 4.37 miles. The route is classified as a Major Collector, and is included in the Municipal State Aid (MSA) program. It forms a spine from which numerous dead-end streets lead to either the lake or harbor side of Park Point. In general these streets are shorter than a city block and are not paved. Of the 6.09 miles of roadway on the Point, 1.4 miles, or 23 percent, are not improved. The majority of the streets lack curb and gutter; runoff from rain and snowmelt flows into sod ditches or is absorbed by the sandy soil.

The current width of Lake – Minnesota Avenues varies from 40 feet in the Lake Avenue segment to 44 feet on

Minnesota Avenue from the 12th Street Diagonal through 43rd Street, decreasing to 24 feet through the Recreation Area and Sky Harbor Airport. Roadway design consists of two 12 foot travel lanes, an 8 foot parking lane on the west (bay) side and a 9-foot bicycle lane on the east (lake) side, inappropriately used by two-way bike traffic. Alternate-side parking is required in winter to accommodate snowplowing.

Sidewalks exist on both sides of Lake Avenue, the 12th Street Diagonal and Minnesota Avenue as far as 14th Street. From that point south, sidewalks are found on the east (lake) side only, extending as far as 43rd Street. Sidewalks are found along some local streets and the local segment of Minnesota Avenue, mainly north of 14th Street. Most sidewalks have been determined by the Arrowhead Regional Development Commission to be in fair condition, with a few segments in poor condition (i.e. 34th through 35th streets).

The *Duluth Sidewalk Inventory*, prepared in January 2002 by the Metropolitan Interstate Committee/ARDC recommends that several gaps in the sidewalk network be filled:

- Lake Avenue from 8th to 11th Streets,
- segments of 8th, 11th, 12th, and 13th Streets between St. Louis and Lake/Minnesota Avenue
- 19th Avenue from Minnesota Avenue to the Senior Center

Traffic counts on Minnesota Avenue fluctuate throughout the year, with much higher numbers in the summer. However, average annual daily counts by the City's traffic engineering staff are as follows:

Location	1994	1998	2001
8 th Street	6,940	5,600	8,550
22 nd Street	5,561	2,850	4,900
43 rd Street	3,848	3,200	2,800

Given seasonal and weather fluctuations, it is difficult to discern a clear pattern, although it appears that traffic entering Park Point at 8th Street is increasing.

Airport

Sky Harbor Airport is located at the end of Minnesota Avenue on the west side of Park Point along St. Louis Bay. The airport officially opened December 1, 1931, with a sand-surfaced runway 700 feet by 2,000 feet in area. The sand was later stabilized by the addition of clay and seeding. In 1948 Sky Harbor became a fully licensed seaplane base with hanger storage, full maintenance, a flight school, and charter service. By 1964 the runway was paved and other improvements made.

Currently the airport is operated by the Duluth Airport Authority and is used by recreational flyers, for student training, and for charter service. The airport can accommodate surface and water landings. Facilities include a fixed-base operator's office, seven hangers, fueling services, and a 75-foot by 3,050-foot landing strip with a 25-foot wide taxiway, both hard-surfaced.

Transit

The Duluth Transit Authority serves Park Point with one bus route, Route 15, which runs between the Aerial Lift Bridge and 43rd Street, continuing in the summer months to the Park Point Community Recreation Area. Route 15 runs on the half-hour during peak periods and on the hour off-peak, and on Saturdays but not Sundays. Average daily ridership is 75 trips, considered a minimal

level of ridership by the DTA. The agency plans to reduce service to hourly in 2003.

Demographics

Park Point comprises a single census tract, making it relatively easy to assess population change. Statistics from the 2000 Census are as follows:

Population	1,401
Persons per acre	2.29
Racial composition (percent):	
White	95.8
Black or African American	0.2
American Indian or Alaskan	1.6
Asian or Pacific Islander	1.3
Other race	0.2
Two or more races	0.7
Population under age 18	174 (12%)
Population age 65 and over	442 (32%)
Housing units	670
Units per acre	1.1
Owner-occupied units	366
Rental units	246
Average household size	2.09
One-person households	272

Park Point experienced a 5.5 percent loss in population from 1990 to 2000. As the numbers indicate, the population is older than average (32% compared to 15% citywide), probably due to the number of senior housing complexes in this tract. Both median household income and median housing values are among the highest in the city.

Community Concerns

The community has expressed many concerns regarding the management of resources and uses on Park Point. These concerns can be grouped into several categories: land use, resource management, public use of parks and open space, traffic, and infrastructure.

Land Use

- There is no zone specifically designated for park and open space protection, whether in City, County or other ownership.
- Many existing corner lots do not “match” dimensional requirements for side yard width. Variances that affect neighboring properties, circulation and resource values are obtained too easily.
- The ownership and public use of street-ends is not clearly defined or well-understood.
- In many cases, land uses and zoning do not “match” – existing residential uses are found in more intense zoning districts. Some districts such as M-1 seem to be relics originally designated for uses that no longer exist. The Point appears due for “re-mapping.”
- Waterfront Commercial (W-1) and Manufacturing (M-1) allow far heavier industrial uses than are appropriate for Park Point.

Resource Management

- Destruction of dune and beach vegetation.
- Wind erosion of sand into public and private facilities.
- Offshore deposition of dredge spoils washing up onto beach.
- Water erosion of beach at artificial structures.

- Natural areas lack protection and management programs.
- Exotic species displace or provide no value to native species.
- Domestic lawn chemicals, sedimentation and surface water drainage adversely affect water resources.
- Planning for management of sensitive natural resources is not integrated into community, traffic, and infrastructure planning and development review.

Public use of parks & open space

- Lack of public toilets.
- Littering and lack of publicly maintained litter receptacles.
- Many beach users lack appreciation of significance and fragility of ecosystem.

Transportation and Traffic

- Excessive traffic speeds.
- Congestion, especially near the bridge, and during events and busy periods, presents inconveniences to residents.
- Congestion, commercial deliveries, and lack of parking and traffic enforcement in Canal Park cause inconveniences and hazards.
- Congestion may cause delays in emergency response.
- Traffic noise, especially in early morning hours, is a nuisance.
- Exhaust fumes from idling cars caught in congestion.
- Unsafe conditions exist for bicycling.
- “Lost” drivers contribute to unnecessary traffic.

Infrastructure

- Low water flow for fire suppression requires special construction considerations for large developments in areas south of 20th Street.
- Single fire department staff person presents potential delay in full-scale emergency response.
- Airport use, construction and management activities adversely impact the community and resources.
- Safety and security concerns at the airport, including access, fire protection and fuel storage.
- Hearing Island channel not maintained as necessary for pleasure craft.
- Trucks/buses can only turn around at 19th & 43rd Streets.

Primary Issues and Recommended Policies

This section links the primary issues that impelled the planning process to specific policy recommendations. Recommendations are organized under the following general topics:

Key issues, as listed in the Introduction:

- Erosion
- Natural and scenic areas and their management
- Housing development and density
- Recreational traffic and traffic calming
- Growth pressures

Related issues:

- Street-end definitions and policies
- Emergency services

Erosion

What corrective measures can be employed to stem the erosion of public beachland?

Discussion:

“Even if undisturbed by human activity, the sand of a baymouth bar is constantly rearranged by water and wind erosion” (*Environmental Management Plan*, hereafter referred to as *EMP*). The primary causes of erosion on Park Point are water, wind and human activity. Waves approaching the beach at an angle cause littoral drift, a process by which sand is moved along the length of the beach by a longshore current. Wind causes the formation of dunes, then can cause dunes to migrate slowly downwind. This process is accelerated by destruction of dunes for construction or of dune vegetation by foot or vehicular traffic. In addition,

placement of buildings close together creates a “venturi effect” that accelerates wind erosion; this is especially noticeable at the north end of the Point from the Ship Canal to Franklin Park.

There are several major areas of erosion, known as erosion arcs, on Park Point, including:

- the northernmost segment from the Aerial Lift Bridge to Franklin Park;
- the “Barrens” segment between the Park Point Beach house and the Sky Harbor Airport entrance;
- the western bay shore adjacent to Hearing Island;
- the Superior Entry, created largely from unstable dredge-fill material.

Other smaller “blow-outs” exist in locations where the primary dune has been breached by construction. Sand-replacement programs were conducted in the late 1990s in the northernmost segment and at the Superior Entry, with resulting problems in the quality of the dredge-fill material (overly fine sand with high organic content) and subsequent wind erosion).

Sand removal and beach grass protection are erosion-related issues. The northernmost lakefront area of Park Point, between the Aerial Lift Bridge and 12th Street, lacks a primary dune, and therefore suffers from wind erosion and wave action that deposit sand in residential yards. Residents need to periodically remove the sand; however, this results in the removal of American Beach Grass, an endangered species in Minnesota. In 2000 the DNR proposed a special permit process that would allow citizens to legally remove sand and beach grass under certain specified conditions. The permit would allow sand removal every other year, provided that at least 25% of the existing beach grass is retained. However,

according to the DNR, the City has not responded to this initiative.

Recommendations:

1. Continue to work with COE on periodic sand-replacement programs, incorporating the following recommendations from the EMP:

- Mimic natural systems, i.e. shape dredge-fill material into dunes rather than spreading it flat;
- Use coarse-grained fill material to minimize further wind erosion and movement of sand inland;
- Install snow fencing and plant vegetation immediately to stabilize the fill material;
- Study off-shore solutions such as boulder piles offshore of the erosion arcs.

2. Continue private and community planting efforts for dune stabilization; to date these have included replanting of vegetation, installation of snowfencing, footbridges and signs. An important aspect of this effort is managing visitor behavior: using signs, fencing and designated paths and boardwalks to let people know which areas to use and which to avoid.

3. The City should work with DNR to establish a permit process for sand removal on the 700-1200 blocks of Lake Avenue, as DNR has proposed.

Land and resource protection

What is the status of natural and scenic areas under the City's land use ordinances, and do they require special treatment?

There are three major issues regarding land ownership:

- The difficulty of obtaining accurate information on the boundaries of land in various ownership categories, or on the management policies of each agency or entity;
- Uncertainty about the level of protection accorded some public lands, such as County and Corps of Engineers landholdings;
- The fact that no city zoning categories identifies or protects public lands; most of these areas on Park Point are residentially zoned, and therefore at least theoretically developable. Residents have called for introduction of a new "Park" zoning category for many years, as documented in the 1973 *Park Point Sketch Plan*. A zoning survey in 2001 indicated continued strong support for this concept (see above under "Prior Plans.")

Recommendations:

1. Continue to support land transfers between the Corps of Engineers and the City or a land conservation entity such as the Minnesota Land Trust.

2. Establish one or more zoning categories designating parks and open space and prohibiting incompatible development.

There are several issues to be considered regarding a "Park and Open Space" zone:

- Many of the City's developed parks contain active recreation facilities, from swimming beaches to ski jumps. These facilities are clearly unsuitable for nature preserve or conservation areas – yet these are often part of the same parks, or in close proximity.

- Many of the lands held by other government agencies, such as the Corps of Engineers, or by utilities such as Superior Water Light and Power, appear eligible for some type of protective zoning. However, any zoning should permit customary activities by these agencies.
- Some County tax-forfeit lands have a permanent status as conservation lands, while others may be released for development. Should a zoning district distinguish between these types?
- Parcel maps do not currently distinguish between the various types of public land, although this situation is being gradually remedied with improved GIS data.

Therefore, the approach recommended in this report is to establish two new zoning categories:

A **Park and Open Space District** would include all City-owned open space, including developed parks, undeveloped parks, and otherwise undifferentiated “green space.” The zoning regulations should be written so that new active recreation facilities would only be permitted if consistent with an approved park master plan, thus allowing opportunities for public review. Designated natural areas under the Duluth Natural Areas Program should be restricted from development except for limited public access or as specified in a site management plan. Examples of several such districts are provided in Appendix 2.

A **Conservancy District** would include other public open space that is environmentally sensitive, including wetlands, city forests (primarily County tax-forfeit lands), floodplain, steep slopes, and other areas that the City may wish to designate. Community preference is

for a mapped “base” district, not an overlay district. A mapped district would replace all other base districts (such as R-1C or W-1).

If applied to private land, a Conservancy district would need to permit some level of development, so as to avoid a regulatory “taking” (removal of all development rights). For example, the district could permit limited residential or recreational development as a conditional or special use, following a thorough site evaluation.

An overlay district would leave the underlying zoning in place, with additional restrictions. (Floodplain and shoreland districts already constitute a type of overlay.) For example, the district could permit only resource management uses, but could allow “underlying uses” conditionally, in compliance with a management plan for the site that protects its natural resource values.

Housing Development and Density

What are the practical limits of housing development and housing density?

Discussion:

Several factors limit housing development and density. Water pipe dimensions south of 20th Street are narrow and would not provide adequate water pressure for fire protection for higher-density housing (although water storage tanks could reduce the risk). The R-1C zoning category that covers most areas of Park Point south of 20th also keeps densities from increasing. Properties in other zoning districts are potentially developable at higher densities, however. There is also a strong community concern that variances from lot sizes, setbacks, and impervious coverage are too easily obtained. Over time, variances have resulted in blocking

of views by oversized buildings or inappropriate placement of buildings, and increased impervious coverage. Residents state that the elevation of some lots has been raised through filling prior to construction, so that the ultimate building height is increased.

Problems with R-1C dimensional standards also need to be addressed.

- **Corner lots:** A minimum yard of 15 feet is required on the side street, but many lots cannot meet this standard. (The standard lot width on Park Point, as originally platted, is 40 feet.) A 1990 City Council resolution (see “Street Ends” below) addressed this issue and recommended that variances be granted for a more typical 6 or 7 foot side yard where there are no adjacent homes on Lake Avenue.
- **“Flag lots”** with shared driveways but without street frontage are an issue. The Zoning Ordinance’s definition of “lot” specifies that a developable lot must have its principal frontage on a public street or “an officially improved place.” A minimum lot width of 50 feet is required at both the street and at the building line. However, many lots have been “gerrymandered” to meet this requirement. Additionally, many streets on Park Point, including much of St. Louis and Lake Avenues, are paper streets, with no physical manifestation – much of St. Louis Avenue is actually underwater, while the Lake Avenue right-of-way crosses dunes and beach. Is it feasible to prohibit new lots with frontage on these paper streets?

Recommendations:

1. Change zoning map designations to better reflect existing land use. Figure 1 makes initial

recommendations as to zoning changes that may be desirable, based on existing land use patterns, especially in the M-1, C-2, R-2 and R-3 districts. Specifically, the R-3 district at 9th Street should be rezoned to the R-2 district, and parts of the existing M-1 district may also be suitable for R-2 zoning.

Industrial/commercial rezonings are discussed below under Tourism/Commercial Development.

2. Refine height and coverage limits. Maintain the current 3-story height limit in the residential districts, but consider allowing smaller “lookout towers” an additional 10-15 feet in height, provided their area is very limited relative to the building footprint. This approach, used in other coastal communities, gives all residents an opportunity for water views without blocking those of their neighbors. In addition, measurement of building height citywide should be clarified to specify that height shall be measured from the elevation of the site prior to any filling. The current impervious coverage limit of 30% should be adhered to.

3. Develop a specific residential overlay district for the Park Point R-1C district, or for all residential districts on Park Point. An overlay should include the following requirements:

- A build-to line from Minnesota Avenue, to ensure that new buildings or additions are placed appropriately relative to neighboring buildings.
- A maximum building width as a percentage of the lot frontage, in order to prevent oversized buildings from blocking views.
- Standards for lookout towers, as noted above.
- A narrower side yard requirement for corner lots.

- Standards for protection of some degree of solar access to adjoining lots.

4. Develop flag lot standards. Lot requirements in the zoning ordinance should be strengthened to allow narrower access strips to rear lots only under specific circumstances. For example, it may be desirable to permit flag lots only where landowners agree to convey easements to adjacent properties for driveway access and/or beach access. Such easements should remain on file with the City in case of subsequent disputes. Lots should not be permitted to have their primary frontage on unbuilt paper streets.

5. Give neighborhood associations such as PPCC the opportunity to make recommendations on variance requests before these come before the Board of Zoning Appeals. These neighborhood recommendations should be considered as part of the variance assessment process, especially in regard to preserving solar access to adjacent properties.

Traffic Calming and Traffic Safety

How can the need to move high volumes of recreational traffic be balanced with the traffic calming needs of a traditional neighborhood?

Recommendations:

1. Reconfigure Minnesota Avenue for improved bicycle safety and traffic calming. By narrowing each travel lane from 12 feet to 10 feet or 11 feet, additional space becomes available for bike lanes and parking. Narrowing the perceived width of the roadway for the driver has also been shown to decrease average traffic speeds.

As shown in Figure 2, several options are available. If the bike lane on the east side is narrowed slightly to 8 feet, it can still be used for alternate winter parking, while bikes and parked cars would share an 11-foot lane on the west side – a substandard width for this type of shared use. If the existing bike lane is narrowed to 5 or 6 feet, however, (with 10 or 11 foot travel lanes), then a 14-foot shared bike/parking lane can be provided on the west side. However, this would require that winter parking remain on the west side except during snow emergencies. Both recommendations are generally consistent with the recommendations of the *Duluth-Superior Metropolitan Bikeways Plan* (1994), which recommended restriping the roadway to create wider curb lanes.

2. Change the Aerial Lift Bridge opening schedule to establish openings at regular intervals for pleasure, charter and tour boats, rather than “on demand” openings currently in effect. This approach, which is used in other locations (such as the Stillwater Bridge over the St. Croix River) was tried several years ago in Duluth. However, the schedule did not apply to charter fishing or harbor tour boats, and these are a major source of bridge opening requests. The policy should be re-instituted and applied to these categories of boats as well.

3. Improve parking, loading and circulation patterns in Canal Park so that commercial delivery trucks do not block Lake Avenue traffic and do not use Park Point as a “turn-around” area. Creation of more off-street loading spaces, for example, in the parking lot on the northwest corner of Morse and Lake, would help to alleviate problems.

4. Improved enforcement. Dedicate more police coverage and direct police to enforce traffic laws regarding commercial vehicles blocking travel lanes, speeding, yielding to pedestrians, noise, and reckless driving.

Tourism/Commercial Development

What growth pressures are anticipated related to tourism and commercial development during the next five years, and how should these be addressed?

Discussion:

“Growth pressures” can be grouped into several categories:

- Pressure for access to and facilities at beaches and other recreational resources (including roads, parking, trails, restrooms, etc.);
- Pressure for additional residential, commercial or tourism-related development;
- Visitor behavior, including vehicular and foot traffic and use (or overuse) of parks and public areas.

Access. Data from the Duluth Convention and Visitors Bureau (DCVB) indicate that visitor numbers citywide have increased by an average of six percent annually for the past 14 years. The DCVB predicts an increase of approximately five percent in 2003, given economic conditions.

The level of tourism on Park Point, of course, does not necessarily mirror that of the city as a whole. However, it is reasonable to anticipate gradual increases in seasonal visitor numbers, although peak period congestion in the Canal Park area will discourage some visitors. The relative lack of restaurants and other visitor facilities besides those at the Community Recreation Area may also help to moderate visitor numbers.

However, seasonal traffic and visitor behavior are continuing community concerns whether visitor numbers increase or not.

Development. Very little C1 commercially-zoned land exists on Park Point, and most parcels so zoned are already developed. However, the C2, W-1 and M-1 zoning districts along the bay side near the bridge could be developed for commercial use as well as a variety of industrial and water-related uses. (The Bay Point senior apartments at 19th Street are also zoned C2.)

The W-1 district in particular opens the door to many potentially inappropriate uses. It is essentially an industrial district designed for water-dependent industries, and is found in many other locations along the Superior Bay and St. Louis Bay shorelines. Permitted uses include boatyards, docks, boat repair, service, sales and storage, but also any permitted or special permit use in the M-2 district, provided that the use benefits from water access, for transportation or manufacturing purposes. M-2 is the “heaviest” industrial district, with a full range of manufacturing and processing uses, as well as commercial uses.

The M-1 district also allows a fairly broad range of commercial and manufacturing uses; housing is not permitted. This district applies to a narrow strip of land on the north side of Minnesota Avenue between 8th and 11th streets that is used primarily for boat storage and residences (nonconforming under current zoning).

Recommendations

1. Create a new Recreational Waterfront district that recognizes Park Point’s bayfront as recreationally-oriented, rather than industrial. Such a district would

continue to permit the kinds of boat docking, storage and service facilities found on the Point, but would not permit other water-related industries or commercial uses. Water-related residential or commercial use might be permitted by special permit.

2. Zoning changes: Change zoning map designations to better reflect existing land use. As shown on Figure 1, the existing M-1 district and the W-1 district should both be changed to this new category. (Residential portions of the M-1 district should be rezoned to the R-2 category.)

3. Retain the existing C2 commercial districts, with minor adjustments. Specifically, the Bay Point Apartments should be considered for rezoning to R3, while the small commercial node along Minnesota Avenue should remain in C2. No additional land should be rezoned for commercial uses.

4. Provide public toilets and trash receptacles at key public access points to the beach and bay: at Lafayette Square and Franklin Park. Restrooms should be linked to the sanitary sewer system. Restroom buildings could be open seasonally, and locked after daytime hours. The Community Club will work with the City to obtain grant funding and/or private contributions to build these facilities.

5. Improve wayfinding signing in Canal Park, at the Aerial Lift Bridge and on Park Point to include “no outlet” signs several blocks north of the bridge, distances to public access points and points of interest. Note that the Arrowhead Regional Development Commission (ARDC) is in the midst of a comprehensive wayfinding study for the Duluth-Superior region. Park Point is one

of the identified destinations in the study, and it would be desirable to integrate specific signing needs for Park Point into the regional wayfinding system.

6. Implement evening closure of Franklin Park and the Park Point Community Recreation Area.

Franklin Park already has gates; these should be locked at 10 p.m. An electronically operated gate should be installed at the entrance to the Recreation Area at 43rd Street. Airport staff, emergency services and community volunteers could be provided with access cards.

7. Improve security at Sky Harbor Airport while also improving public access and upgrading infrastructure. A gate at 43rd Street, as mentioned above, would improve airport security. The airport’s fire suppression and fuel systems should be upgraded. The Community Club would work with the airport management to improve trails and landscape buffers, improving public access without compromising security.

8. Public education efforts. A variety of educational efforts should be pursued, under the leadership of the Community Club, to enhance public awareness of the importance and fragility of Park Point’s resources, and of good stewardship practices.

- Prepare **publications for general distribution**, newspaper articles, regular columns or short paragraphs for others to include in their publications. Develop a brochure to include maps of beach access points, trails, and guidelines for visitors, for distribution at visitor contact points throughout the region.
- Create a **Citizens’ Manual** for Park Point’s parks, beach, and specific places of value to residents. The

manual could be distributed to all Park Point residents and be made available to visitors at the Community Center and on the Community Club's web site. It would include brief summary descriptions of the Point's sensitive natural areas, and the ways in which users are asked to treat these areas, along with information on beach access points, trails, and other points of interest.

- Convene a quarterly **Park Point Management Round Table** to facilitate exchange of ideas and concerns among resource managers and provide continuous updates on activities.
- Create a **speakers' bureau** to facilitate regular contact with users and special interest groups.

Public Access and Street-End Rights

Can the ownership and public use of street-ends be clarified? Can public access to the shoreline be protected?

Discussion

The issues of private property rights and public access at street-ends have long been controversial. Additionally, the status of the longer "paper streets" that parallel Lake/Minnesota Avenues (St. Louis Avenue and much of Lake Avenue) needs clarification.

A City Attorney's opinion from 1976 addresses the property rights of various parties over unimproved streets. It states that the public right to an unused street easement is "the right to improve it for a street or sidewalk" or some other authorized purpose such as a utility easement. In other words, if public access is

desired, the City must construct the street or sidewalk. An unused street easement can be vacated through a procedure in the City Charter involving a petition from a majority of the abutting landowners and a public hearing.

At the same time, the City Code (Chapter 26, Article I) states that all public grounds and all ends of public streets or highways which abut upon any waters of the city harbor are considered public docks. This provision is interpreted to mean that the public has access to the harbor-side street ends for launching of boats.

In 1990 the City Council adopted a resolution stating a policy for Park Point street rights-of-way. The resolution states that the City Council has historically acted to preserve street rights-of-way for the following purposes:

- to preserve lake and bay vistas
- to preserve access to the lake and bay for both Park Pointers and other Duluth citizens
- to prevent overcrowding
- to provide visual relief from the continuous rows of buildings along the avenues
- to provide for future utility corridors.

The resolution cites a number of requests for vacations of rights-of-way and concurrent use permits. It states that:

- City Council will continue to discourage vacations of and placement of structures in public rights-of-way.
- Council may allow adjacent private properties to fence off "reasonable portions" of a right-of-way where circumstances warrant, to provide security and parking areas, as long as pedestrian access is preserved. This would be permitted by a City

Council resolution following public review and Planning Commission recommendation.

The resolution also addresses the fact that Park Point corner properties have larger setback requirements than interior lots, and therefore are often constrained in expanding their buildings. "Therefore, in such cases of corner lots on the lake side of the Point, and where there are no [adjacent] homes on Lake Avenue, it may be advisable to permit variances from the 15 foot setbacks to the more standard 6 foot or 7 foot side-yard setback."

Public access to shorelines is a larger issue that involves not only street-end rights but also street vacation. When streets are officially vacated, there is often a clear public interest in maintaining pedestrian access to the shoreline. In a recent instance, the South Pier Inn, a new facility at the south end of the Lift Bridge, was granted a vacation of Minnesota Avenue along the Bay shoreline, with the condition that public pedestrian and utility access be maintained. The area (which leads to the public walkway under the Lift Bridge) has been fenced and "Private Property" signs erected, effectively limiting this access.

Recommendations

Study the issue of whether any street end easements should be improved for public or neighborhood access. Although there is not a consensus on this issue, many community members support street end access for neighbors, but not for the general public. Encourage abutting residents to establish private shared access agreements for street ends. Such agreements could be a condition for City vacation of these streets. Signage at street-ends could direct visitors to improved beach access points. Explore the concept of providing property

owners with some type of development bonus for providing beach access.

When streets are vacated, establish pedestrian access easements to the shoreline. Ensure that easements, once established, are kept open by property owners. In the specific instance noted above, public access along the bay shoreline at the South Pier Inn (vacated Minnesota Avenue) should be restored as intended in the City Council's resolution approving the street vacation.

Emergency Response

Does the level of emergency services, specifically fire protection, on Park Point adequately meet public safety needs?

Discussion

Park Point residents and the Community Club have frequently raised concerns that Park Point is served by only one full-time firefighter, and that larger-scale emergency response may be delayed by Lift Bridge openings.

A response from the Mayor in April 1998 addressed this issue. His letter states that there are currently about 75 emergency calls per year on Park Point, of which 20 percent are fire-related. The Lift Bridge has about 5,500 lifts per year averaging 10 to 20 minutes each, with 3,200 occurring during the three summer months. The annual cost of adding one additional firefighter for round-the-clock coverage would be \$150,000 to \$200,000.

Recommendation

Conduct a review of staffing, equipment and training as they pertain to Park Point. A staffing review,

specialized equipment and training, and a program of community involvement/education would help address community concerns, and may call for increasing staffing.

Implementation Summary

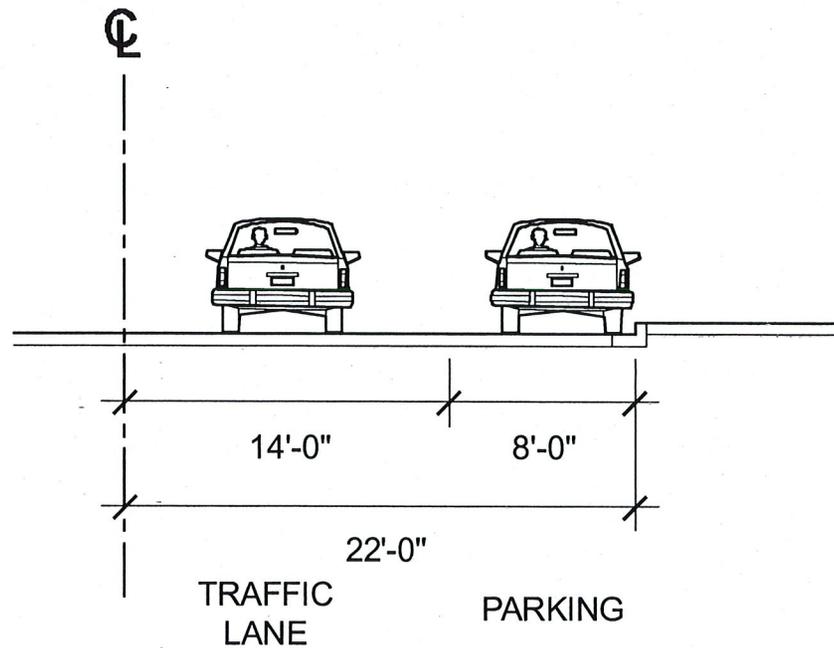
The table below lists the recommended actions in this plan according to the key issues, assigns primary and supporting responsibility for implementation, and classifies each action by type:

- **Education:** Targeted activity intended to inform a specific group or the general public and to foster desired behaviors or attitudes.
- **Incentives/Disincentives:** Tangible rewards for participating in a program or activity that advances the goals of the plan.
- **Regulation:** Zoning and other legislated control of activities to achieve the goals of the plan. Enforcement of regulations.
- **Acquisition:** Gaining control of a property in fee title or less-than-fee (easement) to protect resources or control activities.
- **Capital Improvements:** Physical improvements to advance the goals of the plan.
- **Operations and Management:** Scheduling on-going investments in labor and materials to maintain status quo and improvements.

Action	Responsibility	Type
Erosion		
Continue periodic sand replacement programs; improve design and quality of fill material, continue research on off-shore solutions	US Army Corps of Engineers, PPCC	Capital Improvements/ Management
Continue private/community dune stabilization programs; signs and paths	PPCC, residents	Capital Improvements, Operations & Maint.
Establish beach grass removal permit process for 700-1200 blocks Lake Ave. to enable residents to periodically remove sand from their properties.	DNR, Planning Dept., Public Works	Regulation
Land and Resource Protection		
Continue to support land transfers to the City from other agencies (Corps, County)	Planning Dept., PPCC	Acquisition
Develop Park and Open Space zoning district for City-owned open space	Planning Dept.	Regulation
Develop Conservancy zoning district for other publicly-owned open space	Planning Dept.	Regulation
Housing Development and Density		
Change zoning map to reflect existing land use.	Planning Dept.	Regulation
Develop a Park Point residential overlay district – refine height, coverage, side yard standards, max. building width and setbacks from Minnesota Ave.	Planning Dept.	Regulation
Develop flag lot standards	Planning Dept.	Regulation

Action	Responsibility	Type
Provide for neighborhood review of variance requests	Planning Dept, Board of Zoning Appeals, PPCC	Regulation, Education
Traffic Calming and Traffic Safety		
Restripe Lake/Minnesota Ave. for bicycle safety and traffic calming; consider changing winter parking schedule (from alternating weeks to snow emergency-based) to allow permanent shared parking/bike lane on west side.	Public Works, Planning, ARDC, PPCC	Capital Improvements, Operations & Maint.
Change Aerial Lift Bridge opening schedule to regular intervals for pleasure, charter and tour boats.	Public Works, Corps of Engineers, PPCC, Canal Park boat operators	Operations & Maint.
Improve parking, loading and circulation patterns in Canal Park	Public Works, PPCC, Canal Park businesses	Capital Improvements
Improve enforcement of traffic laws	Police Dept.	Operations & Maint.
Tourism and Commercial Development		
Develop new Recreational Waterfront zoning district applicable to Park Point bayfront, allowing limited range of boat storage and service uses.	Planning Dep.t	Regulation
Change zoning map in commercially-zoned areas to reflect existing land use	Planning Dep.t	Regulation
Provide public toilets and trash receptacles at designated access points of Franklin Park and Lafayette Square	PPCC, Public Works	Capital Improvements, Operations & Maint.
Improve wayfinding signage in Canal Park and on Park Point	Public Works, ARDC, PPCC	Capital Improvements, Education
Implement evening closures of Franklin Park and Park Point Community Recreation Area (with keycards for airport and emergency access)	Public Works, PPCC, Police	Capital Improvements, Operations & Maint.
Improve security at Sky Harbor Airport – gate, fire suppression and fuel storage. Improve airport landscaping and trails.	Sky Harbor Airport, PPCC	Capital Improvements
Public Access		
Study issue of street ends and paper streets; preserve neighborhood access where feasible; explore incentives for access.	PPCC, Planning Dept.	Education, Incentives
Establish pedestrian easements when existing streets are vacated; keep existing easements open to public	Planning Dept., PPCC	Education, Regulation
Emergency Response		
Review staffing levels, equipment and training needs	PPCC, Fire and Police Depts.	Education, Operations & Maintenance

EXISTING



PROPOSED

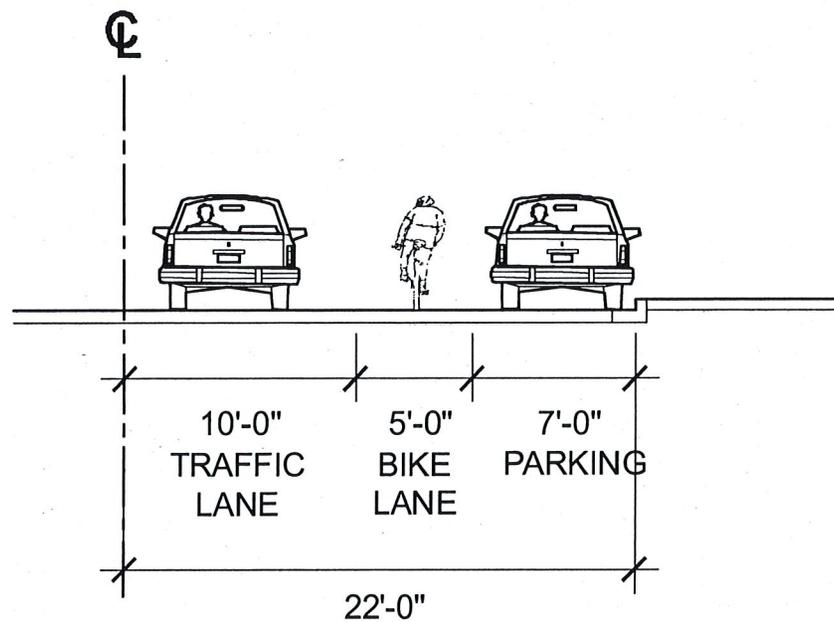


Figure 2: Redesign Options for Minnesota/Lake Avenue

Appendix 1: Existing Zoning and Other Land Use Regulations

Zoning

The majority of the Point is zoned **R-1C Residential**, with small pockets of commercial, waterfront, manufacturing and higher-density housing zones.

R-1C is part of a series of three one-family residential districts (1A through 1C) with the same permitted uses, but with different dimensional standards. (R-1C is not a “coastal” designation; it is found in other parts of the City.) Permitted uses include:

- one-family (detached) dwellings
- two-family dwellings designed in a similar manner to one-family and limited in number
- public parks, forest reserve, community buildings, libraries, similar uses
- schools, religious institutions
- residential boat dockage (limited to 1-2 boats per lot)
- home occupations, bed and breakfasts, day care and similar uses

Dimensional standards:

- Lot area: 5,000 sf per unit; 4,500 per 2-family
- Front yard of 25 feet (often not applicable on the Point, where setbacks are shallower; average block setback may be used)
- Side yards: 8 feet; 18 feet aggregate
- Corner lot side yard: 15 feet
- Maximum height: 30 feet

Note that inadequate side yard width is an issue on Park Point (lots were originally platted at 40 feet) and

variance requests are common, often along Lake/Minnesota Avenues.

The **R-2 Two Family Residential and R-3 Apartment Residential Districts** occupy three areas: the west side of the peninsula from the canal to 12th Street S., and small areas at 16th Street and 39th Street S. Permitted uses include

- one- and two-family dwellings
- townhouses in limited numbers, with design standards
- multifamily dwellings (R-3), elderly housing, rooming houses, similar congregate living
- other R-1C uses

Dimensional standards: lot areas range from 1,500 square feet per apartment unit to 5,000 square feet per one-family dwelling. (See Water Resources Management standards below for additional dimensional standards.) The maximum height in the R-3 District is unspecified.

The **W-1 Waterfront District** is found along the west (bay) shoreline extending to 16th Street S., an area occupied by boat yards, docking and storage facilities, and related uses. It is essentially an industrial district designed for water-dependent industries, and is found in many other locations along the Superior Bay and St. Louis Bay shorelines. Permitted uses include:

- boatyards, docks, boat repair, service, sales and storage

- dock wharves and other water transportation facilities
- sewage pumping and disposal plants
- power generation plants
- water pumping stations
- yacht harbors and clubs
- any permitted or special permit use in the M-2 district, provided that the use benefits from water access, for transportation or manufacturing purposes. M-2 is the "heaviest" industrial district, with a full range of manufacturing and processing uses, as well as commercial uses.

Dimensional standards:

- no minimum lot area
- 25 foot front yard
- Side yard of 7 feet and rear yard of 25 feet required only if abutting a residential district.
- maximum height of 60 feet; 40 feet if abutting a residential district

M-1 Manufacturing occupies a narrow strip of land, half of the block on the east side of Minnesota Avenue, from around 8th Street to 11th Street S. It is not clear why this district was placed here; land uses appear to be a combination of residential lots and parking and storage areas for waterfront facilities. Permitted uses include broad range of commercial and limited manufacturing. Dimensional standards are identical to the W-1 District.

C-2 Commercial is found near the canal and in the area of 19th and 20th Streets on the west (bay) side, covering a restaurant, grocery store, and the large Bay Point multi-family complex. (Note that much of the 19th Street area is in residential use.) Permitted uses include broad range

of commercial uses, including drive-through and auto-related uses.

Dimensional standards: similar to W-1; maximum height of 45 feet;

Sky Harbor Airport Zoning District is an overlay district encompassing the airport and its approach zones. Like most airport overlays, its purpose is to prevent creation of airport hazards such as tall buildings or structures, and maintain clear air space zones. Air space obstruction height limits extend for 1 ½ to 2 miles beyond the airport boundary. New development (not in existence as of 1994) is limited to very low density residential uses (building lots of 10,000 sq. ft. and up, limit on persons per acre). In practice, the area affected is largely publicly owned, although the height of trees near the runway may come into question.

The **Water Resources Management Ordinance** is a combined floodplain, shoreland and wetland ordinance that is not part of the Zoning Ordinance. The shoreland and wetland regulations are most applicable to Park Point.

Protected waters are grouped into three categories:

- Natural environmental
- Recreational developmental
- General developmental (Class I and II)

Class I Shoreland: lands within the immediate shoreline area of Lake Superior and on Park Point (General Developmental Waters)

Permitted and special uses: same as underlying zoning, except that grading, filling or excavating of more than 50 cubic yards of earth requires a special use permits.

Standards for special permits:

- minimize removal of natural vegetation
- erosion control
- minimize filling
- place roads and parking areas so as to retard surface water runoff
- no impervious surfaces within 50 feet of OHW mark

Specific lot area and setback standards depend on classification of waters:

Class I standards

- waterfront lot area: 15,000 sq. ft.
- other lots: 10,000 sq. ft.
- min. frontage along water: 75 ft.
- min. bldg. setback from OHW mark: 50 ft.
(established building setback used where present)
- max. impervious coverage: 30%

Note that these standards apply to new lots; smaller existing lots of record (most lots on Park Point) may be developed under existing zoning standards.

Ordinance also:

- Defines immediate shoreline area on Park Point as Class I Shoreland, and restricts removal of natural vegetation,
- Requires a permit for grading, filling and excavating.

Wetlands can only be used for parks, nature and wildlife preserves, recreational trails, etc., lawns and residential play areas (*seems inconsistent with protection goal*)

Other Land Use Regulations

Other City ordinances, as listed in the *Environmental Management Plan*, include Chapter 26, Article I, City Harbor: All ends of public streets which abut any waters of city harbor are public docks. (Street ends giving access to harbor are occasionally used for boat launching.)

Appendix 2: Zoning Models for Park and Open Space Districts

Brooklyn Park, MN: Conservancy District

Purpose: to provide a district for areas that contain valuable environmental qualities which are to be preserved as park or open space amenities... or found unsuitable for development due to flooding or bad drainage, slope, adverse soil conditions, rock formations, and/or unique natural features.

Includes:

- floodplain
- wetlands
- public parks, common open space areas, public lands

Permitted Uses:

- outdoor recreation (public or private)
- open space areas
- conservation uses
- agriculture
- nature study areas

Conditional uses: none specified; any development should ideally be located outside of district.

New Berlin, WI: Park and Recreation District

Purpose: To provide areas for recreation and open space. When applied to privately-owned recreational lands, district is intended to avoid their conversion to other uses without adequate public review.

Permitted Uses: A range of active recreational facilities, historic sites, forest reserves, similar uses

Conditional Uses: Amphitheaters, arenas, country clubs, recreation centers, museums, indoor recreation, driving ranges, etc.

Other Standards: No minimum lot size; setbacks of 50 feet from all property lines.

New Berlin, WI: Conservancy District

Purpose: To protect valuable natural resources, including woodlands, wetlands, wildlife habitat areas, etc. To be applied in environmental corridors as delineated in City's master plan.

Permitted Uses: Resource preservation uses, forest and game management, parks, open space, trails, etc. Includes very limited residential development – ½ acre site within 5 acre parcel; minimal disturbance.

Conditional Uses: none Conservancy lands may be used for density calculations within adjoining districts.

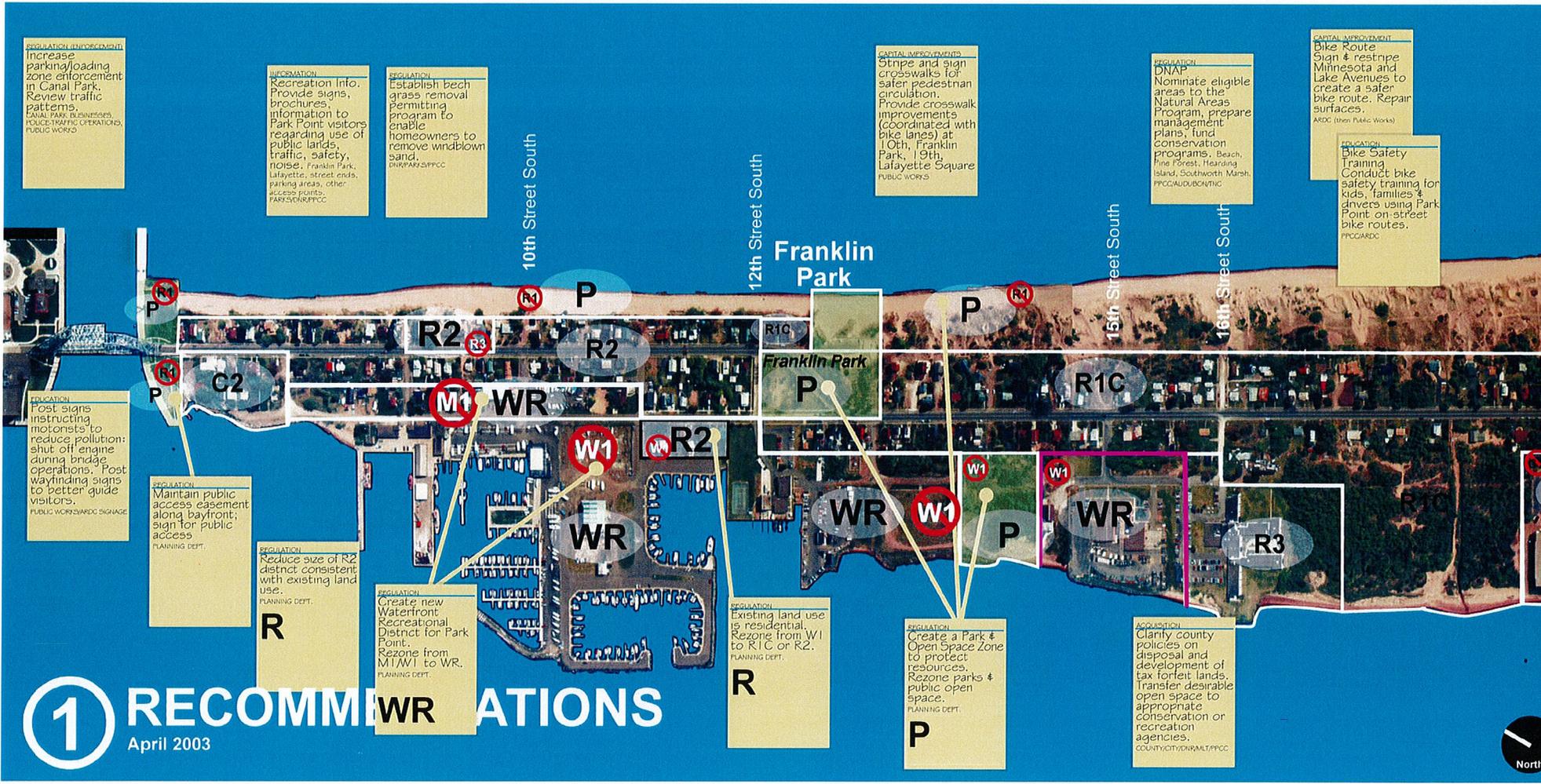
Waconia, MN: Public District

Purpose: Orderly establishment of public facilities as designated in Comp. Plan.

Permitted Uses: Schools, parks, other major facilities.

Waconia, MN: Conservancy District

Purpose: Protect "Environmentally Protected" areas as designated in Comp. Plan



REGULATION/IMPROVEMENT
 Increase parking/loading zone enforcement in Canal Park. Review traffic patterns.
CANAL PARK, BUSINESSES, POLICE/TRAFFIC OPERATIONS, PUBLIC WORKS

RECREATION
 Recreation info. Provide signs, brochures, information to Park Point visitors regarding use of public lands, traffic, safety, noise. Franklin Park, Lafayette, street ends, parking areas, other access points.
PARKS/DRM/PPCC

REGULATION
 Establish beach grass removal permitting program to enable homeowners to remove windblown sand.
DRM/PARKS/PPCC

CAPITAL IMPROVEMENTS
 Stripe and sign crosswalks for safer pedestrian circulation. Provide crosswalk improvements (coordinated with bike lanes) at 10th, Franklin Park, 19th, Lafayette Square.
PUBLIC WORKS

REGULATION
 DNAP. Nominate eligible areas to the Natural Areas Program, prepare management plans; fund conservation programs. Beach, Pine Forest, Hearing Island, Southworth Marsh.
PPCC/AUDUBON/DMC

CAPITAL IMPROVEMENT
 Bike Route. Sign & restripe Minnesota and Lake Avenues to create a safer bike route. Repair surfaces.
ARDG (then Public Works)

REGULATION
 Bike Safety Training. Conduct bike safety training for kids, families & drivers using Park Point on street bike routes.
PPCC/ARDG

REGULATION
 Post signs instructing motorists to reduce pollution: shut off engine during bridge operations. Post wayfinding signs to better guide visitors.
PUBLIC WORKS/ARDG SIGNAGE

REGULATION
 Maintain public access easement along bayfront; sign for public access.
PLANNING DEPT.

REGULATION
 Reduce size of R2 district consistent with existing land use.
PLANNING DEPT.

REGULATION
 Create new Waterfront Recreational District for Park Point. Rezone from M1/W1 to WR.
PLANNING DEPT.

REGULATION
 Existing land use is residential. Rezone from W1 to R1C or R2.
PLANNING DEPT.

REGULATION
 Create a Park & Open Space Zone to protect resources. Rezone parks & public open space.
PLANNING DEPT.

REGULATION
 Clarify county policies on disposal and development of tax forfeit lands. Transfer desirable open space to appropriate conservation or recreation agencies.
COUNTY/OTD/DRM/PPCC

1 RECOMMENDATIONS
 April 2003



REGULATION
 Include the Lafayette Square in the Park (recreation) Zone.
PLANNING

P
Lafayette Square

CAPITAL IMPROVEMENTS
 Provide public restrooms, litter receptacles, water, information & phones at Franklin Park, Lafayette Square, 19th Street. Implement evening park closures.
PARKS/PUBLIC WORKS

35th Street South

REGULATION
 Review variance policies and practices. Consider views and solar access for neighboring properties. Implement neighborhood review of variance requests.
CITY

40th Street South

R1C
P



R1C

R1C
P

R1C

R3
P

R3

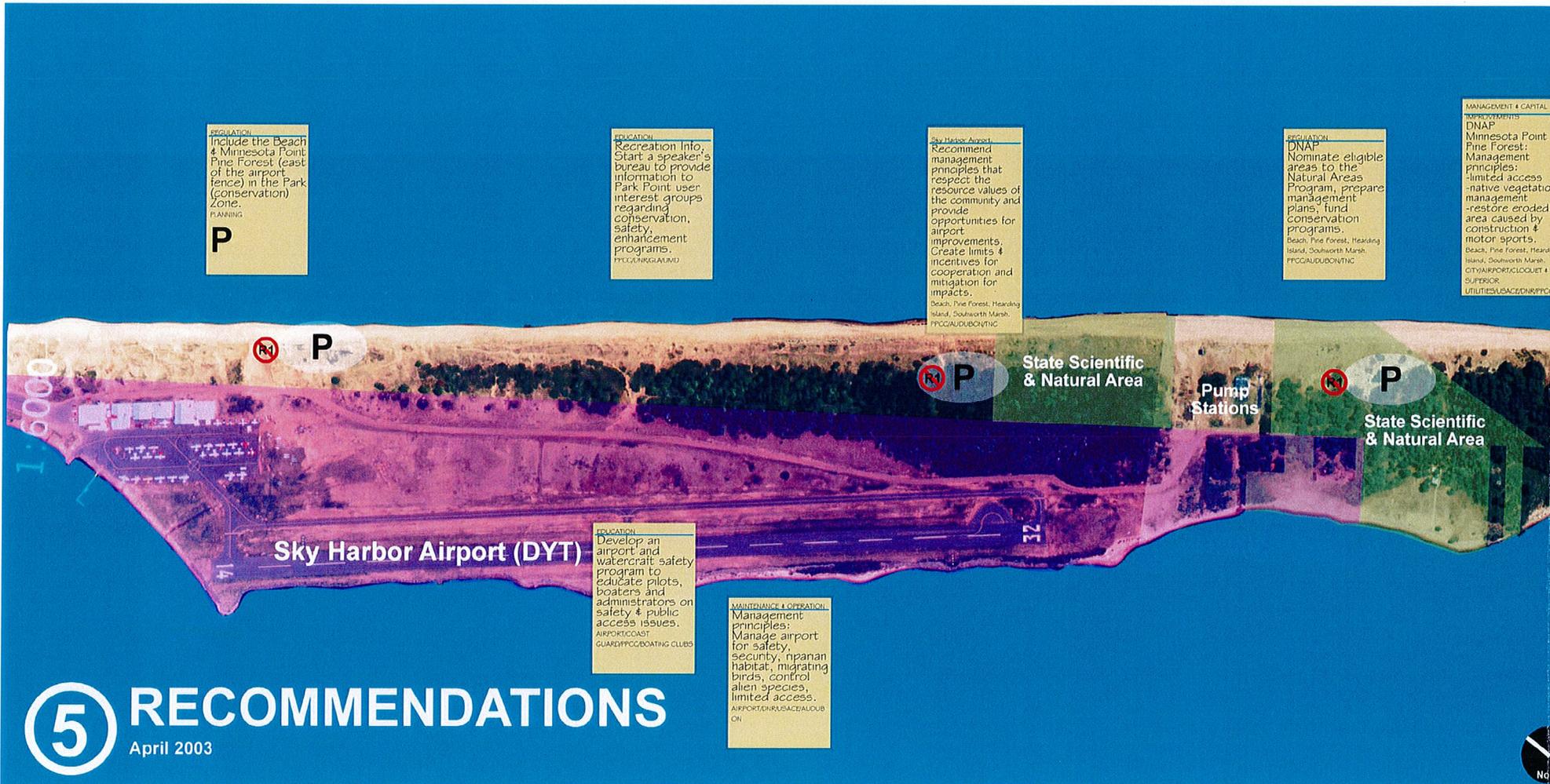
R1C

CAPITAL IMPROVEMENTS
 Move overhead utilities underground when major road and utility reconstruction is undertaken.
PUBLIC WORKS

CAPITAL IMPROVEMENTS
 Water pressure is adequate throughout Park Point, but water volume for firefighting somewhat limits larger development. Maintain status quo.
PUBLIC WORKS

3 RECOMMENDATIONS
 April 2003





REGULATION
 Include the Beach & Minnesota Point Pine Forest (east of the airport fence) in the Park Point (conservation) Zone.
 PLANNING
P

EDUCATION
 Recreation Info: Start a speaker's bureau to provide information to Park Point user interest groups regarding conservation, safety, enhancement programs.
 PFCOZREGALDUB

Sky Harbor Airport
 Recommend management principles that respect the resource values of the community and provide opportunities for airport improvements. Create limits & incentives for cooperation and mitigation for impacts.
 Beach, Pine Forest, Hearing Island, Southworth Marsh
 PFCOZAUDUBONTVC

REGULATION
 DNAP
 Nominate eligible areas to the Natural Areas Program, prepare management plans, fund conservation programs.
 Beach, Pine Forest, Hearing Island, Southworth Marsh
 PFCOZAUDUBONTVC

MANAGEMENT & CAPITAL IMPROVEMENTS
 DNAP
 Minnesota Point Pine Forest:
 Management principles:
 -limited access
 -native vegetation management
 -restore eroded area caused by construction & motor sports.
 Beach, Pine Forest, Hearing Island, Southworth Marsh
 CITYAIRPORTCLOUETT & SUPERIOR
 UTILITIESUSACEZDNKPPCC

EDUCATION
 Develop an airport and watercraft safety program to educate pilots, boaters and administrators on safety & public access issues.
 AIRPORTCOAST
 GUARDPFCOZBOATING CLUBS

MAINTENANCE & OPERATIONAL
 Management principles:
 Manage airport for safety, security, riparian habitat, migrating birds, control alien species, limited access.
 AIRPORTCITYRUSACEALDUB ON

5 RECOMMENDATIONS
 April 2003

6 RECOMMENDATIONS

April 2003



REGULATION
DNAP
 Nominate eligible areas to the Natural Areas Program, prepare management plans, fund conservation programs.
 Beach, Pine Forest, Hearing Island, Southworth Marsh
 PFCGAUDUBONTIC

MANAGEMENT & CAPITAL IMPROVEMENTS
DNAP
 Minnesota Point Pine Forest; Management principles:
 -limited access
 -native vegetation management
 -restore eroded area caused by construction & motor sports.
 Beach, Pine Forest, Hearing Island, Southworth Marsh
 CITYAIRPORTCLOQUET & SUPERIOR
 UTILITIESUSACE/DNR/FPCC

MANAGEMENT & CAPITAL IMPROVEMENTS
 Protect historic lighthouse and any archeological sites.
 CITYUSACE/DNR/FPCC/HPO

MANAGEMENT & CAPITAL IMPROVEMENTS
 Continue ongoing program erosion prevention programs; monitor for effectiveness. Continue to restore areas damaged by wind erosion.
 CITYUSACE/DNR/FPCC