



**REGULAR CITY COUNCIL MEETING
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS
OCTOBER 23, 2018
7:00 PM**

INTRODUCTORY PROCEEDINGS

Call to order

Open forum (15 minutes maximum)

Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.

Pledge of Allegiance

Approval of the minutes of the: (1) Special concurrent City Council, Housing and Redevelopment Authority, and Planning Commission work session of October 9, 2018; and (2) Regular City Council meeting of October 9, 2018.

PRESENTATIONS

1. Annual meeting with the Planning Commission
2. Swearing-in of Firefighter Mike Ziskovsky
3. Village Shores donation presentation for Richfield Public Safety Heroes and Helpers program

COUNCIL DISCUSSION

4. Hats Off to Hometown Hits

AGENDA APPROVAL

5. Approval of the Agenda
6. **Consent Calendar contains several separate items, which are acted upon by the City Council in one motion. Once the Consent Calendar has been approved, the individual items and recommended actions have also been approved. No further Council action on these items is necessary. However, any Council Member may request that an item be removed from the Consent Calendar and placed on the regular agenda for Council discussion and action. All items listed on the Consent Calendar are recommended for approval.**
 - A. Consideration of the approval of a Temporary On-Sale Intoxicating Liquor license for the Church of St. Richard, located at 7540 Penn Avenue South, for their Fall Festival taking place November 10-11, 2018.
Staff Report No. 185
 - B. Consideration of the adoption of a resolution approving Richfield Public Works' updated snow removal and ice control policy.
Staff Report No. 186

- C. Consideration of the approval of the Richfield Pedestrian Master Plan.

Staff Report No. 187

- D. Consideration of an affirmation of the modified language in the Inclusionary Housing Policy.

Staff Report No. 188

7. Consideration of items, if any, removed from Consent Calendar

PUBLIC HEARINGS

8. Public hearing and consideration of the adoption of a resolution regarding the removal of a utility easement on the Partnership Academy development site at 6500 Nicollet Avenue.

Staff Report No. 189

PROPOSED ORDINANCES

9. Consideration of the approval of an ordinance amending the Zoning Ordinance to make tattoo businesses 'permitted' rather than 'conditionally permitted' in the C-2 General Business Zoning District and adoption of a resolution authorizing summary publication of said ordinance.

Staff Report No. 190

10. Consideration of the adoption of a resolution and approval of a zoning ordinance amending the Comprehensive Plan and Zoning designations for the property at 7301 Penn Avenue and adoption of a resolution removing a stipulation placed upon the property by the City Council in 1995.

Staff Report No. 191

OTHER BUSINESS

11. Consideration of the City Council's approval of the Mayor's appointment of a Housing and Redevelopment Authority (HRA) Commissioner.

Staff Report No. 192

CITY MANAGER'S REPORT

12. City Manager's Report

CLAIMS AND PAYROLLS

13. Claims and Payrolls

Open forum (15 minutes maximum)

Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.

14. Adjournment

Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Special Concurrent City Council, Housing and Redevelopment Authority and Planning Commission Work Session

October 9, 2018

CALL TO ORDER

The work session was called to order by Mayor Pro Tempore Regan Gonzalez at 6:15 p.m. in the Bartholomew Room.

Council Members Present: Maria Regan Gonzalez, Mayor Pro Tempore; Edwina Garcia; Michael Howard (arrived at 6:21 p.m.); and Simon Trautmann (arrived at 6:31 p.m.).

Council Members Absent: Pat Elliott, Mayor.

HRA Members Present: Mary Supple, Chair; Erin Vrieze Daniels; and Michael Howard (arrived at 6:21 p.m.).

HRA Members Absent: Sue Sandahl and Pat Elliott.

Planning Commission Members Present: Sean Hayford Oleary, Chair; Susan Rosenberg; Bryan Pynn; Kathryn Quam; and James Rudolph.

Planning Commission Absent: Daniel Kitzberger and Allysen Hoberg.

Staff Present: Steven L. Devich, City Manager; John Stark, Community Development Director; and Jared Voto, Executive Aide/Analyst.

Item #1

DISCUSSION OF POTENTIAL MULTI-FAMILY DEVELOPMENT AT LUNDS & BYERLYS (6228 PENN AVE)

Community Development Director Stark discussed the Lunds & Byerlys site, stating it is underdeveloped with a large parking area. He stated Lunds and Byerlys approached the City with a new concept for the area.

Brad List and Mitch Avery, Lunds and Byerlys, introduced themselves and began their presentation. Mr. Avery stated Lunds and Byerlys have been in Richfield since 1967. He said people are interested in living above a Lunds and Byerlys and they are looking at this as an opportunity to grow. He discussed the ability to make an impact in a very visible area at Crosstown and Penn Avenue and their hope to create more of a community feel and a gateway into the community; including housing that is attractive to all ages and income levels.

Council Member Garcia asked about the customer base of Lunds and Byerlys.

Mr. Avery responded that it is a majority of Richfield residents and people located within a 1-mile radius of the store.

Mr. List discussed the proposed development. He stated it is about 130 units of residential and their goal was to have one space of parking for every bedroom. They propose a drive-thru for the Caribou Coffee. Housing includes underground parking, parking on ground level, and an amenity deck on the 2nd floor, and rooftop amenities. He discussed the sizing and remodeling of the Lunds store so exteriors of the store and new residential building match. Lastly, he discussed the connection from the residential building to the Lunds and Byerlys store, the sizing of the residential units from studio to two-bedroom, the market study they completed that supports the smaller square foot unit sizes, and future discussions with City on affordable units.

Chair Supple commented on creating residential units that are accessible as well as affordable, as that is a need in the community.

Chair Hayford Oleary stated he was excited about the concept and commented on his concern about the location of the building in the back of the site rather than on Penn Avenue. He also discussed his concern for drive thru and his wish for having the storefront and principle entrance facing Penn Avenue.

Mr. Avery responded that they looked at placing the building along Penn Avenue and the parking behind but it was difficult to place that on this site. He also discussed the natural tree buffer between the residential building and single-family homes.

Chair Hayford Oleary also commented the single-family homes may have a negative reaction to a six story building near them, so if the building could be moved toward Penn it would fix two issues. He commented if the building cannot be moved toward Penn to create an inviting transition/landscaped path from the residential building to Penn Avenue.

Mr. List agreed that is their intention and they also hope to keep the large oak tree on the site.

Commissioner Quam asked about the retail pad proposed near Penn Avenue and commented that would be right near Penn Avenue.

Mr. Avery commented the retail pad will invite people into the area.

Commissioner Rudolph commented about the tree buffer on the west of the site.

Mr. Avery responded that they would definitely be keeping the tree buffer.

Commissioner Vrieze Daniels asked if the project is financially viable or will it need financial assistance from the City.

Mr. List responded that if it has affordable units assistance would be needed.

Council Member Howard asked about plans on getting feedback from neighbors and what that process would be.

Mr. Avery stated they want to work with the neighbors because they are their customers. Mr. List stated they plan on working on organizing neighborhood meetings. They said they get good feedback and ideas from meeting with neighbors. Mr. List discussed a bit of the timeline for beginning construction in spring of 2019 and opening a year from then (spring 2020).

Commissioner Pynn commented on echoing Chair Hayford O'Leary's comments and asked if they couldn't do the drive thru would there be a chance to add an addition to the Lunds and Byerlys building to increase its size and move it toward Penn.

Mr. Avery stated it was possible but they believe they need the access point to keep traffic flowing on the site.

Community Development Director Stark stated from a big picture level there are not a lot of City approvals needed and no issues. He discussed the financial assistance and stated that in Richfield financial assistance has been always need if it had one of two things, structured parking or affordable housing, and this proposed development has both. He also mentioned the retail pad and if timing had been better that this could have been the Penn Avenue Liquor Store, but since the the Penn Store has been recently remodeled it might not be feasible, although the door isn't closed on that.

Mr. Avery stated they would like to have a Richfield liquor store at that site.

City Manager Devich commented about the different sites that have redeveloped along Penn Avenue and shared his excitement with these plans as it's a major site along the corridor and entrance to Richfield.

ADJOURNMENT

The work session was adjourned by unanimous consent at 6:57 p.m.

Date Approved: October 23, 2018

Pat Elliott
Mayor

Jared Voto
Executive Aide/Analyst

Steven L. Devich
City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

October 9, 2018

CALL TO ORDER

The meeting was called to order by Mayor Elliott at 7:01 p.m. in the Council Chambers.

Council Members Present: Pat Elliott, Mayor; Edwina Garcia; Maria Regan Gonzalez; Michael Howard; and Simon Trautmann.

Staff Present: Steven L. Devich, City Manager; Mary Tietjen, City Attorney; Pam Dmytrenko, Assistant City Manager/HR Manager; John Stark, Community Development Director; Jay Henthorne, Chief of Police; Chris Regis, Finance Director; Kris Weiby, Facilities Manager; Chris Link, Operations Superintendent; and Jared Voto, Executive Aide/Analyst.

OPEN FORUM

Dana Collins, 10785 Tamarack Circle NW, Coon Rapids, spoke regarding lowering the price of the enterprise massage therapists' license.

Council Members thanked her for her comments and asked her to share the information she had with them and staff.

PLEDGE OF ALLEGIANCE

Mayor Elliott led the Pledge of Allegiance.

APPROVAL OF MINUTES

M/Elliott, S/Regan Gonzalez to approve the minutes of the: (1) Special City Council work session of September 17, 2018; (2) Special City Council work session of September 25, 2018; and (3) Regular City Council meeting of September 25, 2018.

Motion carried 5-0.

Item #1

COUNCIL DISCUSSION

- Hats Off to Hometown Hits

Council Member Regan Gonzalez spoke regarding the Great Pumpkin Giveaway at Fairwood Park (6700 Logan Avenue) on October 13 from 10 a.m. to 12 p.m.; the historical society's annual meeting on October 13 at 6 p.m. at the American Legion; and thanked all the community members who participated in Church of the Assumption's health fair.

Council Member Howard spoke regarding the Half Haunted Halloween at Wood Lake Nature Center on October 20 from 2 to 6 p.m.

Mayor Elliott spoke regarding speaking at a press conference about the need for infrastructure funding and the low rating of infrastructure in the State of Minnesota, and discussed the work Richfield has done to ensure we aren't in the same situation even though it is a cost to our residents.

Council Member Trautmann spoke regarding the Richfield Foundation's annual wine tasting event on October 11; and Dr. Joyce Marie, who received Richfield's Person of the Year honor, had a book signing at Barnes and Noble for her new book *We're All on a Journey to Find Truth*.

Council Member Garcia spoke regarding Hennepin County Clinic, at Lyndale and 66th Street, has opened a medicine drop box for unused or unwanted drugs; the Richfield Police Department seized a large quantity of narcotics in a recent raid, in partnership with Hennepin County Sheriff's Office; the Richfield annual fall boutique and market on October 27 from 9 a.m. to 2 p.m. at the Community Center; the Richfield Historical Center is having a display of the old Lyndale Hardware Store until January 2019, the Center is open to the public on Wednesday and Saturday from 12 to 4 p.m.; the Richfield Historical Society is continuing a series titled *Richfield Village to Richfield City* at the Community Center at 11 a.m. on October 17; and discussed the American Society of Civil Engineers' infrastructure report card.

Item #2	APPROVAL OF THE AGENDA
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M/Howard, S/Elliott to approve the agenda.

Motion carried 5-0.

Item #3	CONSENT CALENDAR
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City Manager Devich presented the consent calendar.

- A. Consideration of the approval of the purchase of an Elgin street sweeper in 2019 from MacQueen Equipment Inc. in the amount of \$197,701, including trade-in, for use by the Public Works Department. (S.R. No. 172)
- B. Consideration of the adoption of a resolution authorizing an amendment to extend the expiration date of the partnership agreement with the State of Minnesota Department of Transportation (MnDOT) for the purchase of fuel to June 30, 2019. (S.R. No. 173)

RESOLUTION NO. 11550
RESOLUTION AUTHORIZING THE CITY OF RICHFIELD TO ENTER
INTO MnDOT PARTNERSHIP AGREEMENT AMENDMENT NO
04963A01 WITH THE MINNESOTA DEPARTMENT OF
TRANSPORTATION FOR PURCHASE OF FUEL UNTIL JUNE 30, 2019

This resolution appears as Resolution No. 11550.

- C. Consideration of the approval of a license agreement with E-Clan, Inc. d/b/a B&J Trees, to sell trees under the picnic pavilion at Veterans Park. (S.R. No. 174)
- D. Consideration of the approval of first reading of an ordinance rezoning property at 7301 Penn Avenue S from Single Family Residential (R) to Neighborhood Business (C-1). (S.R. No. 175)
- E. Consideration of the approval of first reading of an ordinance amending the Zoning Code to make tattoo businesses 'permitted' rather than 'conditionally permitted' in the C-2 General Business Zoning District. (S.R. No. 176)

M/Elliott, S/Regan Gonzalez to approve the consent calendar.

Council Member Trautmann commented that he is happy that Christmas trees are sold at Veterans Park.

Mayor Elliott commented that body art are successful businesses and was glad the City could be flexible to accommodate the ordinances to new businesses.

Motion carried 5-0.

Item #4	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR
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None.

Item #5	PUBLIC HEARING AND CONSIDERATION OF THE ADOPTION OF RESOLUTIONS REGARDING THE ANNUAL INTERSTATE/LYNDALE/NICOLLET (ILN) PROJECT AREA ASSESSMENT AND PROPOSED WORK FOR 2019. (S.R. NO. 177)
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Council Member Garcia presented Staff Report No. 177 and opened the public hearing.

M/Howard, S/Elliott to close the public hearing.

Motion carried 5-0.

M/Garcia, S/Elliott to adopt a resolution adopting the assessment on the ILN Project Area for costs incurred to maintain the area for 2017 and adopt a resolution ordering the undertaking of the current service project within the ILN Project Area for 2019.

RESOLUTION NO. 11551
RESOLUTION ADOPTING ASSESSMENT ON INTERSTATE-LYNDALE-NICOLLET (ILN) PROJECT AREA MAINTENANCE FOR THE PERIOD
JANUARY 1, 2017 TO DECEMBER 31, 2017

RESOLUTION NO. 11552
RESOLUTION ORDERING THE UNDERTAKING OF CURRENT
SERVICE PROJECT WITHIN THE INTERSTATE-LYNDALE-NICOLLET
(ILN) PROJECT AREA FOR THE PERIOD JANUARY 1, 2019 TO
DECEMBER 31, 2019

Motion carried 5-0. These resolutions appear as Resolution No. 11551 and No. 11552.

Item #6	PUBLIC HEARING AND CONSIDERATION OF THE ADOPTION OF RESOLUTIONS REGARDING THE ANNUAL LYNDALDE/HUB/NICOLLET (LHN) MAINTENANCE DISTRICT ASSESSMENT AND PROPOSED WORK FOR 2019. (S.R. NO. 178)
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Council Member Garcia presented Staff Report No. 178 and opened the public hearing.

M/Elliott, S/Howard to close the public hearing.

Motion carried 5-0.

M/Garcia, S/Elliott to adopt a resolution adopting the assessment on the Lyndale/HUB/Nicollet (LHN) district for costs incurred to maintain the area for 2017 and adopt a resolution ordering the undertaking of the current service project within the Lyndale/HUB/Nicollet (LHN) district for 2019.

RESOLUTION NO. 11553
RESOLUTION ADOPTING ASSESSMENT FOR THE
LYNDALDE/HUB/NICOLLET (LHN) MAINTENANCE FOR THE PERIOD
JANUARY 1, 2017 TO DECEMBER 31, 2017

RESOLUTION NO. 11554
RESOLUTION ORDERING UNDERTAKING OF CURRENT SERVICE
PROJECT LYNDALDE/HUB/NICOLLET (LHN) MAINTENANCE FOR THE
PERIOD JANUARY 1, 2019 TO DECEMBER 31, 2019

Motion carried 5-0. These resolutions appear as Resolution No. 11553 and No. 11554.

Item #7	PUBLIC HEARING AND CONSIDERATION OF THE ADOPTION OF A RESOLUTION ADOPTING THE ASSESSMENT FOR REMOVAL OF DISEASED TREES FROM PRIVATE PROPERTY FOR WORK ORDERED FROM JANUARY 1, 2017, THROUGH DECEMBER 31, 2017. (S.R. NO. 179)
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Council Member Regan Gonzalez presented Staff Report No. 179 and opened the public hearing.

Mayor Elliott read a letter from Tim Grutzik and Martha Miller, 6221 5th Avenue S, regarding their opposition to the assessment for a tree removed at their property.

Operations Superintendent Link stated this was the first time hearing about this and discussed the tree removal process. He stated he would look into this particular tree removal and will follow-up.

M/Trautmann, S/Howard to close the public hearing.

Motion carried 5-0.

M/Regan Gonzalez, S/Trautmann to adopt a resolution adopting the assessment for removal of diseased trees from private property for work ordered from January 1, 2017, through December 31, 2017.

RESOLUTION NO. 11555
RESOLUTION ADOPTING ASSESSMENT FOR THE REMOVAL OF
DISEASED TREES FROM PRIVATE PROPERTY FOR WORK
ORDERED DURING JANUARY 1, 2017 THROUGH DECEMBER 31,
2017

Motion carried 5-0. This resolution appears as Resolution No. 11555.

Item #8	PUBLIC HEARING AND CONSIDERATION OF THE APPROVAL OF A SECOND READING OF A TRANSITORY ORDINANCE VACATING 64TH STREET RIGHT-OF-WAY BETWEEN 16TH AVENUE AND RICHFIELD PARKWAY. (S.R. NO. 180)
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Council Member Howard presented Staff Report No. 180 and opened the public hearing.

M/Elliott, S/Trautmann to close the public hearing.

Motion carried 5-0.

M/Howard, S/Trautmann to approve the Transitory Ordinance vacating 64th Street right-of-way between 16th Avenue and Richfield Parkway.

Motion carried 5-0.

Item #9	PUBLIC HEARING AND CONSIDERATION OF THE ADOPTION OF A RESOLUTION ADOPTING THE ASSESSMENT FOR UNPAID FALSE ALARM USER FEES AGAINST PRIVATE PROPERTY. (S.R. NO. 181)
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Council Member Trautmann presented Staff Report No. 181 and opened the public hearing.

Council Member Trautmann asked if there was an appeal process if someone felt they were good faith alarm users.

City Manager Devich responded this is when there are repetitive problems with alarms.

Mayor Elliott commented on his experience when his office has had false alarms.

City Attorney Tietjen commented that the City Code does provide for a process, in Section 915.07, that a written appeal of the charge may be submitted to the Director of Public Safety within 15 days, and the Director of Public Safety makes the final determination.

M/Elliott, S/Howard to close the public hearing.

Motion carried 5-0.

M/Trautmann, S/Regan Gonzalez to adopt a resolution adopting the assessment for unpaid false alarm user fees against private property.

RESOLUTION ADOPTING ASSESSMENT FOR UNPAID FALSE
ALARM FEES FROM PRIVATE PROPERTY

Motion carried 5-0. This resolution appears as Resolution No. 11556.

Item #10	PUBLIC HEARING AND CONSIDERATION OF THE ADOPTION OF A RESOLUTION ADOPTING THE ASSESSMENT FOR WEED ELIMINATION FROM PRIVATE PROPERTY AND REMOVAL OR ELIMINATION OF PUBLIC HEALTH OR SAFETY HAZARDS FROM PRIVATE PROPERTY. (S.R. NO. 182)
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Council Member Howard presented Staff Report No. 182 and opened the public hearing.

M/Elliott, S/Regan Gonzalez to close the public hearing.

Motion carried 5-0.

Council Member Howard commented that it appears that the amount of the assessments has decreased over the years and asked if that was correct.

Finance Director Regis responded that was correct and commented it has a lot to do with the market improving.

Council Member Trautmann thanked staff for addressing these issues.

M/Howard, S/Trautmann to adopt a resolution adopting the assessment for weed elimination from private property and removal or elimination of public health or safety hazards from private property.

RESOLUTION NO. 11557
RESOLUTION ADOPTING ASSESSMENT FOR WEED ELIMINATION
FROM PRIVATE PROPERTY AND REMOVAL OR ELIMINATION OF
PUBLIC HEALTH OR SAFETY HAZARDS FROM PRIVATE PROPERTY

Motion carried 5-0. This resolution appears as Resolution No. 11557.

Item #11	CANCEL THE PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION FOR A PRELIMINARY PLAT OF THE "CEDAR POINT II" ADDITION. (S.R. NO. 183)
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Council Member Regan Gonzalez presented Staff Report No. 183.

Community Development Director stated that there are 13 privately-owned properties near the site and the developer has 11 under contract or closed. The developer is working on acquiring the final two properties and it did not make sense to complete the preliminary plat without those properties, since they are optimistic they will acquire the final two properties, and then have to go through the plat process again to add those final properties.

M/Regan Gonzalez, S/Elliott to cancel the public hearing to consider a resolution for a preliminary plat of the "Cedar Point II" Addition.

Motion carried 5-0.

Item #12	CONSIDERATION OF A REQUEST FOR THE CITY COUNCIL TO CONFIRM THE APPOINTMENT OF PAM DYMTRENKO AS ADMINISTRATIVE SERVICES DIRECTOR/ASSISTANT CITY MANAGER FOR THE CITY OF RICHFIELD. (S.R. NO. 184)
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Mayor Elliott presented Staff Report No. 184.

M/Elliott, S/Regan Gonzalez to confirm the appointment of Pam Dmytrenko as Administrative Services Director/Assistant City Manager for the City of Richfield.

Motion carried 5-0.

Item #13	CITY MANAGER'S REPORT
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City Manager Devich discussed the work session held earlier in the evening from Lunds and Byerlys on the proposal to remodel their store on Penn Avenue and add housing to the site. He stated it continues all the interest in redevelopment in Richfield and reiterated the Mayor's comments on the City being on the forefront of reinvesting in infrastructure.

Item #14	CLAIMS AND PAYROLLS
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M/Garcia, S/Elliott that the following claims and payrolls be approved:

U.S. Bank	10/09/18
A/P Checks: 271661 - 272022	\$ 1,379,851.07
Payroll: 139985 - 140302 ; 42870 - 42871	616,594.97
TOTAL	\$ 1,996,446.04

Motion carried 5-0.

OPEN FORUM

None.

Item #15	ADJOURNMENT
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The meeting was adjourned by unanimous consent at 7:53 p.m.

Date Approved: October 23, 2018

Pat Elliott
Mayor

Jared Voto
Executive Aide/Analyst

Steven L. Devich
City Manager



STAFF REPORT NO. 185
CITY COUNCIL MEETING
10/23/2018

REPORT PREPARED BY: Jennifer Anderson, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Director of Public Safety/Chief of Police
10/15/2018

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager
10/16/2018

ITEM FOR COUNCIL CONSIDERATION:

Consideration of the approval of a Temporary On-Sale Intoxicating Liquor license for the Church of St. Richard, located at 7540 Penn Avenue South, for their Fall Festival taking place November 10-11, 2018.

EXECUTIVE SUMMARY:

On October 3, 2018, the City received application materials for a Temporary On-Sale Intoxicating Liquor license for the Church of St. Richard, located at 7540 Penn Avenue South, for their Fall Festival taking place November 10-11, 2018. They will serve wine and beer from 5:30 p.m. to 9:00 p.m. on Saturday, November 10, 2018. No other intoxicating liquor beverages will be permitted.

They will serve lunch and dinner on Saturday, November 10, 2018. They will only be serving breakfast on Sunday, November 11, 2018. The Church of St. Richard has contacted food sanitarians from City of Bloomington to ensure proper food handling practices are followed.

The Director of Public Safety has reviewed all required information and documents and has found no basis for denial.

The City Council has previously granted this license in conjunction with this event.

RECOMMENDED ACTION:

By motion: Approve the issuance of a Temporary On-Sale Intoxicating Liquor license for the Church of St. Richard, located at 7540 Penn Avenue South for their Fall Festival taking place November 10-11, 2018.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- The applicant has satisfied the following requirements for the issuance of this license:
 - The required licensing fee has been paid.
 - Proof of liquor liability insurance has been provided showing the Catholic Mutual Relief Society of America affording the coverage.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- Richfield City Code Section 1202.05 requires all applicants to comply with all of the provisions of this code, as well as the provisions of Minnesota Statute Chapter 340A.

C. **CRITICAL TIMING ISSUES:**

- There are no critical timing issues.

D. **FINANCIAL IMPACT:**

- The required licensing fees have been received.

E. **LEGAL CONSIDERATION:**

- There are no legal considerations.

ALTERNATIVE RECOMMENDATION(S):

- The Council could deny the approval of the Temporary On Sale Intoxicating Liquor license for the Church of St. Richard. This would mean the applicant would not be able to serve wine or 3.2 percent malt liquor; however, Public Safety has not found any basis for denial.

PRINCIPAL PARTIES EXPECTED AT MEETING:

Church of St. Richard staff has been notified of the date of this meeting



STAFF REPORT NO. 186
CITY COUNCIL MEETING
10/23/2018

REPORT PREPARED BY: Scott Kulzer, Administrative Aide/Analyst

DEPARTMENT DIRECTOR REVIEW: Kristin Asher, Public Works Director
10/16/2018

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager
10/17/2018

ITEM FOR COUNCIL CONSIDERATION:

Consideration of the adoption of a resolution approving Richfield Public Works' updated snow removal and ice control policy.

EXECUTIVE SUMMARY:

The policy proposed for Council approval lays out in detail Richfield Public Works' strategy and methods for snow removal and ice control throughout the city of Richfield. While snow removal and ice control practices remain basically unchanged from prior years, this policy will serve as a reference and clarifying document for staff, business-owners, and residents throughout the city. This policy was written following guidelines and recommendations given by the American Public Works Association (APWA) and the League of Minnesota Cities (LMC).

Operations Superintendent Chris Link presented the updated snow removal and ice control policy at the September 25, 2018 City Council work session.

RECOMMENDED ACTION:

By motion: Adopt a resolution approving Richfield Public Works' updated snow removal and ice control policy.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- Prior to 1998, snow removal and ice control practices and methods were largely verbally communicated and a matter of institutional knowledge.
- Richfield first adopted a formal written snow/ice maintenance policy in August 1998 upon recommendation of the League of Minnesota Cities.
- The 1998 policy is very brief and contained little detail sometimes resulting in confusion among members of the public and staff.
- Upon guidance from APWA's best management practices manual and the confusion staff was seeing among residents, Richfield Public Works went forward with drafting a comprehensive and detailed snow removal and ice control policy.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- A formal written policy adopted by City Council will serve to bolster the City's standing in the event of any legal proceedings arising out of activities or injuries related to the City's handling of a snow and/or ice event.
- A formal written policy serves to institutionalize the methods and practices used to combat snow and/or ice events and will serve as a guiding document for new or existing staff during times of leadership transition into the future.

C. CRITICAL TIMING ISSUES:

- Adoption of this snow removal and ice control policy at the October 23 City Council meeting will allow the Public Works Department to:
 - Enter the 2018/2019 snow season with a clear and definitive policy; and
 - Move ahead with planned efforts to educate residents and other property owners about aspects of the policy that may have historically generated confusion or uncertainty.

D. FINANCIAL IMPACT:

- None

E. LEGAL CONSIDERATION:

- The City Attorney has reviewed this policy and will be available to answer questions.

ALTERNATIVE RECOMMENDATION(S):

- None

PRINCIPAL PARTIES EXPECTED AT MEETING:

None

ATTACHMENTS:

Description	Type
□ Resolution	Resolution Letter
□ Richfield Snow Removal & Ice Control Policy	Backup Material

RESOLUTION NO.

**RESOLUTION AUTHORIZING UPDATED SNOW REMOVAL & ICE CONTROL
POLICY**

WHEREAS, the City of Richfield's existing snow/ice maintenance policy authorized in August 1998 is brief and contains little detail regarding actual snow and ice policies and practices employed by the City; and

WHEREAS, it has been determined that a more thorough and detailed snow removal and ice control policy will best serve City Staff, business-owners, and residents during snow and ice events; and

WHEREAS, adoption of said policy is determined to be in the best interest of the City of Richfield.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Richfield as follows:

1. The City of Richfield hereby approves and adopts the snow removal and ice control policy as set forth in the attached "Richfield Snow Removal & Ice Control Policy" dated October 23, 2018.
2. The Snow/Ice Maintenance Policy previously adopted by Resolution No. 8603 on August 24, 1998, is hereby rescinded and superseded by the policy set forth herein.

Adopted by the City Council of the City of Richfield, Minnesota this 23rd day of October, 2018.

Pat Elliott, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk

PUBLIC WORKS DEPARTMENT CITY OF RICHFIELD

DATE: 10/23/2018

SUBJECT: Snow Removal and Ice Control Policy

Purpose

The purpose of this Snow Removal and Ice Control Policy ("Policy") is to define and outline snow removal and ice control objectives and procedures as established by the City of Richfield ("City") and the Public Works Department ("Department").

Introduction

The City assumes basic responsibility for snow removal on City streets, City sidewalks/trails/cycle tracks, and City-owned public parking lots. The City assumes basic responsibility for ice control and mitigation on City streets and City-owned public parking lots, but does not salt or sand City sidewalks/trails/cycle tracks. Reasonable snow removal and ice control is necessary for routine travel and emergency services. The City strives to provide this service in a timely, safe, and cost-effective manner while keeping in mind safety, budget, personnel, equipment, and environmental concerns. The City will primarily use its own personnel and equipment to provide this service, but may also use private contractors when necessary.

The Policy supersedes written or unwritten policies of the City and Department regarding snow removal and ice control. This Policy does not relieve the operators of private vehicles, pedestrians, property owners, residents, and all others that may be using public streets, sidewalks, and trails or that may otherwise be affected by snow/ice removal operations, of their responsibility to act in a reasonable, prudent, and cautious manner given the prevailing weather and street conditions.

Policy

The Operations Superintendent, under the direction of the Public Works Director, will make decisions as to time, method, and materials used on snow removal and ice control operations. The Operations Superintendent is responsible for coordinating equipment and personnel, and assigning work based on the need for snow removal and ice control within the City. The Operations Superintendent maintains the authority to delegate any of the responsibilities laid out in this policy to appropriate Department staff.

The Department will only conduct snow and ice control operations when weather conditions do not endanger the safety of employees or equipment and operations are effective. Factors that may delay snow and ice control operations include:

- Severe cold
- Significant winds
- Limited visibility
- Rapid accumulation of snow and/or ice
- Traffic conditions (e.g., rush hour)

The Department continuously monitors forecasts and weather conditions to aid in mobilization decisions. The Department will use multiple sources for storm warning preparedness, including, but not limited to the following:

- National Weather Service (www.weather.gov)
- Hennepin County Emergency Management
- Local News Weather Reports
- Various weather-related web sites

Planning and Scheduling

Snow removal and ice control operations may occur during assigned work shifts or, in some situations, on a call back of workers. When conditions allow, work schedules will be arranged to keep overtime at a minimum, with overtime scheduling being approved by the Operations Superintendent. The Operations Superintendent will notify the Public Works Director of any unusual amount of overtime to be performed and the reasons for the overtime.

The Operations Superintendent retains the authority to alter assignments based on weather conditions, equipment and personnel availability, and other conditions related to snow removal and ice control.

Mobilization

Mobilization of employees is the responsibility of the Operations Superintendent. The Operations Superintendent will determine the dispatching of equipment for City streets, City sidewalks/trails, and City-owned public parking lots.

The Operations Superintendent will keep the Public Works Director informed of the start, progress, and completion of full-scale snow removal and ice control operations.

Initiating Operations

The start of snow removal and ice control operations depends upon current and anticipated conditions. The Operations Superintendent will decide when to initiate snow removal and ice control operations. Snow removal and ice control operations may be initiated any time they are deemed to be beneficial to the City. Some criteria for the decision are:

- Snow accumulation of two (2) or more inches
- Drifting of snow that causes travel problems
- Icy conditions which seriously impact travel
- Timing of snowfall in relation to heavy use of streets (e.g., rush hour)
- Forecasted and anticipated changes in weather conditions

Snow Route Assignment and Planning

Each year, the Department prepares a map of the street system, sidewalk/trail system, and public properties serviced by the City. These maps identify route areas that identify personnel, equipment, and, if necessary, the private contractors used to provide the

services. Annually, the Department revises route areas to correspond with budget, equipment, personnel, and other resources available to the City.

The Department identifies priority routes and hazards within each route area. These route areas are generally assigned to individuals and are used for planning and executing routine snow removal and ice control operations.

Street Snow Removal Routes

The Department has classified City streets based on the street function, traffic volume, and importance to the welfare of the community. The priority of snow removal routes are as follows:

1. Minor arterial roads: high-volume routes that connect the urban service area to cities inside and outside of the region
2. Collector streets: streets providing access between neighborhoods, minor business concentrations, and schools
3. Low-volume local streets
4. City parking lots, alleys, sidewalks, and trails

Emergency services officers may contact the Department to dispatch workers and equipment to provide services for emergency vehicles (i.e. police, fire, ambulance, equipment needed for electrical outages, gas leaks, etc.) responding to emergencies within the City. The Department will dispatch necessary workers and equipment as soon as possible.

Sidewalk/Trail/Cycle Tracks Snow Removal Routes

Priorities for snow removal on sidewalks are set to accommodate the needs of the mass transit public. Priority for plowing is as follows:

1. HUB area
2. Arterial roads
3. Collector streets
4. Residential neighborhoods

In the event of a major snow event (six (6) inches or more) one side of each arterial street will be plowed, until all arterial roads are cleared. Typically, two machines will be available for snow removal from sidewalks.

Cycle tracks will be cleared of snow at the discretion of the Operations Superintendent

Sidewalk/Trail/Cycle Tracks Ice Policy

In effort to best utilize the City's finite resources and prioritize snow and ice removal in high-impact areas as outlined throughout this Policy, the Department will not apply salt, sand, or other de-icing chemicals to sidewalks/trails/cycle tracks. Due to the ever-changing nature of the Minnesota climate, the physical and financial cost of keeping all sidewalks/trails/cycle tracks free of ice at all times would substantially outweigh the benefit to the community. In addition, salt, sand, and other de-icing agents have adverse effects on the local environment. Application of these substances is imprecise and may result in negative effects to adjacent green space and/or infiltration into ground water. Residents and business owners are encouraged to make sure sidewalks adjacent to their properties are ice free or otherwise safe for passage.

Transit Accommodations

In addition to plowing sidewalks in the most heavily used areas first, the Department employs a Sentencing to Service crew four days per week, whose primary task in the winter months is to clear bus stops of snow and ice for mass transit users. The Sentencing to Service crew works a defined schedule so it can take up to three days before some transit stops are cleared, depending on the timing of snowfall in relation to the schedule.

Equipment Inspection

The Department mechanics conduct a thorough inspection of all snow and ice related vehicles and equipment prior to the start of the snow season. In addition, all trucks are annually certified through the Minnesota State Patrol Mandatory Inspection Program.

The Department also conducts daily inspections of snow and ice related vehicles and equipment during the snow season. Operators of the vehicles and equipment record their daily inspections and the status of the vehicle.

Equipment Calibration

The Department calibrates all salting vehicles prior to the start of the snow season to ensure efficient and effective application. Calibration will also occur if there is a major hydraulic repair or service needed on the vehicle.

Other Responsible Entities

Other governmental entities maintain certain streets within the City, which includes snow and ice removal. The Minnesota Department of Transportation (MnDOT) and the Hennepin County Highway Department maintain separate maintenance policies for streets they maintain within the City. From time to time, entities may contract with each other to perform snow removal services. The ultimate responsibility for snow removal services rests with the controlling entity.

Hennepin County maintains streets on **Penn Ave, Nicollet Ave,** and **Portland Ave** from Trunk Highway 62 to Interstate 494 in Richfield, as well as the entirety of **66th Street** in Richfield and into Edina.

MnDOT is responsible for all freeway on/off ramps on Trunk Highways 62 and 77 and Interstates 35W and 494 in Richfield.

Responsibility varies between **Richfield, Hennepin County,** and **Bloomington** for sidewalks along interstate/trunk highway overpasses and underpasses.

The table below summarizes the entity responsible for clearing sidewalks.

Sidewalks on overpasses	Entity
494/Penn	Hennepin County
494/Portland	Hennepin County
494/Nicollet	Hennepin County
62/Penn	Hennepin County

62/Portland	Hennepin County
77/66 th Street	Hennepin County
494/Lyndale	Bloomington
494/12 th Ave	Bloomington
76 th Street/35W	Richfield
Sidewalks on underpasses	Entity
62/Lyndale	Richfield
62/Nicollet	Richfield
66 th Street/35W	Richfield

Private Contractors Providing Snow Removal Services

Richfield City Code, Subsection 930.17, limits the operation of vehicles for snow plowing on private property in residential districts and within fifty (50) feet of such districts to the period between 6:00AM and 10:00PM any day of the week.

Post-Snowfall Events

Operators conduct follow-up plowing as needed. Generally, further clearing takes place where cars were parked, at intersections, etc. Additional salting of intersections may occur at this time as well.

Snow and Ice Control Materials

The City does not have a “bare pavement” policy. The Department will wait for snowfall to cease or accumulate sufficiently before initiating snow removal. General snow pack will remain on City streets and sidewalks in many cases.

The Department will use snow and ice control materials when there are hazardous ice or slippery conditions on streets. The Department may use other minerals, chemicals, and mixtures to assist in ice control provided they have an equivalent or lesser effect on the environment than salting and are economically feasible. The Department is concerned with the effect of chemicals on the environment; therefore, it will limit its use of such chemicals.

The Department initiates salting operations to melt ice on City streets. The Department will apply snow and ice control materials at times and rates that maximize effectiveness and generally limit application to:

- Intersections
- Hazardous areas
- Isolated, slippery areas

The Department may order use of additional salt if pavement, air temperatures, or precipitation type warrant. The Department has adopted salt application best practices as stated in the Minnesota Snow and Ice Control Handbook.

The City does not employ salt or other ice control measures on sidewalks/trails/cycle tracks in the City.

Refreeze Conditions

It is not possible or practical for snow and ice to be completely removed from all sidewalks or prevent melting snow or ice from refreezing on sidewalks. Users of sidewalk and trail facilities are expected at all times to be mindful of current conditions and avoid hazards to remain safe.

Material Handling and Storage

Salt stockpiles are stored off-site at a nearby Minnesota Department of Transportation (MnDOT) facility with the exception of approximately 300 tons being stored in an enclosed structure at the Public Works maintenance facility. During the off-season, salt at the Public Works maintenance facility is tarped and stored inside a covered structure. No other materials or supplies are stored in the structure containing the salt.

Spreading and Plowing Procedures

The Department will plow snow in a manner that minimizes traffic obstructions. The center of the roadway will be plowed first, and then the snow will be plowed from left to right so the snow discharges onto the boulevard. When plowing on bridges, operators will adjust their speed to reduce or eliminate a snow wake from going over the side of the bridge. Snow on dead-end streets will generally be plowed to the end of the roadway and snow on cul-de-sacs will be plowed to the middle of the cul-de-sac.

As necessitated by available resources, snow is plowed to the edge of the street without regard for sidewalks, driveways, and other structures located in the right-of-way. Sidewalks will be cleared after roadways are cleared. The City recognizes the inconvenience that comes from snow piling up on driveways due to plowing activities, but the City is not responsible for removing this accumulated snow.

Snowplow operators are exempt from traffic regulations set forth in Minnesota Statutes, Chapter 169 while actually engaged in work on streets, except for regulations related to driving while impaired and the safety of school children. Pursuant to this authority, snowplow operators have discretion to disregard standard traffic laws, when, in their judgement, it is safe to disregard such laws.

Hauling of Snow and Snow Storage

From time to time, the Department will remove snow where space does not allow for snow to be pushed or piled outside the driving lanes by hauling to another location. The Operations Superintendent will determine when snow will be removed by truck from the boulevard area. Snow hauling operations will not commence until other snow/ice removal operations have been completed. Snow hauling operations may also be delayed depending on weather conditions, personnel, and budget availability. The snow will be removed and hauled to a snow storage area. The snow storage zone will be located in an area that minimizes environmental impact.

Snow Emergencies

Snow Emergency Procedures

Concurrent with the above policy, the following are additional City practices employed during a declared snow emergency (see City Code, Subsection 1305.13).

Snow Emergency Notifications

A snow emergency is declared by the Operations Superintendent, or designee. Declaration of a snow emergency can be found at the following:

- a. Contact the Snow Emergency Line at 612-861-9178
- b. Visit the City Website at www.richfieldmn.gov
- c. Sign up for e-update on the City website at www.richfieldmn.gov/residents/e-notification
- d. Local news channels
 - i. WCCO
 - ii. KMSP
 - iii. KSTP
 - iv. KARE 11
- e. Social Media (Facebook, Twitter)

Parking Limitations

Vehicles parked on the roadway during a snow or ice event may impair the effectiveness of snow and ice control and removal. Richfield City Code, Subsection 1305.13, prohibits on-street parking during a snow emergency. A snow emergency is in effect after a snowfall of two (2) or more inches and/or upon the declaration of a snow emergency by the City Manager, or designee, and continues until the street has been plowed curb-to-curb.

Richfield City Code, Section 1315, permits certain vehicles to park in the front yard areas of residential districts of the City during a snow emergency, subject to the following conditions:

- a. The vehicle must be parked as close as possible to the established driveway area serving the property on which, or in front of which, it is parked;
- b. Permission of the property owner must be obtained;
- c. The vehicle must be parked at least eight (8) feet back from the curblines, and five (5) feet back from any public sidewalk;
- d. The vehicle may not be parked off of an established driveway within the area bounded by the street curblines abutting said corner lot and a line connecting points on the abutting curblines of fifty (50) feet from the point of intersection of the extensions of the curblines; and
- e. Movement to and from the parking area must be over the established driveway rather than over the curb.

The owner of the property shall repair any damage to the adjacent boulevard area caused by parking in the front yard areas of residential districts.

Private Property

Snow Removal on Private Properties

It is a public nuisance and violation of City Code, Subsection 830.41, to shovel, plow, or cast snow or ice from private property onto a public street, alley, sidewalk, boulevard, or public parking lot. It is allowable to remove snow or ice from a private driveway or walkway and deposit the snow or ice on the portion of the boulevard immediately adjacent to the private property. Pushing, piling, or storing snow in or across the street is prohibited.

Service to Private Property

City personnel and any personnel contracted by the City do not provide snow removal and ice control services to private properties. Services may, however, be provided with the permission of the property owners in situations where City operations directly benefit from operations on private property. Snow removal operations may be conducted on any private property when emergency vehicles responding to a call for service require access to private property. Any operations on or services provided to private property are authorized by the Department, or are provided at the request of any emergency services officer responding to a call.

Snow Operation Damages

Snow removal and ice control operations can cause damage to property, even under the best circumstances and care by vehicle and equipment operators. Most often, damage occurs to property improvements in the City right-of-way, which generally extends eight (8) to twelve (12) feet beyond the edge of street pavement.

The City is not responsible for damage to vegetation caused by plowing or the application of sand and salt mixtures. However, the City will make its best effort to repair damaged grass along curb lines and sidewalk edges using black dirt and seeding.

Personal property in the City's right-of-way damaged by snow being deposited from an accumulation on the blade of a snowplow will not be considered for compensation. Any property damage claims allegedly resulting from City snow plowing activities must be filed with the City's insurance through the Human Resources Department

When disagreement about the responsibility for the damage occurs, the Department will investigate and decide responsibility.

Equipment operators and contractors are directed to immediately contact their supervisor and the supervisor will contact the Department and Police Department whenever an incident involves damage to vehicles, significant structures, or involves any injury to a person.

Equipment operators and contractors also report existing damage they observe to avoid any potential future claim the damage was caused by snow removal or ice control operations.

Service Requests and Complaints

The Department will take service requests and complaints regarding snow removal and ice control operations during normal working hours. The Department will prioritize service requests and provide resolution at their discretion, in keeping with available personnel, equipment, and materials. The Operations Superintendent will receive and respond to service requests or complaints that the administrative staff is unable to answer.

Policy Review

The Department will review this policy annually. The Department will keep on file written comments and complaints received regarding this policy. Any review will consider comments or complaints received since the last review. The review will also consider

Snow and Ice Policy
Richfield Public Works
October 23, 2018

input from City employees and contractors, members of the public, and other affected parties.



STAFF REPORT NO. 187
CITY COUNCIL MEETING
10/23/2018

REPORT PREPARED BY: Jack Broz, Transportation Engineer

DEPARTMENT DIRECTOR REVIEW: Kristin Asher, Public Works Director
10/16/2018

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager
10/17/2018

ITEM FOR COUNCIL CONSIDERATION:

Consideration of the approval of the Richfield Pedestrian Master Plan.

EXECUTIVE SUMMARY:

The Richfield Pedestrian Master Plan has been developed as part of the City's Comprehensive Plan process. The Pedestrian Master Plan documents the current process used by Richfield Public Works on transportation projects to create safer, more convenient and enjoyable places to walk in the City of Richfield. The plan defines a process to evaluate and design the pedestrian network and create safe, more convenient and enjoyable places to walk throughout the City of Richfield.

In 2017, Richfield Public Works pursued development of the Pedestrian Master Plan as a component of the 2040 Comprehensive Plan development process currently underway.

In addition to feedback at Transportation Commission meetings and the Comprehensive Plan Open House, staff solicited comments from residents through social media.

The Pedestrian Master Plan is a guiding document for decision making and design considerations for future projects and is not in any way a prescription for any particular action on any specific street or project.

RECOMMENDED ACTION:

By motion: Approve the Richfield Pedestrian Master Plan.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

The Richfield Pedestrian Master Plan has been developed as part of the City's Comprehensive Plan process. The Pedestrian Master Plan documents the current process used by Public Works on transportation projects to create safer, more convenient and enjoyable places to walk in the City of Richfield. The plan defines a process to evaluate and design the pedestrian network and create safe, more convenient and enjoyable places to walk throughout the City of Richfield.

As transportation improvements are evaluated the public input often expresses a desire to create safer, more convenient and enjoyable pedestrian facilities in addition to any baseline requirements of the Americans with Disabilities Act (ADA).

The Pedestrian Master Plan will serve as the process to bridge a gap present between the vision in the City's guiding documents and implementation. The following plans support a safe pedestrian network throughout the City and will be complemented and enhanced by the Pedestrian Master Plan:

- Approved Guiding Principles
- Approved Complete Streets Policy
- Approved Safe Routes to School Plan

Public comment on the plan and resident input were taken at:

- Penn Fest, September 17, 2017
- Comprehensive Plan Open House, March 15, 2018
- Five Transportation Commission meetings (September 2017 and January, June, September and October 2018)
- On-line comments from September 27, 2018 through October 16, 2018 on the draft Pedestrian Master Plan

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- The Pedestrian Master Plan is consistent with the following:
 - Draft Comprehensive Plan
 - Approved Guiding Principles
 - Approved Complete Streets Policy
 - Approved Safe Routes to School Plan

C. CRITICAL TIMING ISSUES:

- The Pedestrian Master Plan will be one of the several input measures that guide the design of upcoming and future street reconstruction and rehabilitation projects throughout the City of Richfield.

D. FINANCIAL IMPACT:

- None

E. LEGAL CONSIDERATION:

- None

ALTERNATIVE RECOMMENDATION(S):

- None

PRINCIPAL PARTIES EXPECTED AT MEETING:

None

ATTACHMENTS:

Description	Type
☐ Richfield Pedestrian Master Plan	Backup Material
☐ Richfield Pedestrian Master Plan Executive Summary	Backup Material
☐ Comments on DRAFT Pedestrian Master Plan	Exhibit

RICHFIELD PEDESTRIAN PLAN



Final Report
October 2018



Prepared by:
Zan Associates



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two-sided printing*



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Introduction

The Richfield Pedestrian Plan is a tool to create safer, more convenient, and enjoyable places to walk in the City of Richfield.

This plan includes a systematic approach for evaluating pedestrian demand based on proximity to land uses that generate pedestrian trips, social and economic factors that generate a higher demand for pedestrian mobility, and the physical context of a given location. The plan also establishes measures to evaluate the pedestrian network to determine its ability to meet the specific demand and priority. Finally, the plan includes guidance on new and emerging pedestrian design tools and recommendations for implementation of a city-wide pedestrian improvement program. Figure 1 shows the sections of the plan.

Figure 1: Richfield Pedestrian Plan Overview



Walking is fundamental to all aspects of transportation. *People walk... for exercise, to the bus stop, from their bike to their house, from a car to a restaurant, just for the fun of it.* Regardless of the nature of the trip, all pedestrians have the right to a safe pedestrian trip and it should also be efficient and enjoyable (see Figure 2).

Figure 2: Existing Conditions and Benefits of Walking

PEOPLE IN RICHFIELD ARE WALKING



3.5%

In Richfield, 3.5 percent of commuters **walk to work** compared to 2.8 percent nationally. *ACS, 2016*



40%

Approximately 40 percent of commuters who walk to work in Richfield are **people of color** and 20 percent are **living in poverty**. *ACS, 2016*



47%

Approximately 47 percent of commuters who walk to work in Richfield **do not have a vehicle** available to them. *ACS, 2016*



30%

In Richfield, 30 percent of **students live within one half mile of a school**. *SRTS*

WALKING IS GOOD FOR HEALTH

50%

Nearly 50 percent of Minnesotans fail to meet the Department of Health's exercise recommendations (at least 150 minutes per week) *Minnesota Walks, 2016*

WALKING IS GOOD FOR THE COMMUNITY

People living in pedestrian-friendly cities tend to be engaged in their community. One study found that living in pedestrian-friendly neighborhoods have higher levels of social and community engagement compared with those living in car-oriented suburbs. *Leyden, Kevin M, 2003*

62%

Of Minnesotans that meet physical activity guidelines, 62 percent do so by **including walking** as part of their regular physical activity.

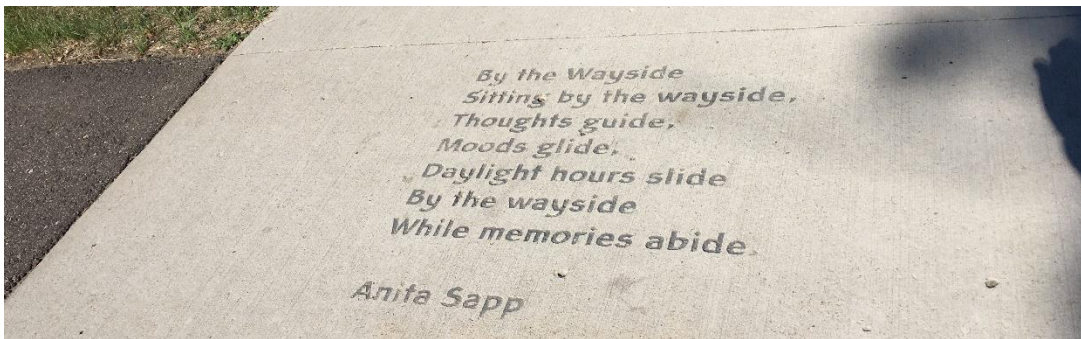
WALKING IS GOOD FOR THE ECONOMY

There is a growing demand to live and work in pedestrian-friendly places. One study found that real estate values increase by \$500 to \$3,000 per increase in Walk Score Point (walkscore.com). *Cortright, Joe, 2009*

There are many examples of great places to walk in Richfield—trails around parks and lakes provide a serene walking environment; newly constructed streets such as Portland Avenue provide a pleasant and efficient walking experience, and there are mid-block crossings city-wide in strategic locations providing much needed connectivity to high activity locations.

The *vehicle-centric* transportation planning of Richfield’s past has resulted in an efficient street grid for automobiles, it has also led to a disconnected and inefficient pedestrian system – the existing transportation system has created negative impacts on walking. High vehicle speeds create unsafe crossing conditions for pedestrians, narrow and uneven sidewalks make for an uncomfortable walking experience along the busiest streets, and there are gaps in pedestrian connectivity at many high activity locations. And these negative impacts are disproportionately born by disadvantaged populations who rely on walking for their everyday needs – children, older adults, people with disabilities, and people with low income.

*For the purposes of this plan, WALKING is defined as
moving on foot or a wheel chair.*



Sidewalk poetry on Portland Avenue in Richfield

Figure 3: Great Places to Walk in Richfield





Top left, newly constructed sidewalk and cycle track on 66th St. Middle left, meandering multiuse path at Monroe Field. Bottom left: Quiet neighborhood street. Top right, temporary multiuse trail on 69th St. Middle right, median refuge on Portland Ave.

Figure 4: Challenging Pedestrian Environments





Top left, uncomfortable sidewalk at the back of the curb on Penn Ave. Middle Left, uneven driveway crossing on Lyndale Ave. Bottom left, dead end sidewalk on 64th St. Top right, poorly maintained sidewalk and curb ramp on 66th St.

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two-sided printing*

Chapter 1: Planning Context



Richfield at-a-Glance

Source: Census Bureau, ACS 5 – year Estimate, 2012 – 2016).

Richfield has a population of about 35,900 people with a median age of 36 and a median household income of \$54,640. Between 2015 and 2016 the population of Richfield declined from 36,060 to 35,910, a 0.40% decrease and its median household income grew from \$52,950 to \$54,640, a 3.2% increase.

The ethnic composition of the population of Richfield is 22,275 White residents (62%), 5,899 Hispanic residents (16.4%), 3,521 Black residents (9.8%), 2,721 Asian residents (7.58%), and 1,342 two or more ethnicity residents (3.74%). 8,790 (25%) of Richfield citizens are speakers of a non-English language. The most common foreign languages in Richfield are Spanish (5,189 speakers), African Languages (655 speakers), and Other Asian (528 speakers).

Richfield is a fully developed suburban/urban area. The majority of land in Richfield is single-family residential, but there are also strong multifamily residential communities throughout the city. In addition, there are multiple commercial nodes, employment hubs, regional and neighborhood parks, and other strong activity centers within the city.

The median property value in Richfield in 2016 was \$188,100, a 3% increase over 2015. People in Richfield have an average commute time of about 20 minutes, and most report driving alone (75%). Car ownership in Richfield is approximately the same as the national average, with an average of 2 cars per household. Nearly 5% of households in Richfield do not have access to a car.

There is growing momentum around improving multimodal transportation options in Richfield, and walking is a critical component of this trend.

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-Page 9-

Figure 5: Guiding Principles for Land Use and Transportation

I. Multimodal Design

Multimodal Design of public rights of way will be consistent with the City's Complete Streets policy and will utilize innovative and non-traditional design standards in a way that is equitable for all modes/users, inter-modal activities, and is respectful of the surrounding community.

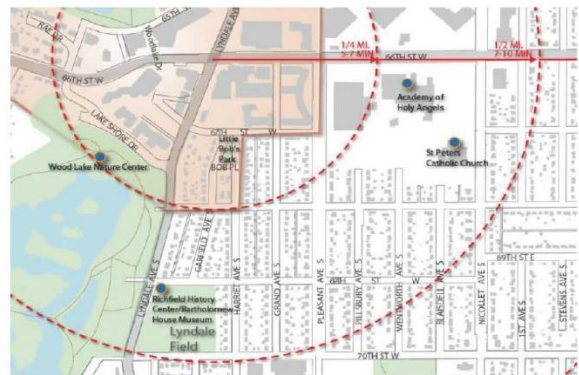
- Provide pedestrian facilities and amenities within the right of way
- Provide bike lanes at least 5 feet wide
- Include transit facilities, plan for intermodal transfers, and provide bike lockers & racks
- Add bike rentals and Nice Ride stations



II. Connectivity and Public Realm

The street and public right-of-way network will be used to connect various **Public Realm** amenities so that a range of inter-modal activities (walking, biking, driving, etc.) support how neighborhood residents travel to and from destinations such as schools, parks/open space, shops and businesses.

- Provide a well-connected network of streets, paths & transit
- Accommodate multimodal connections to local destinations
- Enhance connections to the regional transit and bicycle networks
- Implement signage and way-finding



III. Local Economy

Community improvements and reinvestment will reinforce and support all businesses in the **Local Economy** and provide a safe and more convenient way to access and connect for neighbors, residents, pedestrians, cyclists and motorists.

- Maintain/improve visibility and convenient access to businesses
- Employ parking strategies that provide safe access for all users and modes of movement
- Provide wider retail sidewalks that support a variety of users and uses
- Promote building use and type that reinforces street enclosure and defines the public realm



IV. Design for People

How people use community amenities and facilities is the most important criteria regarding the planning, engineering, implementation and maintenance of any improvement.

Design for People will address universal accessibility as well as comfort, safety, and convenience for all users.

- Provide comfortable places to sit and walk
- Employ Complete Streets design that emphasizes all users
- Design streets that are a human scale with narrower lane widths, bump-outs, etc.
- Plant boulevard and shade trees



Guiding Principles for Land Use and Transportation Continued

V. Community Character and Identity

The design and implementation of community facilities and improvements will recognize the **Community Character** of single family residential scale and pattern and will also respond to local features such as natural resources, public art, aesthetics and gateways.

- Respond to residential neighborhood use and scale with appropriate street size and speeds
- Design wayfinding that represents local character
- Maintain a mature tree canopy
- Incorporate opportunities for public art



VI. Sustainable Solutions

New improvements, growth and development will utilize **Sustainable Solutions** that are adaptable, flexible, built to last and that consider implications of long term maintenance to ensure the future economic, environmental and social health of the community.

- Understand the environmental setting and context of the area
- Incorporate green stormwater practices such as rain gardens, tree trenches and pervious pavers
- Bury utilities where possible
- Accommodate future maintenance and operations with dedicated funding sources



VII. Healthy and Active Lifestyles

Elements will be incorporated into planning and design efforts to encourage comfortable corridors and places to walk and bike to, safe and well-landscaped routes that inter-connect the community, and promote **Healthy and Active Lifestyles**.

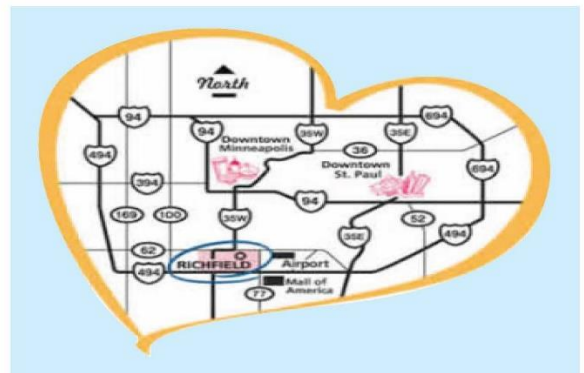
- Create safe, convenient, and fun non-motorized travel opportunities
- Design a safe, well-defined network of routes to walk and bike to school
- Provide well-marked, designed, and visible street crossings
- Implement signage and way-finding



VIII. Unique Location

Community and transportation improvements will support a well-designed and functional regional system which complements local land uses, and capitalizes on Richfield's **Unique Location** through enhanced access to the regional multimodal transportation system to improve livability and convenience.

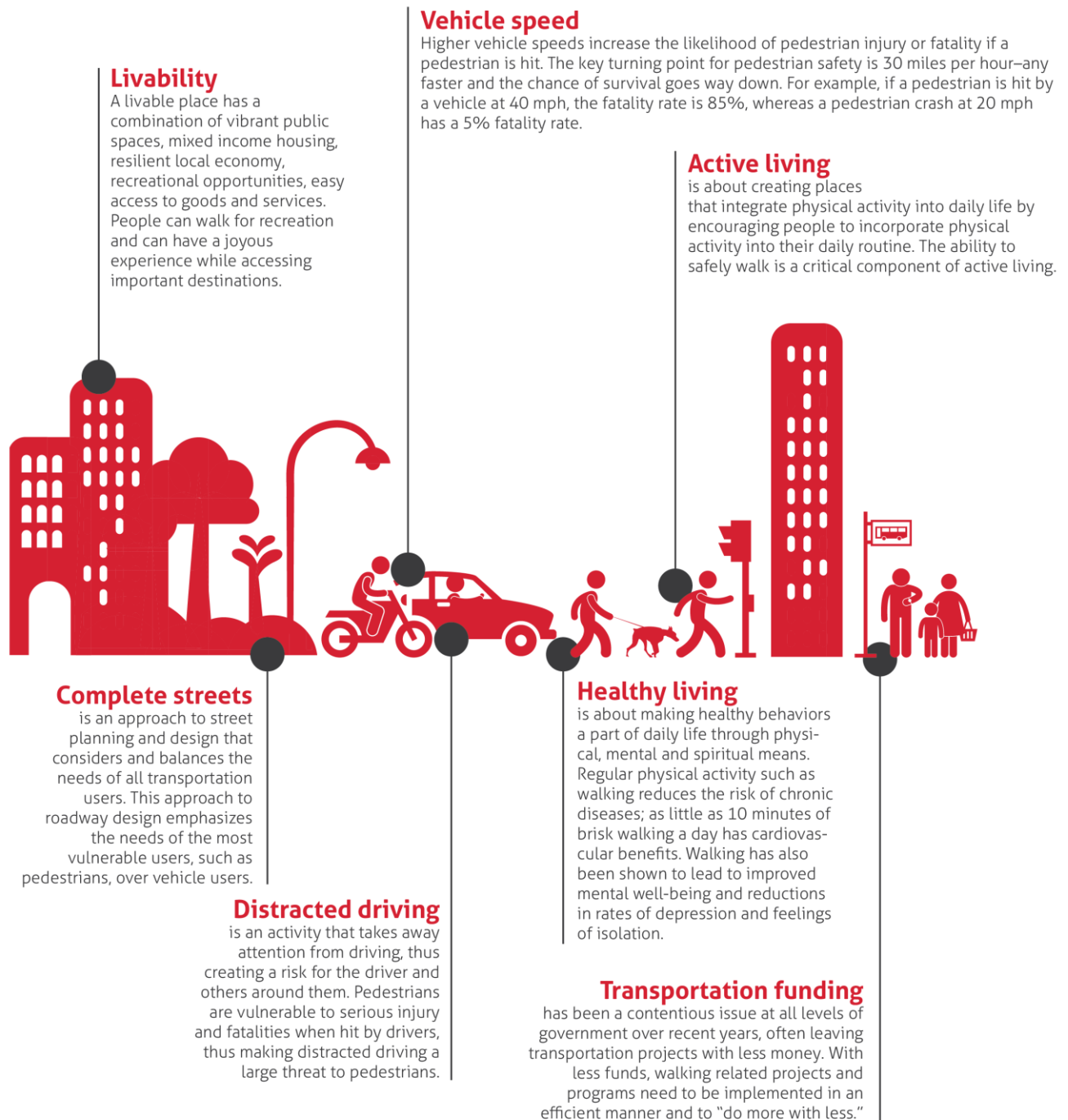
- Emphasize design that accommodates local traffic over through traffic
- Enhance regional transit and trail connections
- Maintain convenient freeway access



Trends Influencing the Pedestrian Network

Cities and the way people move within them are changing. Many people want walkable urban areas, robust multimodal transportation options, and the ability to lead healthy and active lives. Figure 6 highlights just some of the trends driving this change.

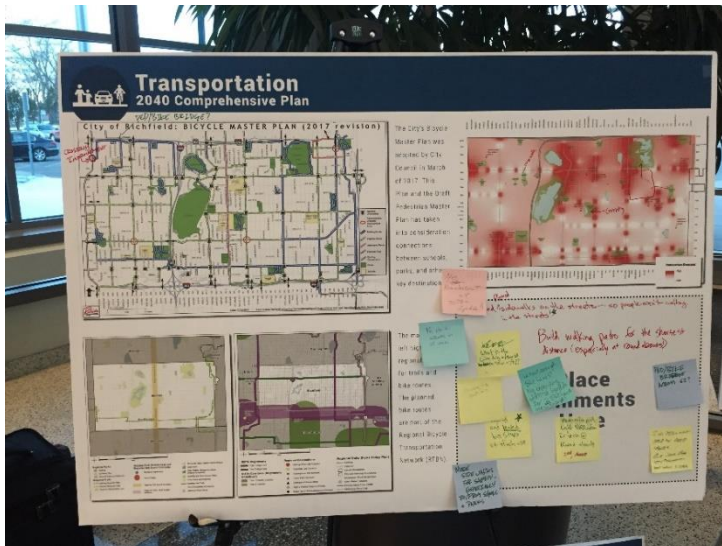
Figure 6: Influencing Themes and Trends



Richfield Pedestrian Plan Goals

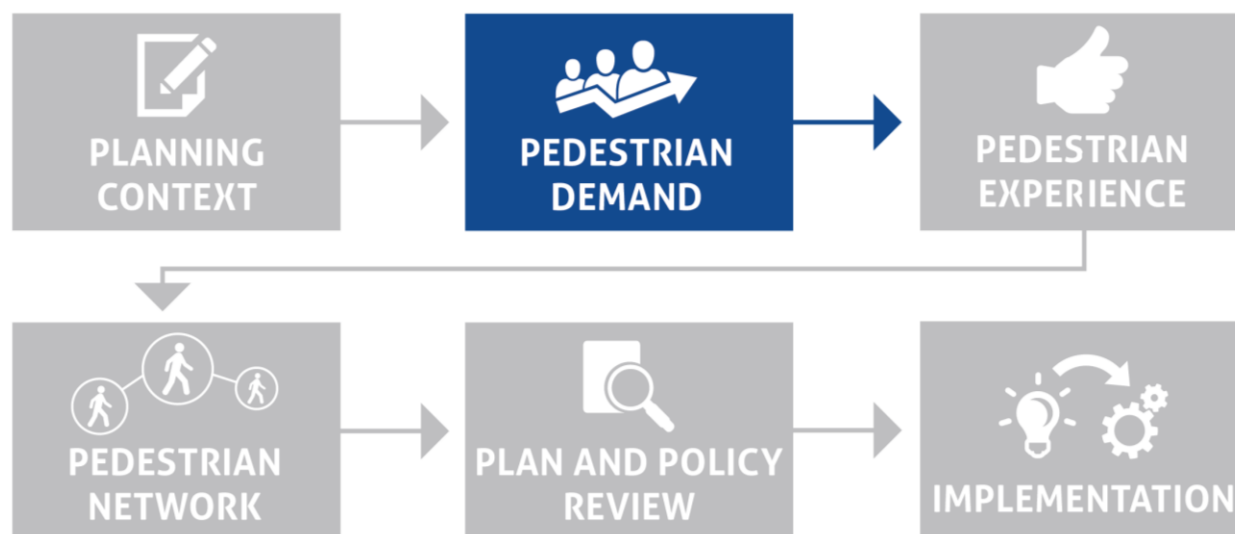
The goal of the Richfield Pedestrian Plan is to make walking the easy choice. This means that walking for transportation and recreation is integrated into the culture of Richfield and the benefits of making walking safe, convenient and desirable for all should be widely publicized and promoted. This goal reflects the values of the community based on the Guiding Principles and public comments received as part of the planning process and responds to current themes and trends. This goal should be used as a “north arrow” for the project planning process to ensure that walking is prioritized in an equitable and balanced way. The city will do this by:

- 1. Making design for pedestrians the first priority when planning roadways and streets.** This means actively address pedestrian safety through design and creating public spaces which are convenient and enjoyable for walking. Often times, this can lead to focusing on pedestrian crossings at high activity locations and designing roadways and streets to encourage people driving cars to slow down and pay attention.
- 2. Coordinating multimodal transportation networks and land use decisions to improve characteristics of the built environment that impact walking.** Such as design and the location of destinations, orientation of buildings to the street, and parking lots that are designed for people to walk in. Streets should be vital public spaces that not only serve travel but also foster social and economic activity.
- 3. Make public realm improvements a standard, rather than an option, in high activity locations.** This includes elements such as pedestrian lighting, decorative concrete, seating, and public art, all of which foster a more inviting pedestrian experience.



Community input collected at an open house in 2018

Chapter 2: Pedestrian Demand



The performance of a pedestrian route should be measured in terms of user experience – does it feel safe? Do people want to walk there? Does it seem like the fastest route?

This section outlines a process that can be used to understand relative demand for pedestrian movement and example applications of how this process can be applied at the project level. All routes should provide a safe and enjoyable experience, but the treatment needed to provide that experience will vary and should be evaluated based on contextual factors such as nearby land uses (i.e., demand) and the physical attributes of the route.

Pedestrian demand has historically been measured largely by the number of pedestrians already walking in a certain location. However, experience has shown that this does not always reflect actual demand. People avoid walking when they feel unsafe or uncomfortable. This means that *both* existing and *latent* demand must be considered when evaluating corridors for pedestrian improvements. It also means that corridors must be evaluated on a segment-by-segment or even block-by-block basis, with the goal of answering the question of “how important is THIS location in the pedestrian system?” as well as “what improvements are needed HERE for people to feel safe and comfortable while walking?”

Pedestrian Demand Factors

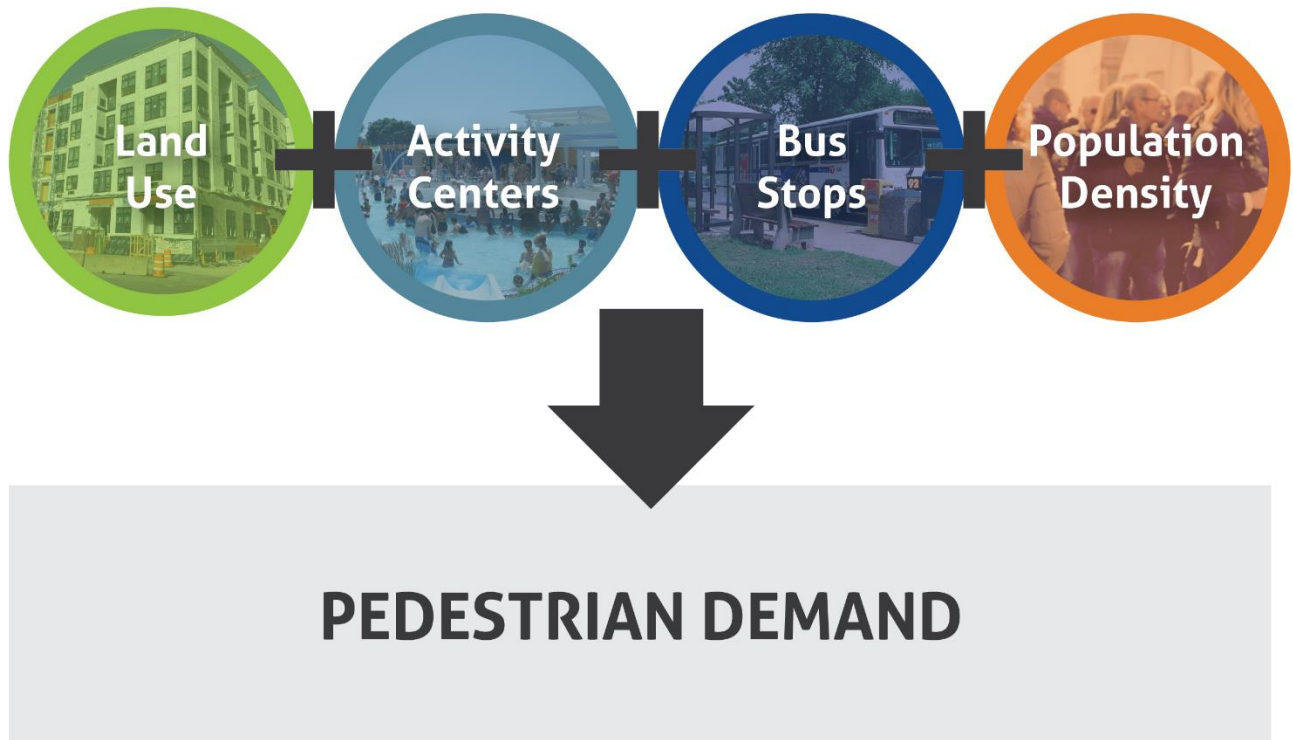
Factors such as adjacent land uses and nearby activity centers, proximity to parks and schools, the presence of

AN EXAMPLE OF LATENT DEMAND

Two competing shoe salesmen visited an isolated community. One sent a message back saying, “I’m returning to the office tomorrow. Nobody here wears shoes!” The other sent a message saying, “Send more product! Everybody here needs shoes!”

transit service, population density and demographic makeup, and the role of the corridor within the larger transportation network all influence how many people will want to walk in a given location (see Figure 7). To understand pedestrian demand at a given location, all of the relevant factors must be considered in concert. The following sections include an overview of these factors.

Figure 7: Pedestrian Demand Influencers



Land and Activity Centers

Activity centers are a group of destinations where people want to go for a variety of goods and services. Figure 8 shows popular activity centers in Richfield and adjacent to Richfield, based on data collected in 2012 as part of the Bicycle Master Plan. The following are common activity centers that were considered:

- Businesses and commercial areas such as shopping centers, restaurants, retail stores, large offices and industrial parks
- Schools, recreation facilities and parks
- Community buildings such as the community center, libraries, and city offices

Transit Stops

Bus service inherently creates demand for walking as people usually walk to their bus stop. A typical bus rider will have to cross the street at least once for each two-way trip. Both the frequency of the bus service—how often the bus comes—and the ridership—how many people get on or off the bus)—and the existing physical attributes of the street and bus stop should be considered when evaluating pedestrian improvements at bus stops. Figure 8 shows daily boardings for bus stops in Richfield (fall 2015).

Population Density

Where people live, or population density, is an important factor in understanding latent pedestrian demand. Proximity to higher population density is an indicator of potential demand for walking. Likewise, concentrations of older adults, people living in poverty, minority populations, and young people are all indicators of potential pedestrian demand. These populations may rely on walking as their primary mode of transportation due to lack of an automobile or may simply have a stronger preference for walking for health, exercise, recreation, or transportation.

Citywide Pedestrian Demand

Figure 8 illustrates destinations and activity centers within the city, based on a survey completed as part of the development of the Richfield Bicycle Master Plan in 2010, and updated to reflect current conditions. Figure 9 shows population density and Figures 10 – 13 show densities of people living in poverty, minority populations, older adults, and households with children, respectively. Figure 14 is a “heat map” which shows pedestrian demand. More intense shading means higher pedestrian demand and the lighter shading means lower pedestrian demand.

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two-sided printing*



Figure 8: Richfield Pedestrian Destinations and Activity Centers and Transit Stops

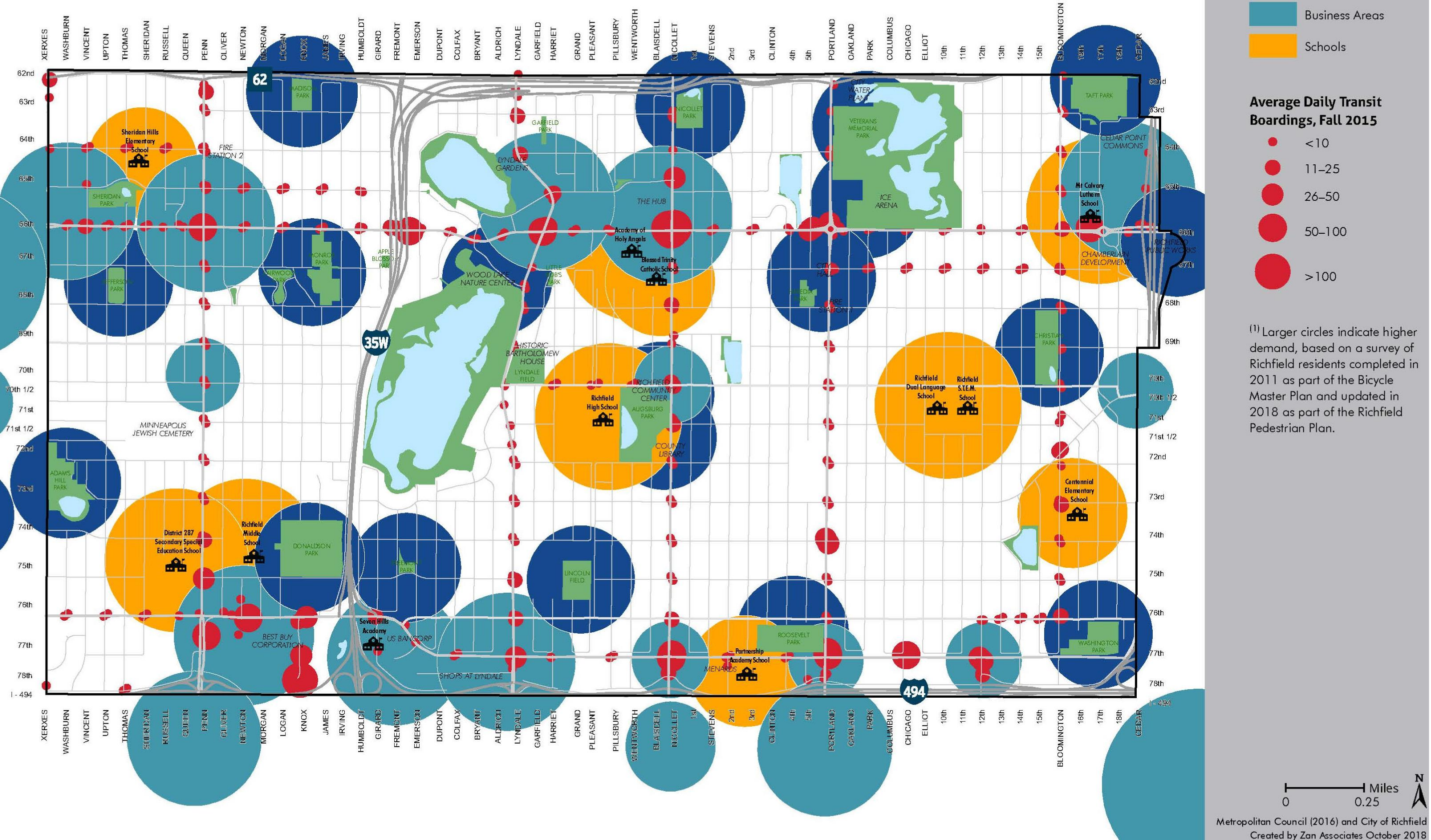
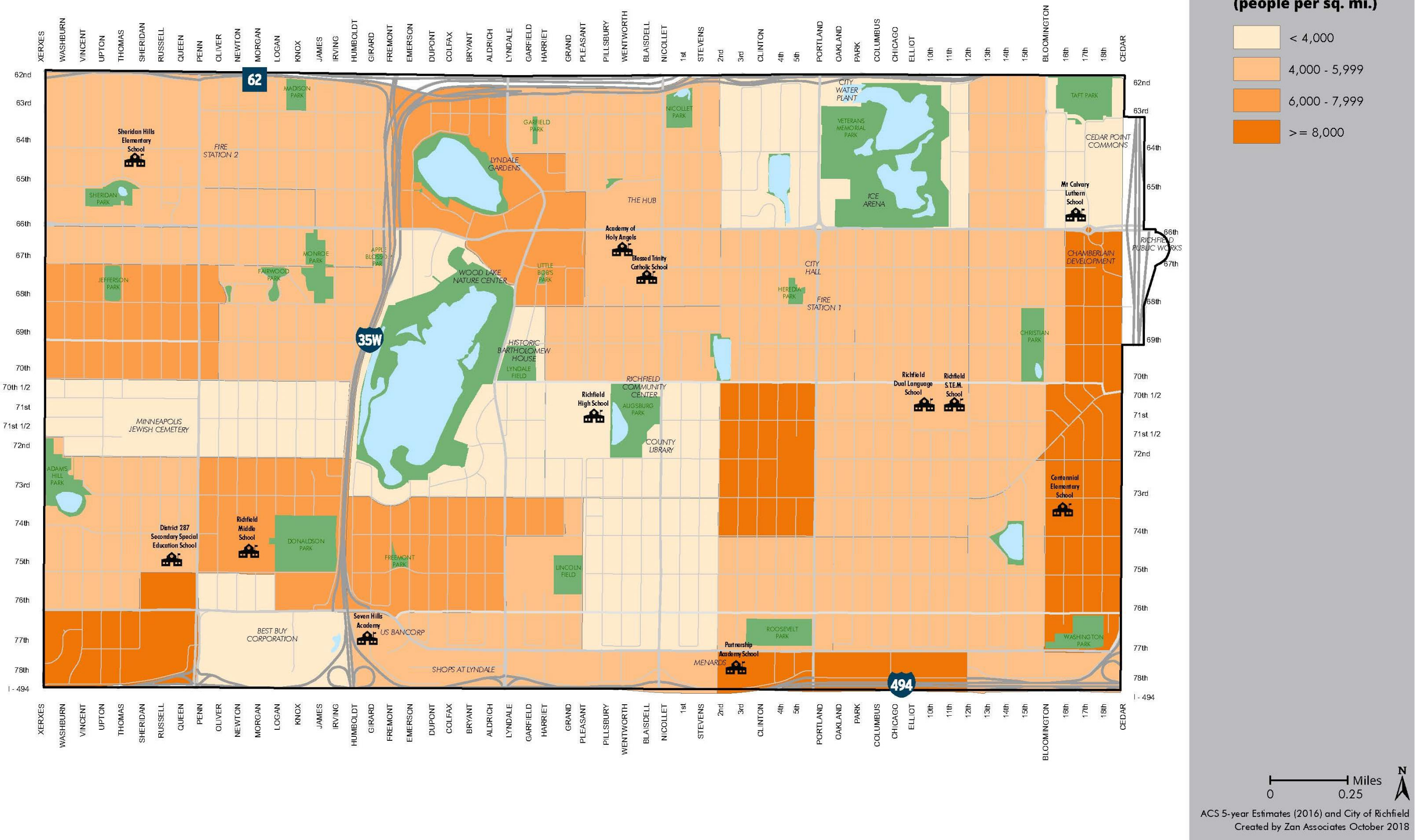




Figure 9: Population Density



The map displays Richfield, MN, with population density data. The color scale ranges from light pink (<5%) to dark red (>=25%). Key features include:

- Major Roads:** I-35W (running north-south) and I-494 (running east-west).
- Landmarks:** Wood Lake Nature Center, Wood Lake, Lyndale Gardens, Veterans Memorial Park, Ice Arena, City Hall, Fire Station 1, Fire Station 2, and the Minneapolis Jewish Cemetery.
- Schools:** Sheridan Hills Elementary School, Mt. Calvary Lutheran School, Richfield High School, Richfield Middle School, and several elementary schools.
- Parks:** Madison Park, Garfield Park, Lyndale Park, Jefferson Park, Fairwood Park, Monroe Park, Apple Blossom Park, Little Bob's Park, Heredia Park, Christian Park, Lincoln Field, Roosevelt Park, and Washington Park.
- Commercial/Industrial:** Best Buy Corporation, US Bank Corp, Menards, and various retail and service areas.

Legend:

- <5% (Light Pink)
- 5% - 9% (Light Orange)
- 10% - 24% (Medium Orange)
- >=25% (Dark Red)

Scale: 0 to 0.25 Miles. **North Arrow:** Points North.

Source: ACS 5-year Estimates (2016) and City of Richfield. Created by Zan Associates October 2018.

Figure 11: Percentage of Non-White Populations

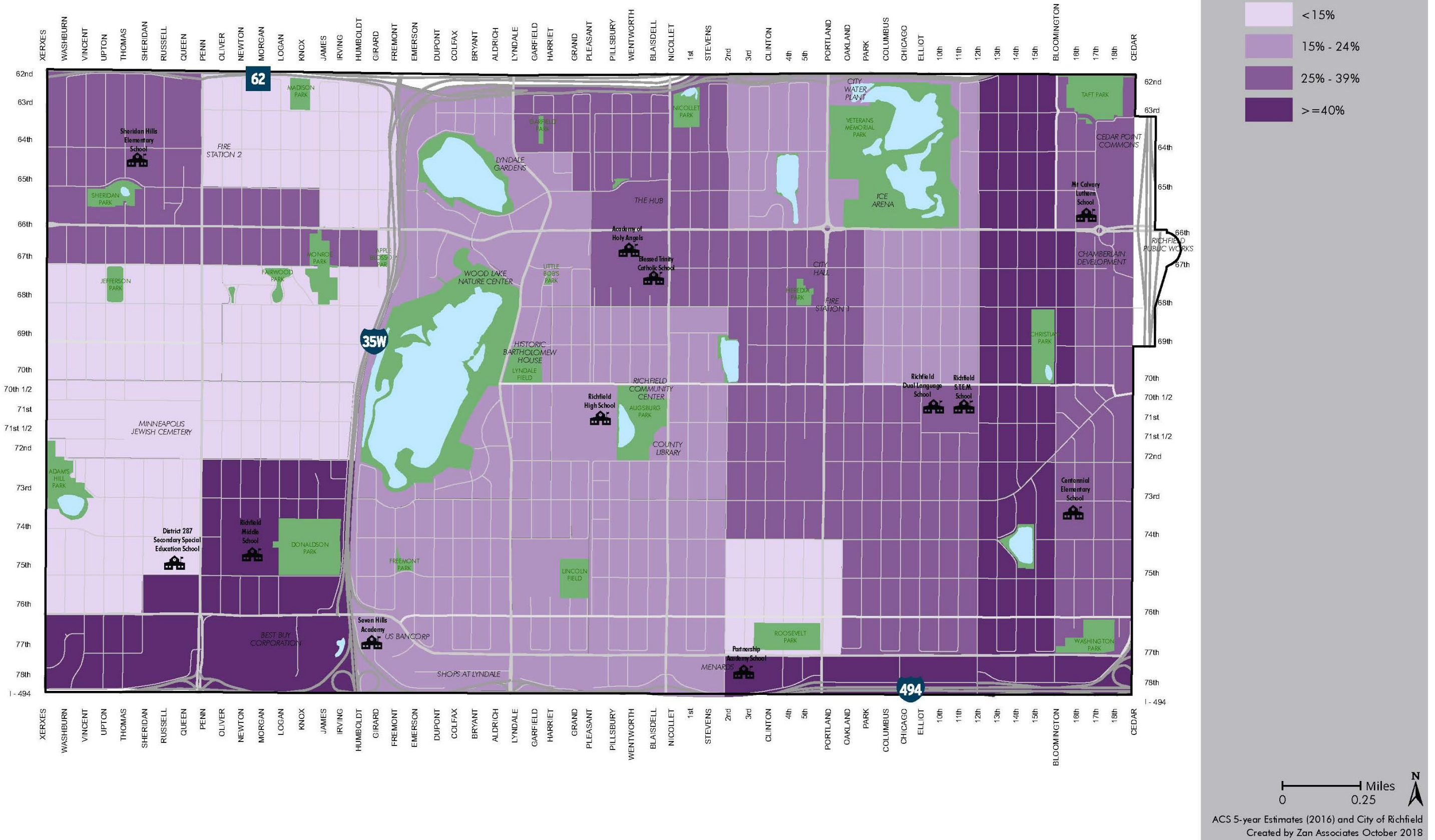




Figure 12: Percentage of 65+ Populations

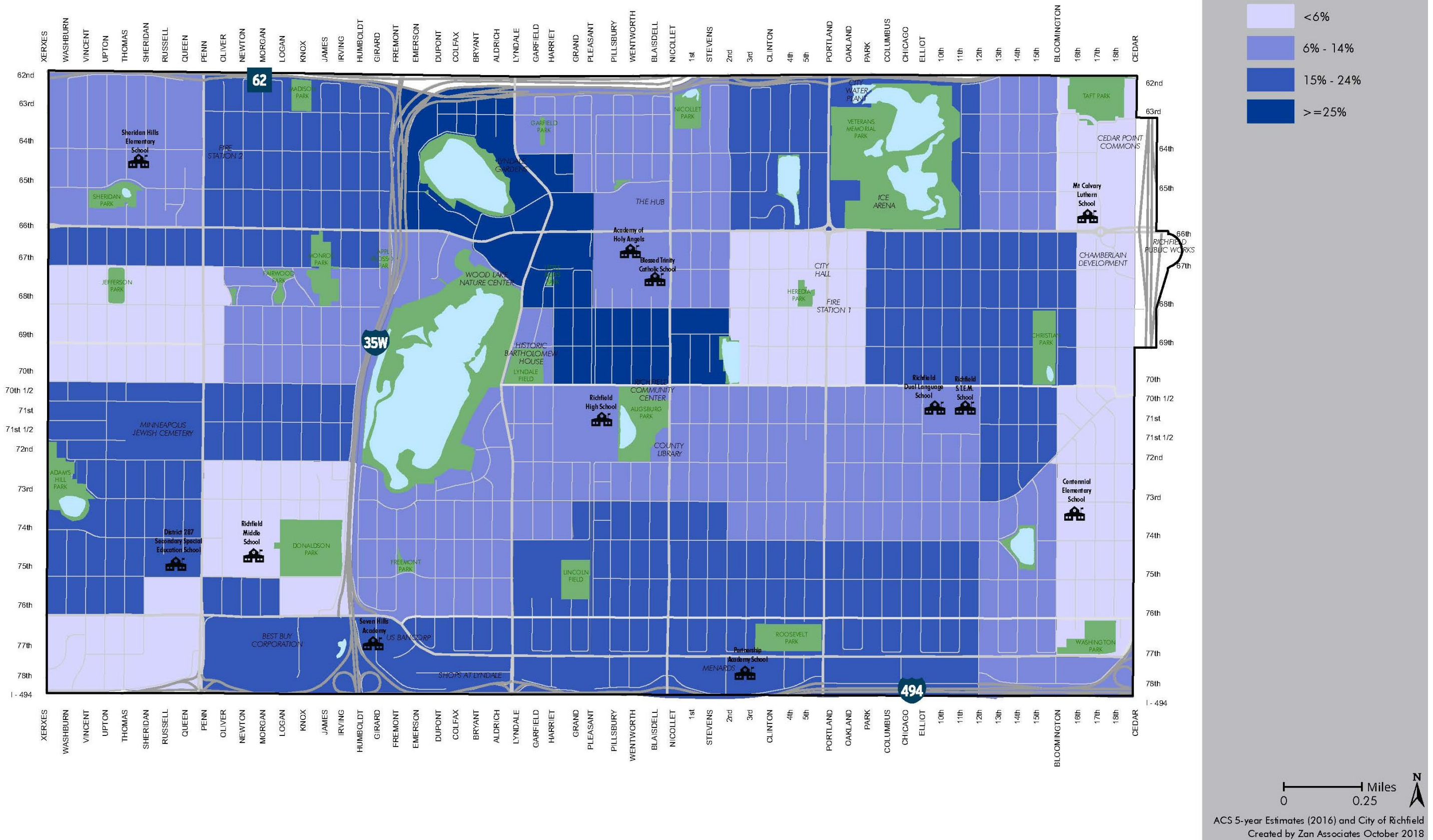




Figure 13: Percentage of 18 and Under Populations

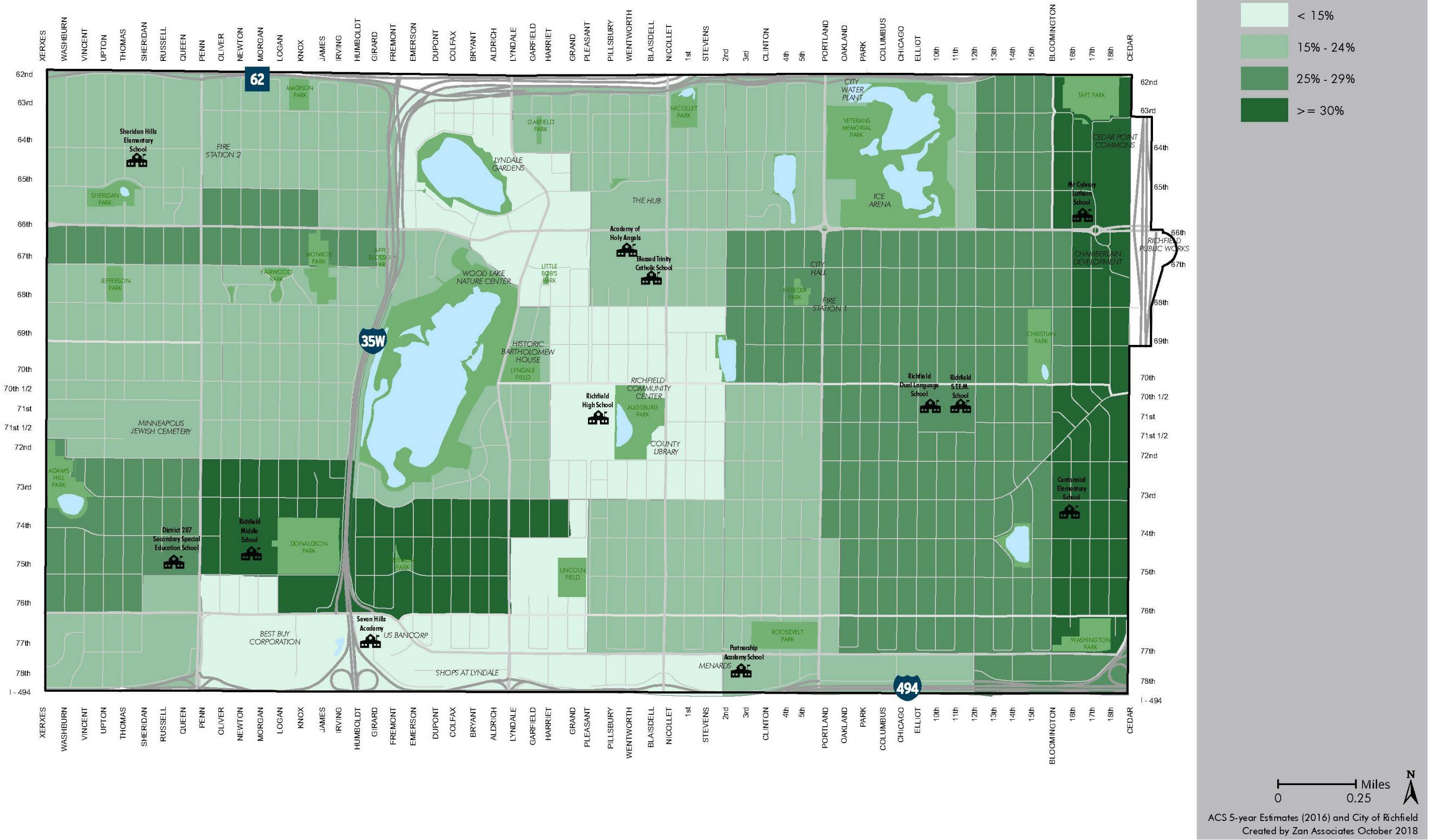
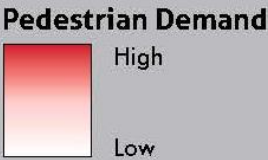
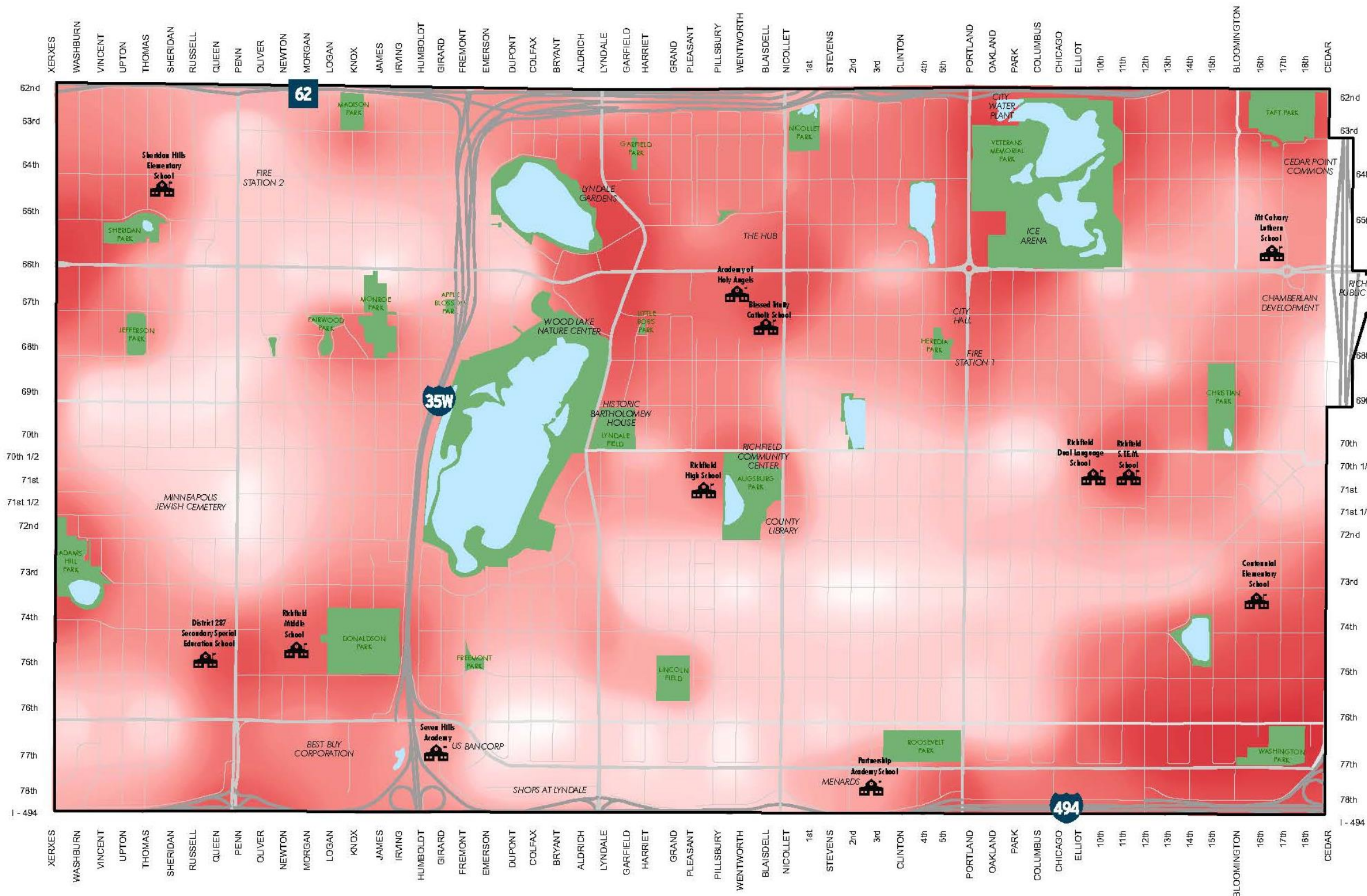


Figure 14: Citywide Pedestrian Demand

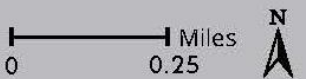


Pedestrian Demand Methodology

Pedestrian demand was determined based a review of arterial, collector, and connector roadways and their relative proximity to activity centers and population density. A higher concentration of, or closer proximity to activity centers, means higher demand. Activity centers considered include:

- Community buildings such as the community center, libraries, and city offices
- Businesses and commercial areas such as shopping centers, restaurants, retail stores, large offices and industrial parks
- Schools, recreation facilities and parks

Likewise, closer proximity to higher population density means higher demand, as well as proximity to concentrations of older adults, people living in poverty, minority populations, and young people.



Pedestrian Demand Evaluation Framework

The following are criteria for the evaluation of pedestrian demand on a citywide basis or for an individual project.

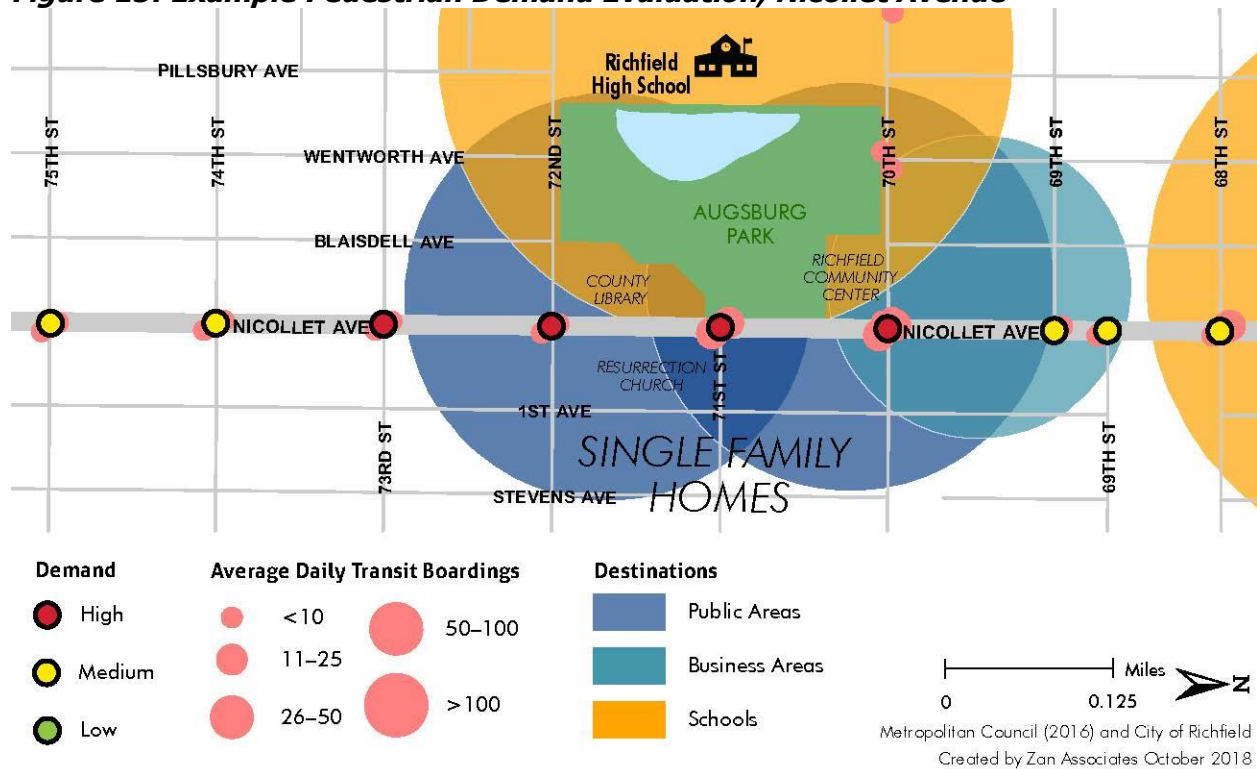
- **Magnitude of Activity:** Places with a larger *draw* will likely generate more pedestrian demand.
- **Proximity:** Places within ½-mile will have more impact on walking than places further away.
- **Time of Day:** Some activity centers such as schools or transit stops may have higher pedestrian activity during certain times of the day.
- **Network Relation:** A route that connects activity or population centers may be important even though there are no activity or population centers immediately adjacent to the project corridor.

Figure 8 shows pedestrian demand citywide based on these factors. Figure 15 shows an example of a corridor pedestrian demand evaluation for Nicollet Avenue South (75th Street to 68th Street), based on a general rating system:

- **High demand:** Locations within one half-mile of one of more activity or population centers and has a high level of connectivity within the pedestrian network.
- **Medium demand:** Location is within one half-mile of at least one activity center and connects to the wider pedestrian network on at least one end.
- **Low demand:** Location is not close to any activity or population centers and is not an important link in the wider pedestrian network.



High visibility crosswalk with median refuge island

Figure 15: Example Pedestrian Demand Evaluation, Nicollet Avenue

Demand Category	Influencing Factors
Activity Centers and Destinations	<ul style="list-style-type: none"> Augsburg Park Complex - Augsburg Library and Richfield Community Center - is on west side of road (top of the map). Park has popular green space, playground, and a skate park Richfield High School is just beyond the park to west. Existing residential neighborhood on east side of road.
Transit Service	<ul style="list-style-type: none"> Transit ridership is relatively high along the Nicollet Avenue corridor. Busses have regular service all day, with 15 – 20-minute headways during peak periods. High volume bus stops at 71st, 70th and 68th Streets.
Population Density and Equity	<ul style="list-style-type: none"> Neighborhood east of Nicollet Avenue has a relatively high population density and concentrations of people living in poverty, non-white older adults (65+), and children (under 18) populations. Augsburg Park west of Nicollet Avenue is home to a range of regularly programmed activities, including community concerts, children's events, and a free lunch program in the summer.
Transportation Characteristics	<ul style="list-style-type: none"> Speed on Nicollet Avenue is higher than 25 mph. High traffic volumes – 12,000+ vehicles per day. Nicollet Avenue is direct connection to and between many different destinations and activity centers. Nicollet Avenue is key part of existing sidewalk network, poor condition.

Chapter 3: Pedestrian Experience

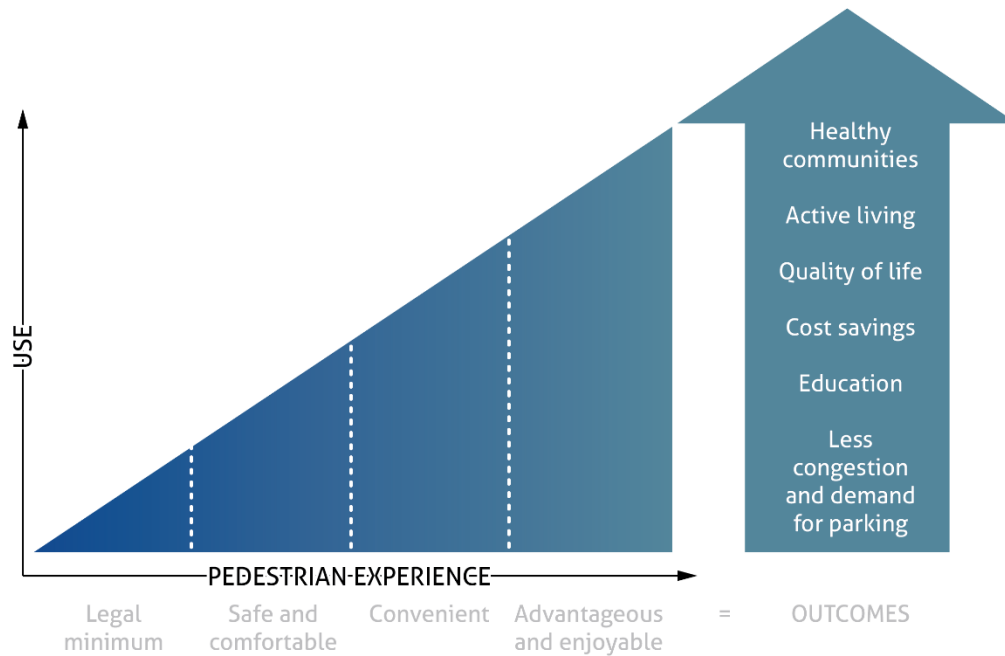


Experience in many communities, including Richfield, has shown that people walk more and are drawn to locations where they feel safe, the route is convenient, and the experience is enjoyable. This concept is illustrated in Figure 16. Walking participation and the related benefits increase as the level of pedestrian improvements moves past the basic legal requirements, toward safe and convenient facilities such as high-visibility crosswalks and median refuges, to an advantageous and even more enjoyable facility that includes landscaping and public art.

The directness of a route to key destinations or activity centers may influence its attractiveness to pedestrians. However, often the most direct routes have characteristics that discourage walking such as high traffic speeds, busy intersections, long crossing distances or an environment that generally feels unsafe or uncomfortable. These attributes may result in low existing pedestrian use but high latent demand. Both the value of connectivity and the safety and comfort for walkers must be considered when evaluating these routes for pedestrian improvements and latent demand.

To achieve the city's goal of encouraging walking, the city will need to move beyond a minimum level of pedestrian accommodation - sidewalks at some locations, curb ramps, crosswalk striping at major intersections- toward a higher level of pedestrian improvements at high demand locations throughout the city. With a higher level of accommodation, it becomes more advantageous, or even enjoyable, to choose walking over other modes of transportation (see Figure 16).

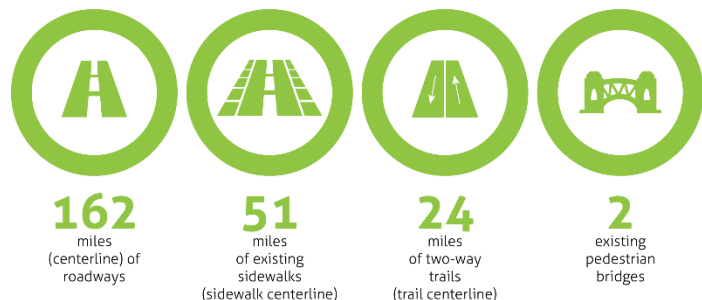
Figure 16: Level of Accommodation/Use Relationship



Existing Pedestrian System

Strengths of the Richfield Pedestrian Network

- Richfield's existing pedestrian system includes sidewalks along all major roadways (minor arterials), see (Figure 17).
- There is a robust and well-loved network of trails within city parks throughout the city.
- There are existing mid-block crossings at some major activity centers.
- There is strong transit ridership (bus routes) along the arterial routes within the city.
- The city actively clears snow along all sidewalks and trail within the city, at no additional cost to residents.
- There is strong community support for continued investment in pedestrian and bicycle improvements.
- The city's "Sweet Streets" program is a strong advocate for multimodal transportation.
- Actively implementing the ADA Transition Plan to better accommodate people with disabilities.



Challenges of the Richfield Pedestrian Network

- Crossing many streets, particularly higher volume arterials, is uncomfortable and unsafe for many pedestrians and some places have a history of pedestrian crashes.

Figure 17: Richfield Pedestrian Facilities

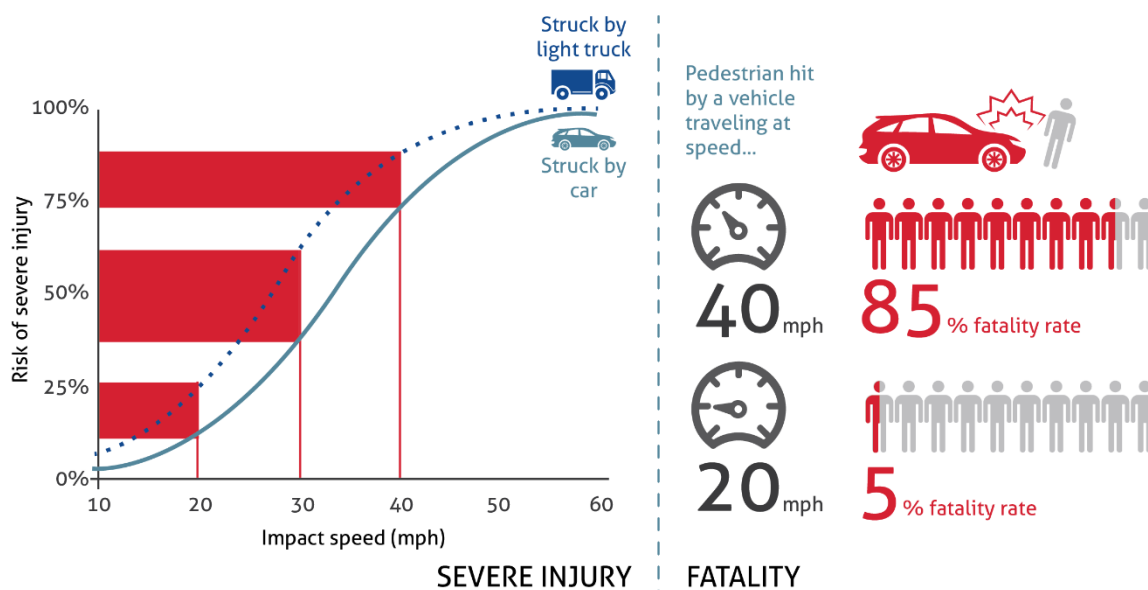
- Many of the older sidewalks in the city are built at the back of the curb and don't provide adequate separation from traffic for a comfortable or safe pedestrian experience, especially in winter months where sidewalks become snow storage.
- The city did not include pedestrian infrastructure along neighborhood streets when the roads were built (1970s), which means no sidewalks in most residential neighborhoods.

Pedestrian Safety

Safety is the primary concern when planning and designing pedestrian facilities. Safety includes consideration for both people in motorized vehicles (e.g., cars, buses, trucks, etc.) and people using non-motorized transportation modes (e.g., walking, biking, rolling, etc.). There are a number of ways to measure safety, including objective safety (i.e., number and severity of crashes) and subjective safety (i.e., the users perception of safety). For the purposes of this plan, safety generally refers to the risk of a crash, both objectively and subjectively.

Motorized vehicle speeds are the most important factor in the severity of pedestrian crashes

The data is clear – pedestrian safety is enhanced by slower traffic speeds and shorter crossing distances (less crash exposure). As shown in Figure 18, at 30 miles per hour the risk for severe injury to the pedestrian in a crash is about 50% —any faster and the risk of injury goes way up and the chance of survival goes way down.

Figure 18: Vehicle Speed and Pedestrian Injury Relationship

Source: Impact Speed and a Pedestrian's Risk of Injury or Death. AAA Foundation for Traffic Safety. September 2011.

Pedestrian Crash Data

Based on a review of reported crashes in the 10-year period from 2006 to 2015, pedestrian crashes in Richfield have historically occurred at a rate of about 10 per year and about one crash per year results in a fatality or a serious/incapacitating injury. Figure 19 shows key trends related to this data and Figure 20 shows the location and severity of reported pedestrian crashes in Richfield.

Figure 21 and Figure 22 show pedestrian crashes by intersection type and activity center, respectively.

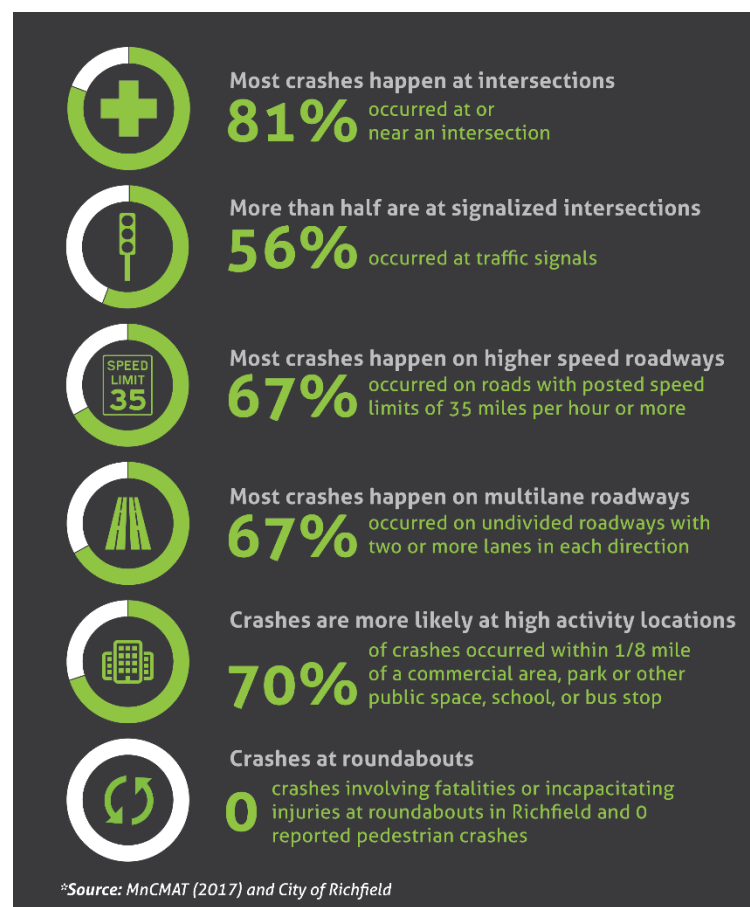
Figure 19: Richfield Crash Trends



Figure 20: Location and Severity of Crashes in Richfield (2006 – 2015)

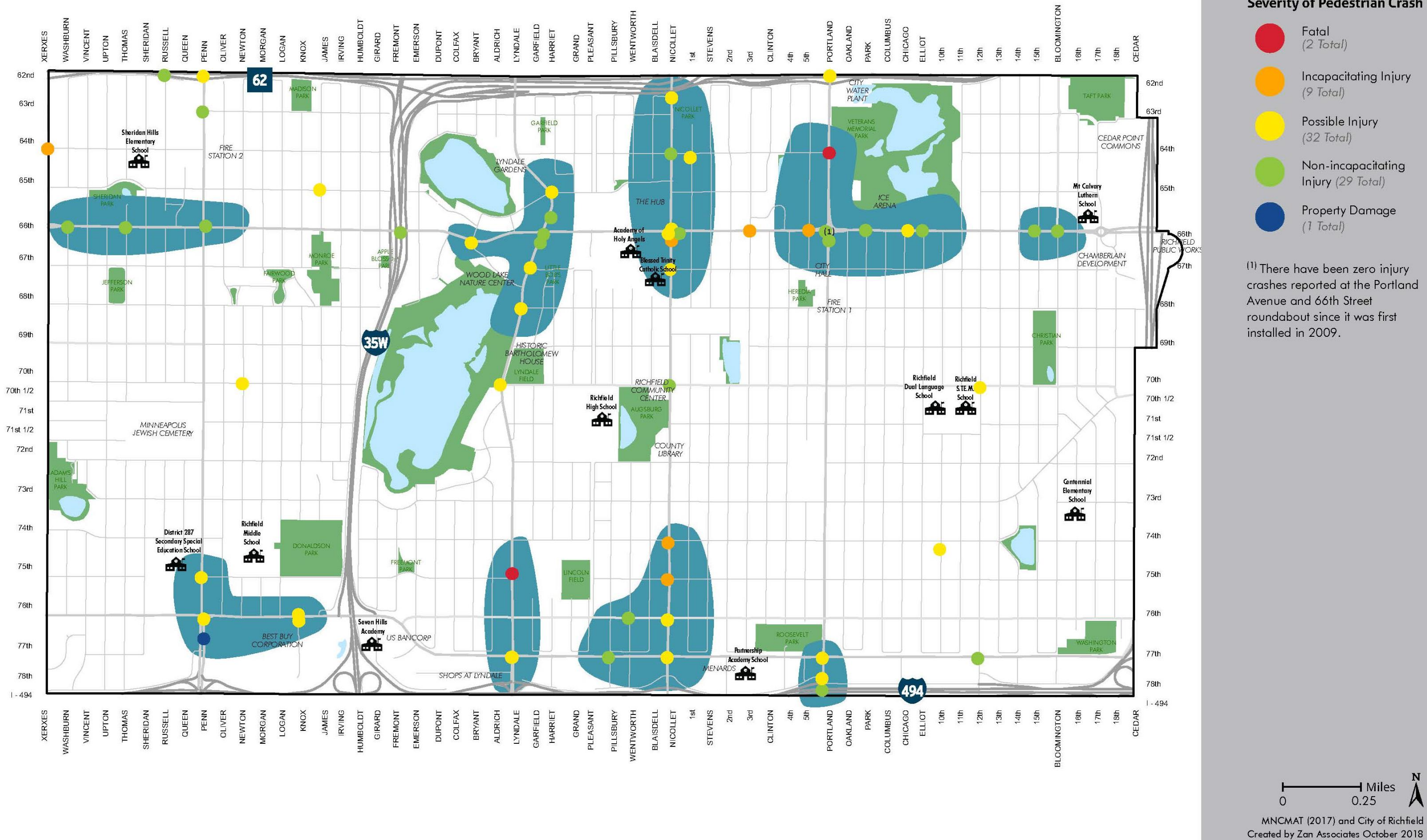


Figure 21: Crashes by Intersection Type Center

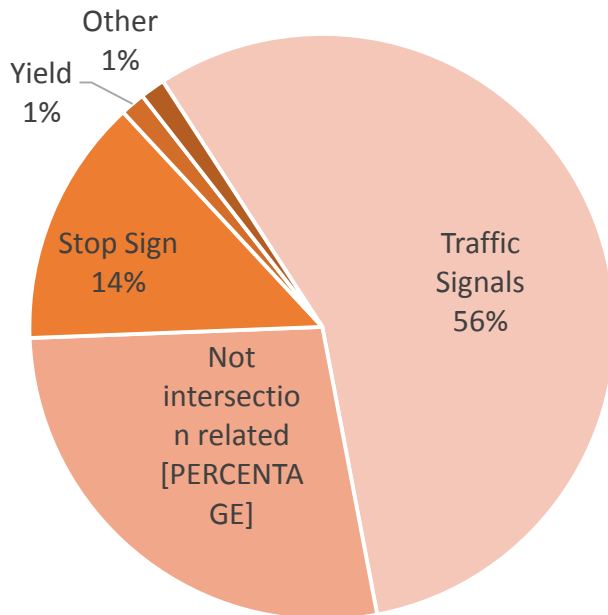
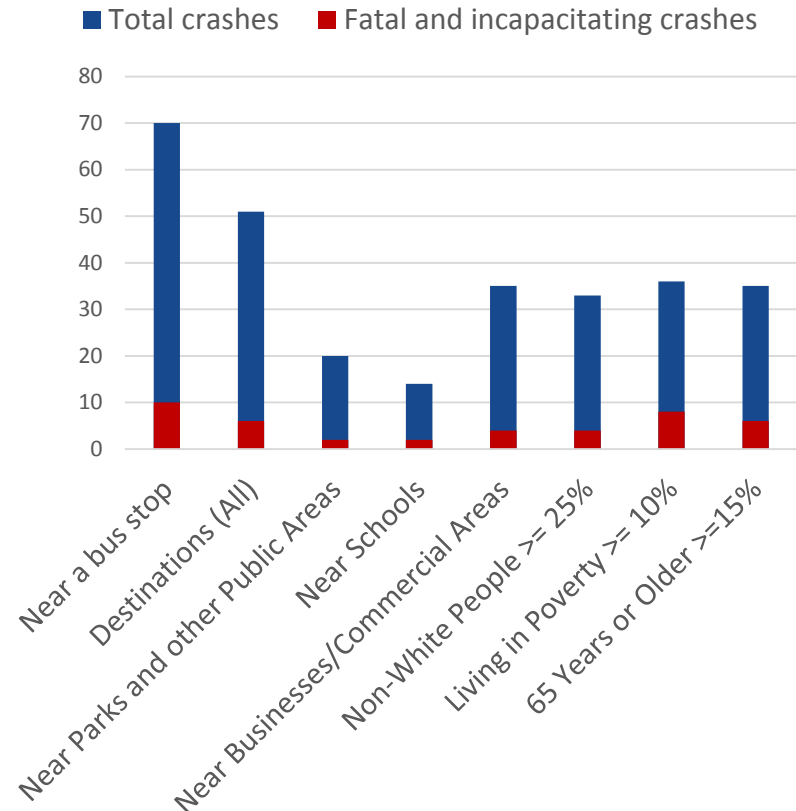


Figure 22: Crashes by Activity

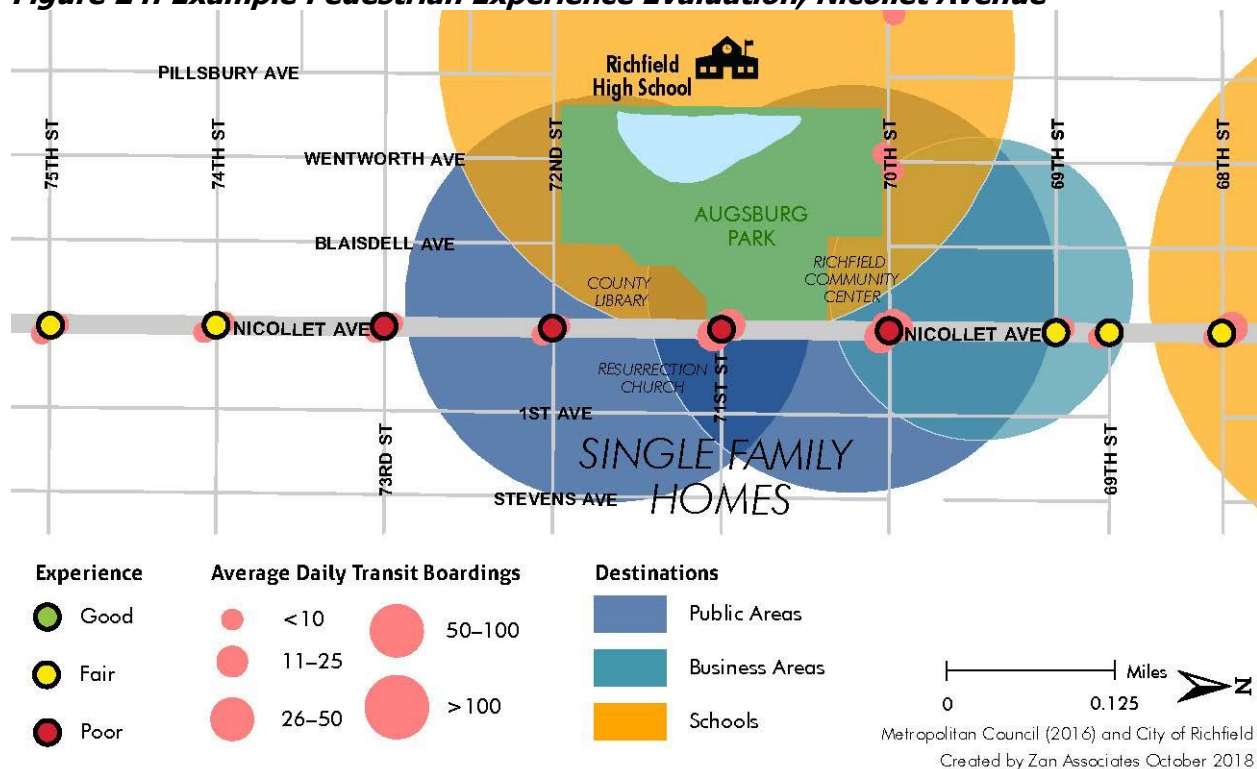


Pedestrian Experience

Pedestrian experience should be evaluated on a block-by-block, segment-by-segment, and crossing-by-crossing experience. Crossings are critical as these are places where the greatest safety risks occur. Figure 23 includes an overview of typical criteria for the evaluation of pedestrian experience, for both crossings and linear facilities (i.e., segments). For each criterion, there are a range of potential improvement options that could be considered, based on context (e.g., such as demand and/or crashes). Figure 24 shows examples of these criteria applied to Nicollet Avenue, in Richfield.

Figure 23: Typical Pedestrian Experience Measures and Considerations

Crossings	Linear Facilities
<p><i>Physical condition</i></p> <p>This refers to the overall <i>state of repair</i> of a crossing. A well maintained and designed crossing contributes to a feeling of safety, comfort, and convenience for people who need to walk across the road.</p> <ul style="list-style-type: none">• What type of facility is present to help pedestrians cross: traffic signal (APS and ADA compliant), pedestrian push button, striped crosswalk, other?• What’s the condition of the pedestrian facilities?<ul style="list-style-type: none">◦ Curb ramps◦ Concrete/asphalt surfaces◦ Crosswalk striping and stop bars◦ Pedestrian pushbutton and countdown timers• Are there clearly defined edges to delineate the pedestrian zone?	<p><i>Physical condition</i></p> <p>This refers to the overall <i>state of repair</i> of a sidewalk or multiuse trail. A well-maintained facility contributes to a feeling of safety, comfort, and joy for people walking.</p> <ul style="list-style-type: none">• What type of facility is present - sidewalk, trail, etc.?• Is the surface free of cracks, heaves and obstructions?• Are the edges clearly defined to delineate the pedestrian zone?• Are the lights and other pedestrian facilities in good repair and functioning?• Is the area clean and free of trash?• Is the sidewalk or trail clear of ice and snow?• Are slopes and grades appropriate?
<p><i>Pedestrian Delay</i></p> <p>Pedestrian delay is the time a person spends waiting prior to being able to cross the street. This can be the length of time at a signal before the walk phase or the time it takes for an adequate gap in traffic at a non-signalized location. Longer crossing delay leads to higher risk behavior such as crossing at a signal during an opposing red light, or mid-block crossings, whereas shorter crossing delay is more likely to yield positive behavior – pedestrians crossing at controlled crossing locations.</p> <ul style="list-style-type: none">• What type of pedestrian signal is present at signalized crossings (pedestrian activated, automatic, count-down)?• What is the pedestrian delay?• Do adequate gaps in vehicle traffic regularly occur (non-signalized crossings)?	<p><i>Width of the Pedestrian Access Route (PAR)</i></p> <p>The PAR is the area on a sidewalk or trail used for walking. This can be less than the total width of the pedestrian realm which may include other areas such as boulevards, furnishing zones, and building frontage areas. An adequately sized PAR promotes a sense of safety, security, and convenience for pedestrians. The PAR should be a minimum of 5 – 8 feet, depending on the surrounding land uses and roadway characteristics. The PAR will need to be even wider in areas with high pedestrian demand.</p> <ul style="list-style-type: none">• Is the PAR at least 5 feet wide in residential areas and at least 8 in commercial areas?• Do adjacent land uses or other contextual factors necessitate a wider PAR?• Is there adequate clearance to buildings, walls, fences or other vertical obstructions?• Are slopes and grades appropriate?
<p><i>Crossing distance and crash exposure</i></p> <p>Crossing distance refers to the distance from the place a person steps off of the curb, to the place the person steps back on a curb on the opposite side of the street. Shorter crossing distances minimize the time it takes a person to cross the street and the number of vehicle conflict points a pedestrian is exposed to, thereby improving pedestrian safety.</p> <ul style="list-style-type: none">• How many vehicle and bicycle lanes is the pedestrian required to cross (including turn lanes and shoulders)?• Are there safe and protected median refuge or mid-crossing waiting areas?• Does the signal timing allow enough time for pedestrians to cross the entire street at a reasonable walking speed?	<p><i>Separation from traffic – boulevard, furnishing zone, sign zone</i></p> <p>Separation from traffic refers to the space between vehicle traffic lanes and the PAR. Greater separation, both horizontal and vertical, with boulevards, trees or bollards, physically separate pedestrians from moving vehicle traffic, thereby contributing to a sense of safety and comfort.</p> <ul style="list-style-type: none">• Is the sidewalk or trail physically separated from the roadway or is it next to the curb?• Are vertical separation features such as trees or bollards present?
<p><i>Speed of opposing vehicle traffic</i></p> <p>Research has shown that, at a speed of 30 mph, the risk of severe injury to a pedestrian is 50 percent. At lower speeds, this risk significantly decreases (see Figure 11), and at higher speeds, the risk significantly increases.</p> <ul style="list-style-type: none">• Are vehicle operating speeds 30 mph or greater?	<p><i>Pedestrian features</i></p> <p>This criterion refers to the additional features, such as benches, trash receptacles, and water. The presence of these features helps enhance the sense that a location is safe, convenient, comfortable and pleasant to walk.</p> <ul style="list-style-type: none">• What pedestrian features are present?
<p><i>Visibility</i></p> <p>This refers to the visibility of a crossing, both in terms of lighting and the physical characteristics of the location. Good visibility will contribute to the safety of a crossing and foster a sense of security for pedestrians.</p> <ul style="list-style-type: none">• Is the crossing well lit (does it illuminate the pedestrian)?• Is the crossing free from sight line obstructions?• Are there horizontal or vertical curvature issues?	<p><i>Visual quality</i></p> <p>An attractive appearance will help to make a sidewalk a place where people want to be, thereby contributing to a positive and pleasant pedestrian experience</p> <ul style="list-style-type: none">• Are elements such as trees and planting present?• Are physical features such as colored/textured concrete, banners, and public art included?
<p><i>Land use connectivity</i></p> <p>It is human nature for people to walk the shortest route possible. Thus, it is not realistic to ask people to walk even minimum distances in the “wrong direction” or “out of the way” to get to their desired destination. Pedestrian crossings should provide the most direct connection possible to adjacent land uses and activity centers.</p> <ul style="list-style-type: none">• Are there marked crosswalks at all intersection legs?• Does the crossing provide a direct connection to nearby activity centers?	<p><i>Land use connectivity</i></p> <p>This criterion measures the ability of a route to connect people to the places they want to go as efficiently as possible. It is human nature for people to walk the shortest route possible; thus, it is not realistic to ask people to walk even minimum distances in the “wrong direction” or “out of the way”.</p> <ul style="list-style-type: none">• Are there pedestrian facilities on both sides of the roadway?• Does the route provide direct connectivity to key destinations or activity centers?• Does the route provide connectivity to the overall pedestrian network or to other trails or sidewalks?

Figure 24: Example Pedestrian Experience Evaluation, Nicollet Avenue

<i>Demand Category</i>	<i>Influencing Factors</i>
Physical Condition	<ul style="list-style-type: none"> No marked crosswalks at 71st or 72nd Street. Existing crosswalk markings at 70th Street are worn and faded.
Visibility	<ul style="list-style-type: none"> Lighting illuminates the roadway mid-block, but does not light the sidewalks or crosswalks.
Crossing Distance and Crash Exposure	<ul style="list-style-type: none"> Pedestrians are required to cross three traffic lanes and bike-able shoulders.
Pedestrian Delay	<ul style="list-style-type: none"> There is a traffic signal at 70th Street, but it does not have pedestrian prioritized phasing. There is no crossing control at 71st or 72nd Street and the nearest controlled crossings are at least one block away.
Land Use and Connectivity	<ul style="list-style-type: none"> The only controlled crossing is at 70th Street, which is two – three blocks out of the way for pedestrians trying to access activity centers such as the 71st Street bus stop and Augsburg Library.

Chapter 4: Pedestrian Network



The city's pedestrian network will be expanded and modernized overtime to improve safety and to create a positive pedestrian experience, as resources become available. The highest priority for the pedestrian network is to focus on safety countermeasures at high traffic roadway crossings, particularly on the arterial roadway network. In addition, a series of priority pedestrian routes have been identified based on a review of proximity to activity centers (demand), gaps in the existing pedestrian network, and connections to crossings of major barriers to pedestrian mobility (e.g., highway bridges, railroad crossings, etc.). Finally, routes with existing pedestrian facilities will be modernized, based on need, to provide a positive pedestrian experience. This may mean replacing outdated and unsafe sidewalks and/or installing sidewalks on both sides of the road in some locations (see Figure 25).

Figure 26: Richfield Pedestrian Network is the Pedestrian Network Map for the City of Richfield. This map shows existing pedestrian facilities, priority pedestrian routes, and land use typologies as described below.

Figure 25: Richfield Pedestrian Network Considerations



Existing Pedestrian Facilities

Richfield is working to expand and modernize its pedestrian transportation system, but there is still more work to be done. There are existing sidewalks on both sides of the street along all

minor arterial roadways and sidewalks along one side of the street on all collector roadways, in accordance with the city's current sidewalk policy. In addition, the city has modernized facilities to include wider sidewalks, separation from vehicle traffic (i.e., boulevards), and safe crossings as part of recent roadway reconstruction projects (e.g., Portland Avenue and 66th Street). In total the existing pedestrian system in Richfield includes 162 miles (centerline) of roadways, 51.5 miles of existing sidewalks, seven miles of two-way trails, and two existing pedestrian bridges crossing major highways (i.e., I-35W and I-494).

Priority Pedestrian Routes

Priority Pedestrian Routes were identified based on proximity to activity centers (i.e., demand), planned development, filling gaps within the existing pedestrian network, and connections to crossings of major barriers to pedestrian mobility (e.g., highway bridges, railroad crossings, etc.). In total, 12 missing links in the priority pedestrian network have been identified as follows (see Figure 26).

- 1. 67th Street from Penn Avenue to Girard Avenue and Girard Avenue from 67th Street to 66th Street:** Passes nearby major activity centers and provides an alternative connection to the I-35 W bridge to 66th Street.
- 2. 73rd Street from the I-35W Pedestrian Bridge to Lyndale Avenue:** Fills a gap between existing pedestrian facilities and connects high activity locations.
- 3. 64th Street from Lyndale Ave to Portland Avenue:** Fills a gap between existing pedestrian facilities and connects high activity locations.
- 4. 68th Street from Lyndale Avenue to Nicollet Avenue:** Fills a gap between existing pedestrian facilities and connects high activity locations.
- 5. 4th Avenue from 70th Street to 71st Street:** Fills a gap in the existing pedestrian network.
- 6. 4th Avenue from 73rd Street to 76th Street:** Fills a gap between existing pedestrian facilities and connects high activity locations.
- 7. 67th Street from Portland Avenue to Richfield Parkway:** Fills a gap in the existing pedestrian network and serves future development areas which will have access along 67th Street.
- 8. 71st Street from Elliot Avenue to 12th Avenue:** Fills a gap in the existing pedestrian network adjacent to a school.
- 9. 73rd Street/Diagonal Boulevard from Portland Avenue to Cedar Avenue:** Fills a gap between existing pedestrian facilities and connects high activity locations.
- 10. 12th Avenue from 66th Street to 65th Street and 65th Street from 12th Avenue to Richfield Parkway:** Fills a gap in the existing pedestrian network and serves future development areas which will have access along 67th Street.
- 11. Richfield Parkway, from 68th Street to 70th Street:** Provides a continuation of the pedestrian facilities along Richfield Parkway to the north.
- 12. Richfield Parkway, from Diagonal Boulevard to 76th Street:** Provides a continuation of the pedestrian facilities along Richfield Parkway to the north.

Land Use Typologies

Land use typologies provide the basis to make decisions about future pedestrian facilities throughout the city. Land use typologies should be used in the project development process, in combination with an understanding of potential demand and desired pedestrian experience, to identify a suitable pedestrian facility design. The following is a description of each land use typology.

- **Neighborhood Residential**

Characterized by single family and multifamily residential uses along lower volume streets laid out in a grid pattern. Focus should be on fostering slower vehicle speeds, creating a clear and well-maintained walking path and providing safe crossings, particularly at higher volume roadways.



- **Neighborhood Commercial**

Primarily neighborhood serving commercial uses focused on providing goods, services, and entertainment. Focus should be safe and efficient crosswalks, direct and visually appealing pedestrian routes, and separation from vehicle traffic.



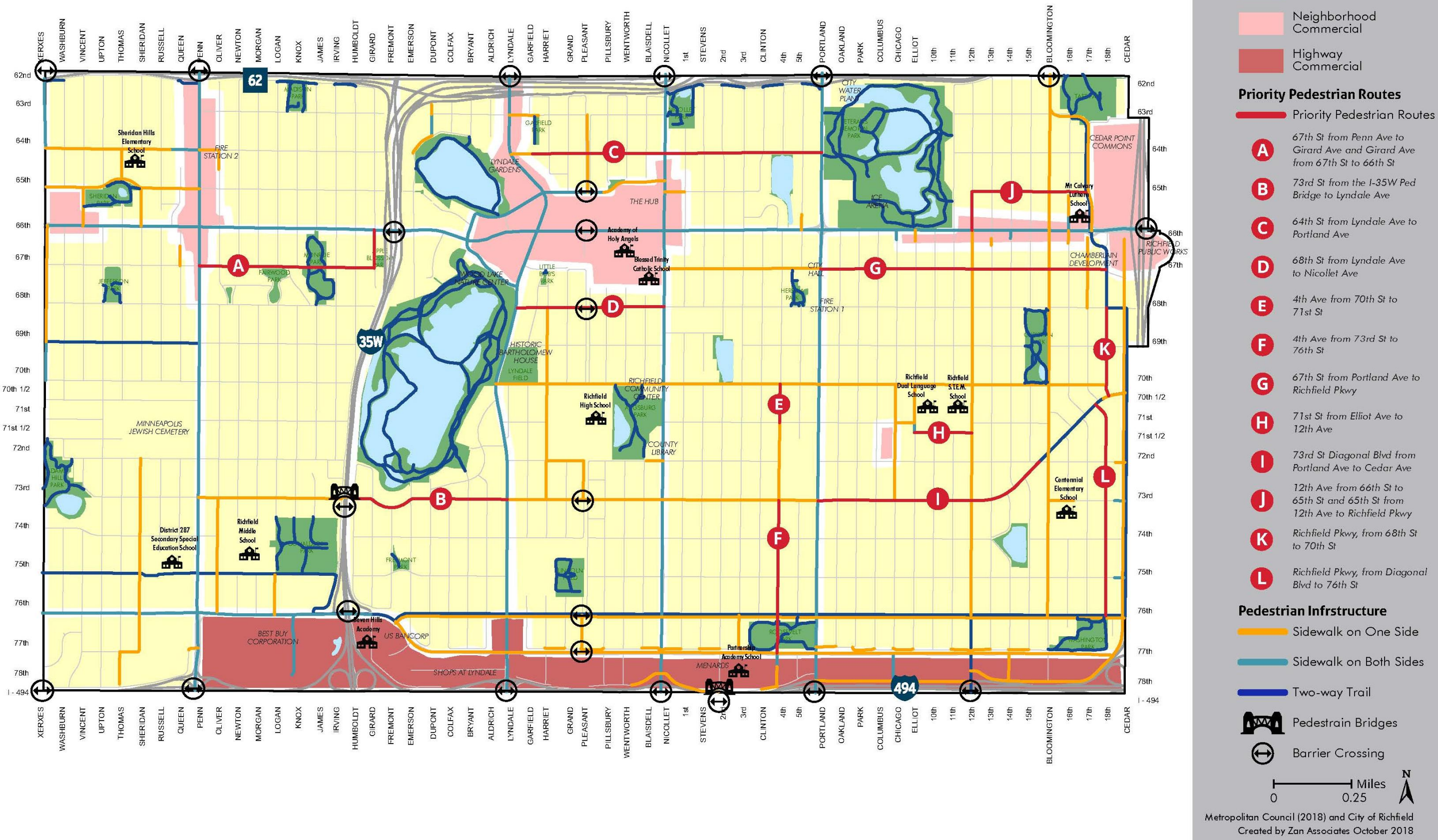
- **Highway Commercial**

Land uses tend to be auto oriented. Focus should be on providing pedestrians with separation from vehicle lanes and safe places to cross.





Figure 26: Richfield Pedestrian Network



Chapter 5: Plan and Policy Review



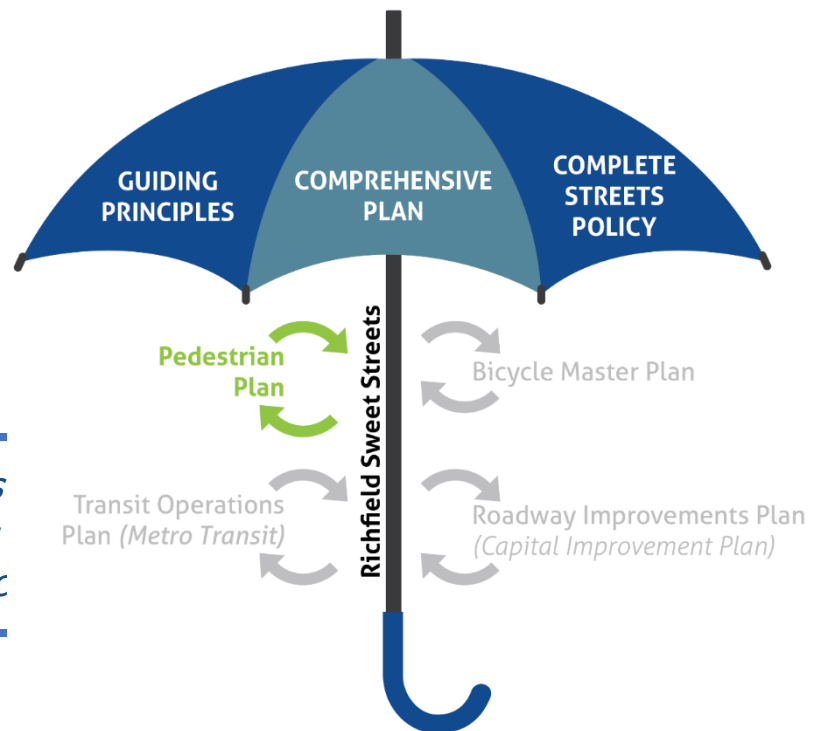
Richfield is working to provide pedestrians with safe, convenient, and enjoyable walking environments through its planning and policy efforts and related local, regional, and state plans and policies provide a foundation for this pedestrian plan. At the local level, efforts are governed by the City's Comprehensive Plan, Guiding Principles for Transportation, and Complete Streets Policy, all of which set the framework for transportation planning in Richfield (see Figure 27).

At a policy level, the core pedestrian related documents in Richfield are the Sidewalks Standards Policy, the Crosswalk Policy, the Sidewalk Snow Plowing Policy, and the Complete Streets Policy. Together, these plans define the criteria for installation of pedestrian infrastructure (sidewalks and crosswalks), the circumstances for when and how they will be built, and the standards for winter maintenance.

*Existing plans and policies
government to make walking
rec*

These plans should be updated to allow for greater flexibility in the siting of pedestrian facilities and to include

Figure 27: Transportation Planning in



consideration for people-based factors, such as activity generating land uses and concentrated populations of who often rely on walking as a primary source of transportation (e.g., older adults, children and young adults, and people with low incomes). Figure 28 summarizes the plans and policies reviewed as part of the planning process and includes considerations to make walking safer and more inviting for pedestrians. The findings presented in Figure 28 are considerations to update official policies and the wording in the figure is not intended to replace the existing policy or to be considered as a policy in itself.

Figure 28: Plan and Policy Review

Policy	Overview	Considerations
<i>Richfield Sidewalk Standards Policy (2016)</i>	<ul style="list-style-type: none"> • Sidewalks on both sides of arterial streets • Sidewalks on one side of collector streets • Sidewalks in one side of roadways on major school routes • No sidewalks on local streets • Minimum width for sidewalks is six feet 	<p>Amend this policy to:</p> <ul style="list-style-type: none"> • Specifically allow for pedestrian facilities on local streets as appropriate, based on demand • Specify minimum sidewalk widths (5' in residential and 8' in commercial areas) • Include sidewalks on both sides of the street as a standard practice in all applications (one-side sidewalks can be done as an exception, if justified) • Include guidance for other pedestrian facilities, such as temporary treatments on streets and multiuse trails • Specifically describe the process to add sidewalks on an existing residential street with no sidewalks • Treat funding for sidewalks in the same manner as funding for streets
<i>Richfield Pedestrian Crosswalk Pavement Markings Policy (2006)</i>	<p>Pedestrian crosswalk pavement markings or special treatments at:</p> <ul style="list-style-type: none"> • Signalized intersections • Intersections designated as safe routes to schools and parks • Other locations deemed warranted through engineering studies 	<p>Rewrite policy to provide guidance on the types of crossing treatments that should be considered at all intersections. Should include consideration for:</p> <ul style="list-style-type: none"> • Vehicle traffic volumes and speeds • Nearby land uses and activity centers • Demographics
<i>Richfield Sidewalk Snow Plowing Policy (2011)</i>	<p>Requires that the city plow all public sidewalks within the city. Prioritizes starting with commercial areas, then arterial roads, then collector streets, followed lastly by residential neighborhoods.</p>	<p>Revise to include a more detailed hierarchy for snow clearance priorities. Major activity centers, arterial roadways, and school routes should be prioritized (including transit stops), with a lower priority (or none) given to pedestrian facilities on sub-collector and residential streets.</p>
<i>Richfield Complete Streets Policy (2015)</i>	<p>Policy for accommodation of multimodal transportation, city-wide.</p>	<ul style="list-style-type: none"> • Evaluate each project against the complete streets policy • Consider the desired user experience of multimodal users • Seek opportunities to implement standalone pedestrian improvement projects
<i>Guiding Principles for</i>	<p>Framework for how the City will develop its transportation network, land uses,</p>	<p>Evaluate each project against the principles to foster accepted community design</p>

Policy	Overview	Considerations
<i>Transportation (2013)</i>	public realm, and open spaces.	principles, enhanced public realm amenities, and desired user experiences.
<i>ADA Transition Plan (2014)</i>	Evaluation of roadway facilities to ensure that all roads in the City are accessible to all individuals.	Revise the <i>Sidewalk Standards Policy</i> and <i>Crosswalk Policy</i> to explicitly reference the ADA Transition Plan as added support for local policies to improve pedestrian safety and experience.
<i>Richfield Safe Routes to School Comprehensive Plan (2014)</i>	Identifies opportunities and priorities to increase walking and biking to schools and strategies for making improvements in the areas surrounding the school.	Seek opportunities to implement standalone pedestrian improvement projects to address safe routes to school.
<i>Hennepin County Pedestrian Plan (2013)</i>	Addresses the county's role in making walking a safe and easy choice for residents.	Revise the <i>Sidewalk Standards Policy</i> and <i>Crosswalk Policy</i> to explicitly reference external policies as added support for local policies aimed at improving pedestrian safety and experience.
<i>Hennepin County Transportation Systems Plan (2011)</i>	Seeks to articulate a transportation vision, update previous planning work, and provide guidance for future transportation decisions.	
<i>Hennepin County Complete Streets Policy (2009)</i>	Policy for accommodation of multimodal transportation, county-wide.	
<i>MnDOT Complete Streets Policy (2016)</i>	Policy for accommodation of multimodal transportation, statewide.	

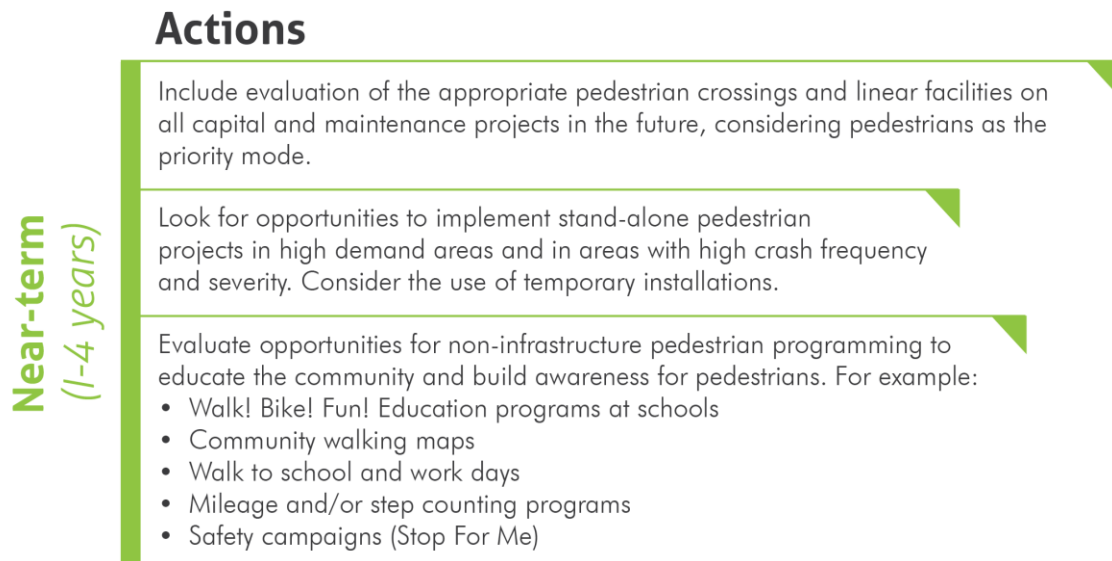
Chapter 6: Implementation



This section provides a framework for the implementation of the pedestrian plan, including action steps for implementation (Figure 29), a listing of reference material for design guidance,

a discussion of best practices for pedestrian facilities, and guidance on the project development process.

Figure 29: Implementation Framework





Pedestrian Facility Design Guidance

This document is not intended to be a thorough evaluation of location specific facilities or treatments, and it is not a design guidance source. The following are common standards and design guidelines for reference during the facility design process.

Design References

- 2015 Minnesota Manual on Uniform Traffic Control Devices (MMUTCD).
<http://www.dot.state.mn.us/trafficeng/publ/mutcd/>
- 2013 NACTO Urban Streets Design Guide. <https://nacto.org/publication/urban-street-design-guide/>
- 2009 Manual on Uniform Traffic Control Devices (MUTCD).
<https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf>.
- 2011 AASHTO A Policy on Geometric Design of Highways & Streets (Greenbook)
https://bookstore.transportation.org/collection_detail.aspx?ID=110&qclid=EAiaIQobChM Iv 2HxbXI1gIVBqxpCh35bQ7IEAQYASABEgI rPD BwE
- 2014 NCHRP 783: Evaluation of the 13 Controlling Criteria for Geometric Design.
<http://www.trb.org/Publications/Blurbs/171358.aspx>

- FHWA Interim Approvals. https://mutcd.fhwa.dot.gov/res-interim_approvals.htm
- 2005 Safety Effects of Marked vs. Unmarked Crosswalks at Uncontrolled Locations. <https://www.fhwa.dot.gov/publications/research/safety/04100/ref.cfm>
- 2004 AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities. https://bookstore.transportation.org/item_details.aspx?id=119

Pedestrian Facility Best Practices: Designing for People

There are a wide variety of pedestrian types with a varying range of characteristics and needs. For example, a recreational jogger may have different needs than someone waiting for the bus, a father pushing a stroller, or an older adult using a walker. Therefore, the pedestrian network and individual pedestrian facilities should consider the ease of use for a range of ages, abilities, and mobility levels.

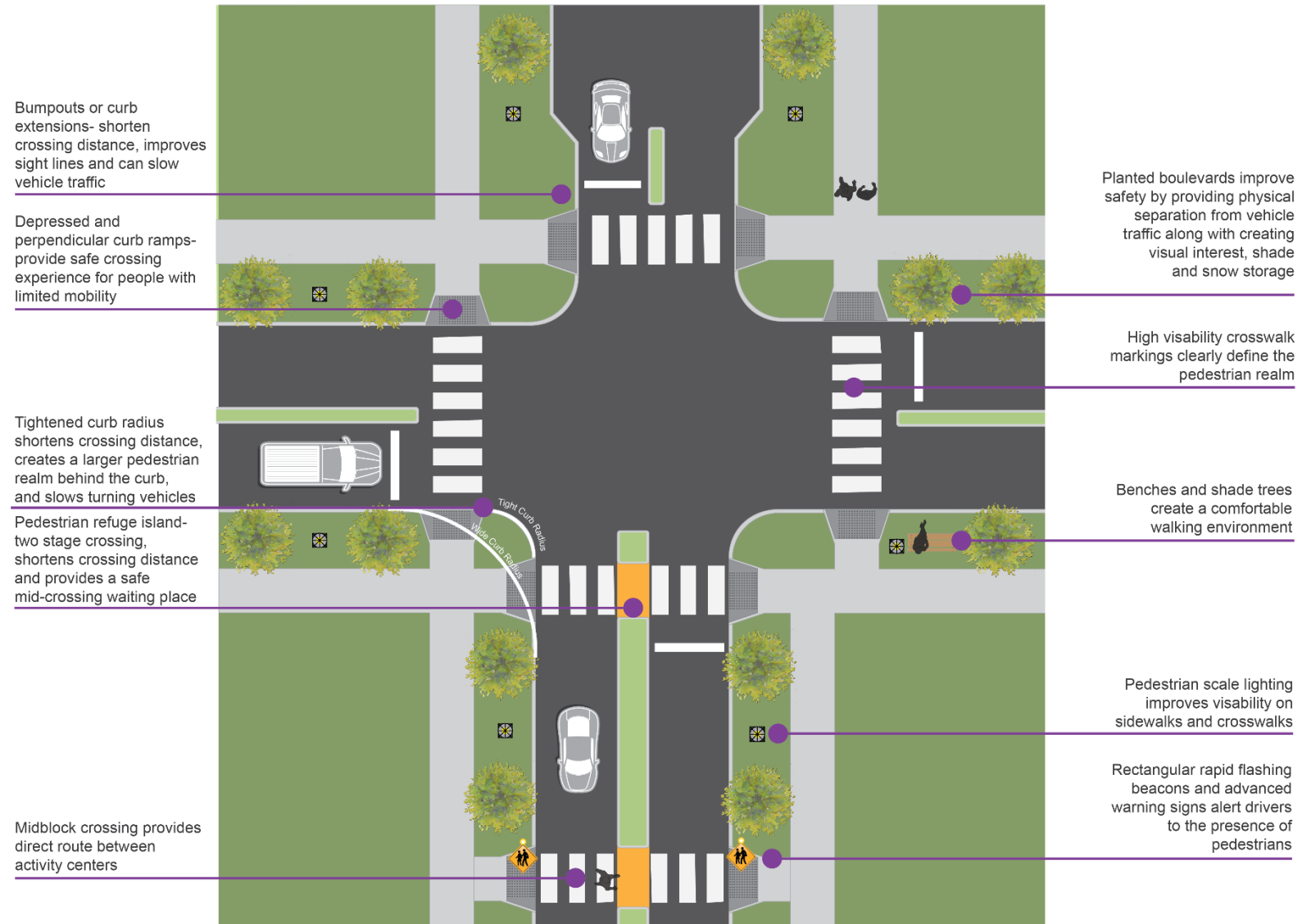
Pedestrians want a safe and comfortable walking experience this means short and well-marked crossings, slower rather than faster vehicle traffic, separation from traffic lanes, shade and periodic rest areas, and visual interesting environments (e.g., landscaping, art, etc.). Figure 30 illustrates common “best practice” treatments for pedestrians and Figure 31 provides additional description. Refer to the references above for specific design guidance.



High visibility crosswalk with median refuge island connecting high activity locations

The goal of the pedestrian network is to provide for safe, secure and efficient movement along and across the roadways

Figure 30: Best Practice Pedestrian Treatments



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printing*

Figure 31: Best Practice Pedestrian Treatments – Walkways**Crossing Treatments****High visibility crosswalk markings**Description:

Reflective markings which clearly define the crossing area and set pedestrian and driver expectations. Often paired with a stop bar and advanced warning signs.

Applicability:

Minor arterial, collector, and higher volume local roadway crossings with medium to high pedestrian demand. Should be paired with other crossing control on high volume/high speed streets.

Median refuge islands (2 stage crossing)Description:

Curb cut and walkway through a raised center median. Shortens crossing distance, simplifies decision making, and provides a safe resting area for pedestrians.

Applicability:

Minor arterials with medium to high pedestrian demand.

Bumpouts or curb extensionsDescription:

Extension of the sidewalk into the roadway to shorten pedestrian crossing distance and slow vehicle traffic.

Applicability:

Minor arterial, collector, and higher volume local roadway crossings with medium to high pedestrian demand. Ideal for locations with on street parking. Should be paired with other crossing control on high volume/high speed streets.

Pedestrian activated flashing lights (RRFBs)Description:

Flashing lights that alert the driver to the



presence of a pedestrian at a crossing.

Applicability:

Minor arterials with high traffic volumes/speeds and high pedestrian demand. Ideal for mid-block crossings and roundabouts.

Midblock crossings



Description:

Crossings in the middle of a block (i.e., not at an intersection) to provide a direct route between high activity locations.

Applicability:

Minor arterials with high traffic volumes/speeds and medium to high pedestrian demand.

Raised crossing or speed table



Description:

Raised concrete crossing at or near the same elevation as the adjacent sidewalks. Defines the crossing area and forces vehicle traffic to slow down.

Applicability:

Any location with high pedestrian demand. Should be coupled with other crossing control for higher traffic/speed roadways.

Linear Treatments

Sidewalks and multiuse paths

Description:

Pedestrian walkway, usually adjacent to a

**Boulevard or vertical separation**

roadway or through a park. Provides a connection between nearby activity centers.

Applicability:

Both sides of all minor arterials and on select collectors and local streets with medium to high pedestrian demand. Should be separated from the roadway.



Description:

Improves safety and comfort for pedestrians by providing physical separation between roadway travel lanes and the walkway.

Applicability:

All sidewalks and multiuse paths adjacent to a roadway.

Pedestrian scale lighting

Description:

Lighting which illuminates the pedestrian realm to improve visibility of sidewalks and crosswalks. Includes lighting at the near side of intersections to make crossings pedestrians visible.

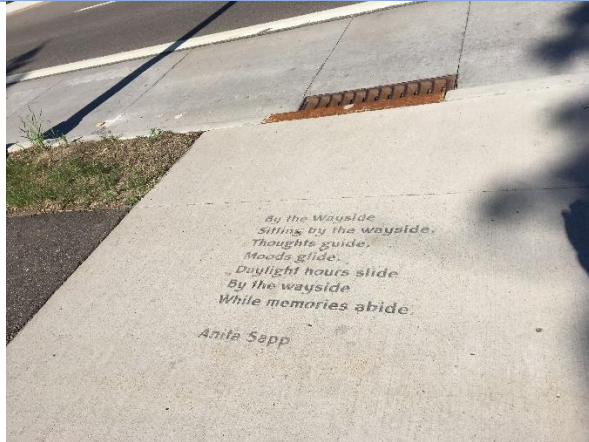
Applicability:

All sidewalks, multiuse paths, and marked crosswalks.

Trees, plantings, landscaping, and art

Description:

Plantings (e.g., trees and landscaping) and art improve safety and comfort by providing physical separation from vehicle lanes, creating shade, and visual interest.



Applicability:
All sidewalks and multiuse paths.

Benches, waste receptacles, and other furnishings



Description:
Benches, garbage, and other furnishings that support walking.

Applicability:
Periodic placement along medium and high demand pedestrian areas. Coordinate with bus stop facilities.

Temporary Pedestrian Facilities



Description:
Temporarily striped, painted, and/or delineated walkways along roadways where there is a need for improved pedestrian facilities, but the underlying roadway infrastructure is not due for replacement.

Applicability:
Roadways and crossings with high vehicle traffic volumes and speed and medium to high pedestrian demand.

Project Development Process

The following checklist is a checklist intended for use as part of the project development process to foster safe, secure and efficient pedestrian movement along and across roadways. This checklist should be used to evaluate the success of any design alternative, from a design perspective and should be coupled with an evaluation of pedestrian demand.

Crossing treatments

- ☐ Crosswalk visibility (high visibility striping, stop bar, and signage)
- ☐ Pedestrian activated flashing lights
- ☐ Vehicle control (e.g., stop signs, traffic signal, etc.)
- ☐ Minimal or mitigated conflict points with vehicles and bicycle
- ☐ Direct connection to activity centers (i.e., minimize wrong direction travel for pedestrians)
- ☐ ADA compliance (e.g., pedestrian countdown times and push buttons, appropriately placed curb ramps, minimal cross slopes, etc.)
- ☐ Minimize crossings distance
- ☐ Minimize pedestrian delay at intersections (and circuitous routing)
- ☐ Pedestrian refuge island
- ☐ Pedestrian oriented lighting
- ☐ Appropriate intersection sight lines

Linear facilities

- ☐ Separation from traffic (buffer zone)
- ☐ Width commensurate with pedestrian demand (6' min, 8-10' preferred)
- ☐ Pedestrian scale lighting
- ☐ Minimize circuitous routing
- ☐ Shade, plantings, and art
- ☐ Resting areas (benches, short walls, drinking fountains)



For more information, and to view the full report visit:
www.RichfieldSweetStreets.org



October 2018

RICHFIELD PEDESTRIAN PLAN



Executive Summary
October 2018



Prepared by:
Zan Associates



EXECUTIVE SUMMARY

This plan describes a systematic approach for evaluating pedestrian demand based on proximity to land uses that generate pedestrian trips, social and economic factors that generate a higher demand for pedestrian mobility, and the physical context of a given location. The plan also establishes measures to evaluate the pedestrian network to determine its ability to meet the specific demand and priority. Finally, the plan includes guidance on new and emerging pedestrian design tools and recommendations for implementation of a citywide pedestrian improvement program.

The Richfield Pedestrian Plan is a tool to create safer, more convenient and enjoyable places to walk in the City of Richfield.

Richfield Pedestrian Plan Overview



Walking is fundamental to all aspects of transportation. People walk... for exercise, to the bus stop, from their bike to their house, from a car to a restaurant, just for the fun of it. Regardless of the nature of the trip, all pedestrians have the right to a safe pedestrian trip and it should also be efficient and enjoyable.

Implementation Framework

Actions

Near-term (1-4 years)

Include evaluation of the appropriate pedestrian crossings and linear facilities on all capital and maintenance projects in the future, considering pedestrians as the priority mode.

Look for opportunities to implement stand-alone pedestrian projects in high demand areas and in areas with high crash frequency and severity. Consider the use of temporary installations.

Evaluate opportunities for non-infrastructure pedestrian programming to educate the community and build awareness for pedestrians. For example:

- Walk! Bike! Fun! Education programs at schools
- Community walking maps
- Walk to school and work days
- Mileage and/or step counting programs
- Safety campaigns (Stop For Me)

Strategically pursue all funding sources for pedestrian infrastructure. At a minimum, this should include consideration of the following:

- Federal Transportation Funding allocated through the regional solicitation process
- U.S. Dept. of Transportation: BUILD (formerly TIGER) discretionary grants
- DNR Local Trail Connections Program
- State funds for Safe Routes to School (SRTS)
- MN Department of Health Statewide Health Improvement Program
- Blue Cross Blue Shield Center for Prevention funds

Mid-term (5-9 years)

Install modern pedestrian facilities on all minor arterial roadways. This includes protected crossings in high demand areas and sidewalks or trails, separated from the roadway with a boulevard or other vertical screening.

Implement solutions to address high crash frequency and severity locations, citywide.

Institutionalize non-infrastructure programs and campaigns to change user behavior.

Pursue a dedicated and ongoing funding source for stand-alone pedestrian projects.

Long-term (10+ years)

Work toward buildout of the citywide pedestrian network, including pedestrian facilities on all minor arterial, collector, and select local roadways.

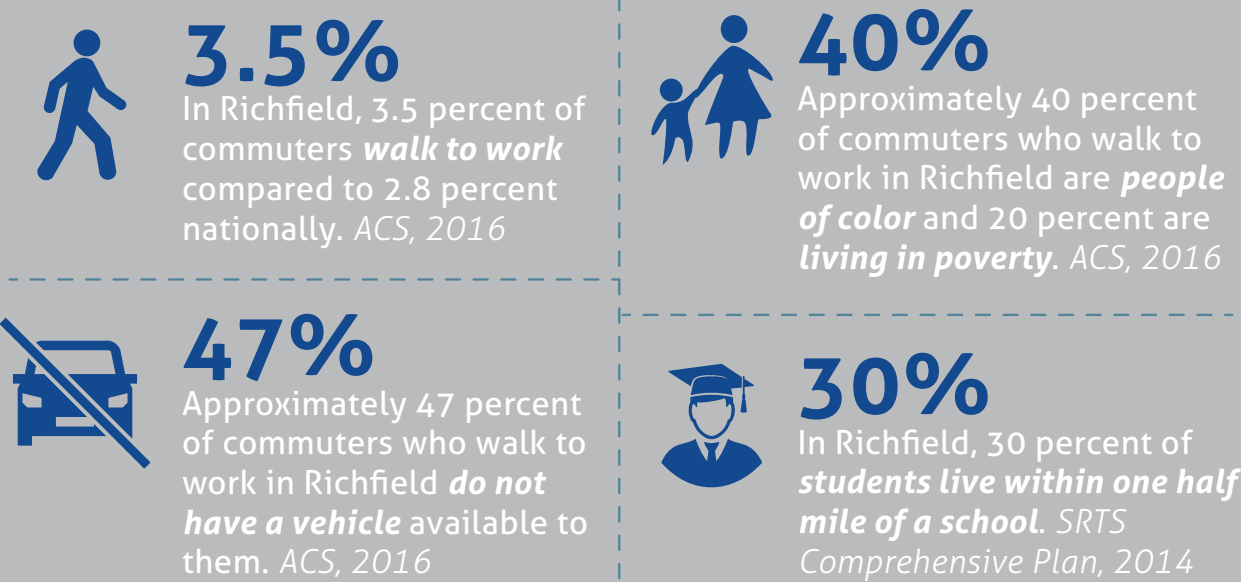
Look for opportunities to create signature places to walk within Richfield, such as pedestrian plazas and greenways.

Pursue legislative policy changes to allow for reduced speed limits on residential streets

Best Practice Pedestrian Treatments



PEOPLE IN RICHFIELD ARE WALKING



WALKING IS GOOD FOR HEALTH

50%
Nearly 50 percent of Minnesotans fail to meet the Department of Health’s exercise recommendations (at least 150 minutes per week)
Minnesota Walks, 2016

WALKING IS GOOD FOR THE COMMUNITY

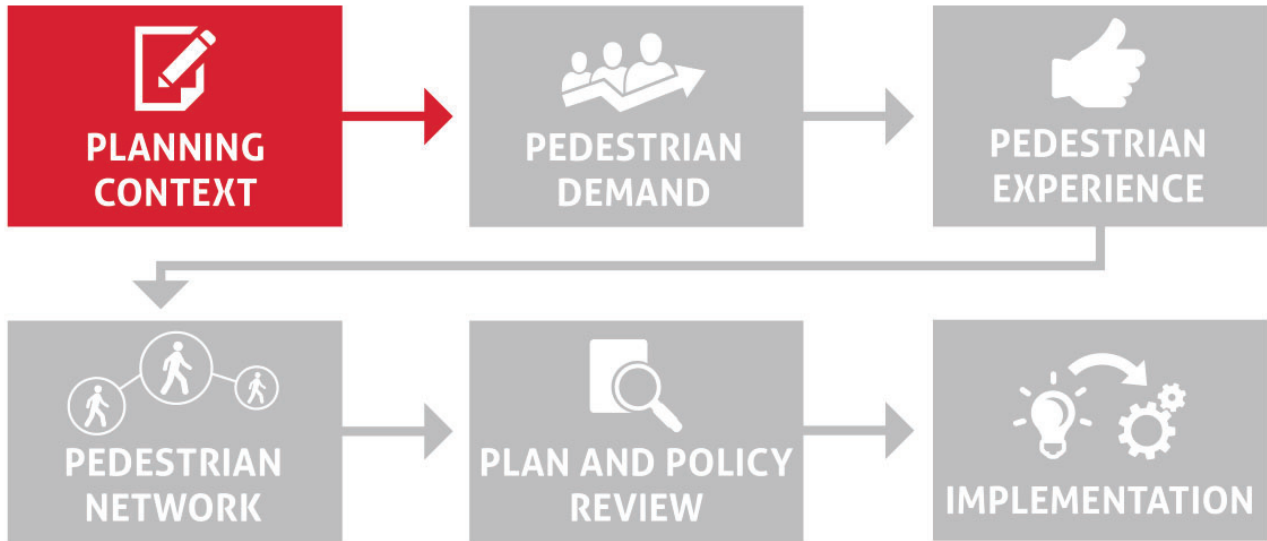
People living in pedestrian-friendly cities tend to be engaged in their community. One study found that living in pedestrian-friendly neighborhoods have higher levels of social and community engagement compared with those living in car-oriented suburbs. *Leyden, Kevin M, 2003*

62%
Of Minnesotans that meet physical activity guidelines, 62 percent do so by *including walking* as part of their regular physical activity.
Minnesota Walks, 2016

WALKING IS GOOD FOR THE ECONOMY

There is a growing demand to live and work in pedestrian-friendly places. One study found that real estate values increase by \$500 to \$3,000 per increase in Walk Score Point (walkscore.com). *Cortright, Joe, 2009*

PLANNING CONTEXT



Cities and the way people move within them are changing. Many people want walkable urban areas, robust multimodal transportation options, and the ability to lead healthy and active lives.

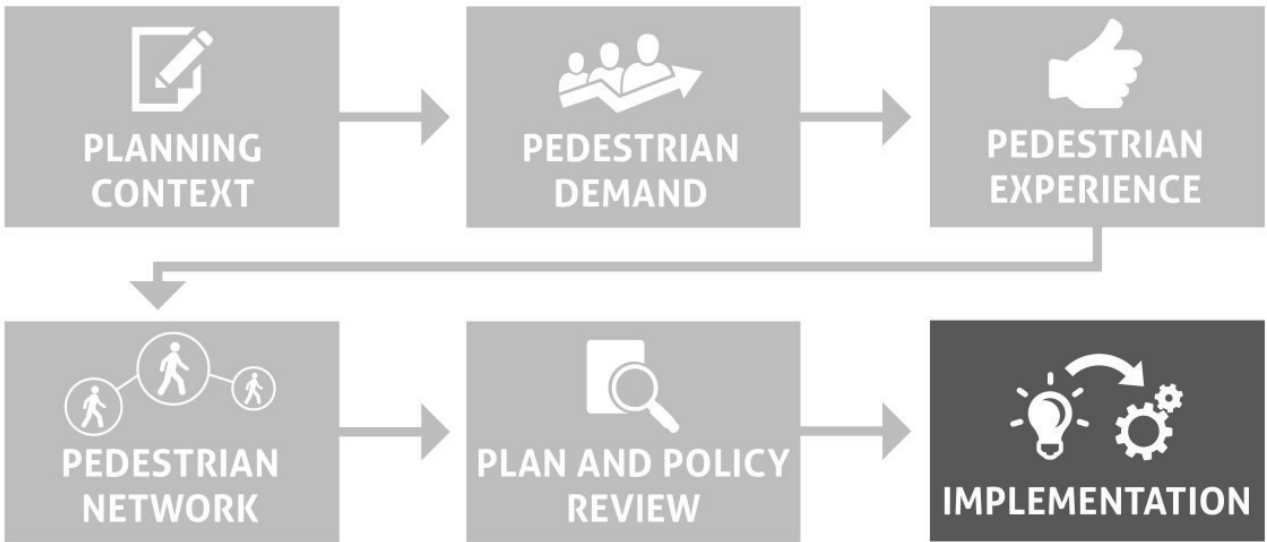
Richfield Pedestrian Plan Goals

The purpose of the Richfield Pedestrian Plan is to help make walking the easy choice. Richfield can achieve this by:

- 1 Making design for pedestrians first priority
- 2 Coordinating multimodal transportation networks and land use decisions
- 3 Making public realm improvements a standard in high activity locations

There is growing momentum around improving multimodal transportation options in Richfield, and walking is a critical component of this trend.

IMPLEMENTATION



Pedestrian Facility Best Practices: Designing for Pedestrians

People walk for many different reasons and, thus, a variety of facilities are needed. A recreational jogger may have different needs than someone waiting for the bus, a father pushing a stroller, or an older adult using a walker.

Pedestrians want a safe and comfortable walking experience. This means short and well-marked crossings, slower rather than faster vehicle traffic, separation from traffic lanes, shade and periodic rest areas, and visually interesting environments.

Pedestrian facilities should be designed for easy use by a range of ages, abilities, and mobility levels.

PLAN AND POLICY REVIEW



Existing plans and policies show a strong commitment at every level to make walking a safe and convenient transportation and recreation option in Richfield.

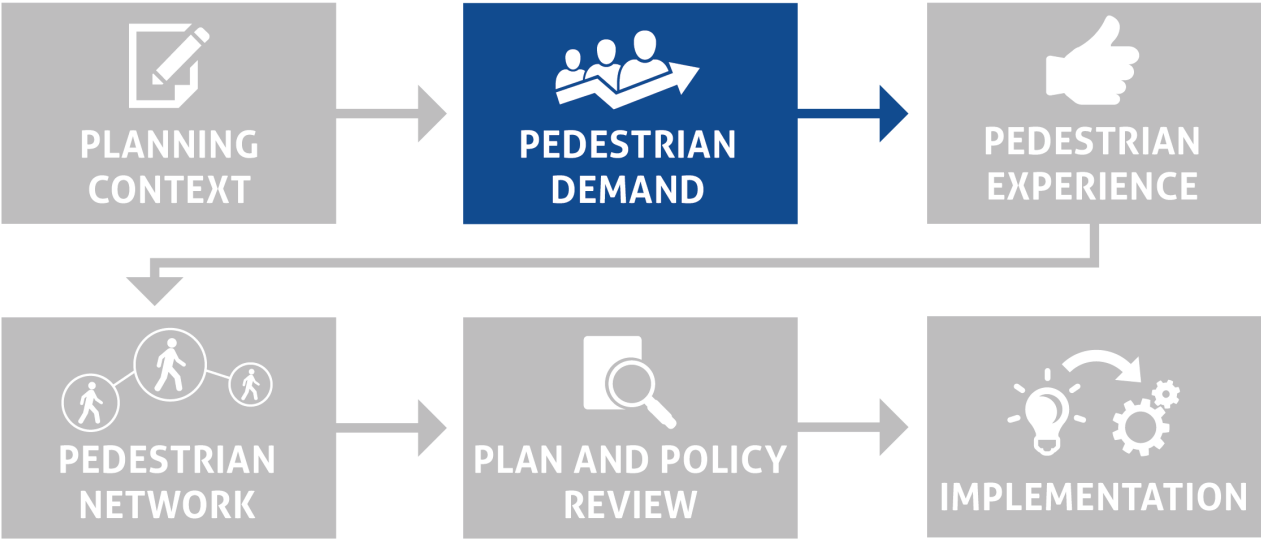
There is a planning and policy level emphasis on walking in Richfield. However, plans and policies need to be updated to allow greater flexibility in the siting of pedestrian facilities and to include people-based factors, such as activity generating land uses and concentrations of populations who often rely on walking. The following plans and policies may need to be updated to reflect pedestrian priority based on demand and context:

- Richfield Sidewalk Standards Policy (2016)
- Richfield Pedestrian Crosswalk Pavement Markings Policy (2006)
- Richfield Sidewalk Snow Plowing Policy (2011)
- Richfield Complete Streets Policy (2015)
- Guiding Principles for Transportation (2013)
- ADA Transition Plan (2014)
- Richfield Safe Routes to School Comprehensive Plan (2014)

Influencing Themes and Trends



PEDESTRIAN DEMAND

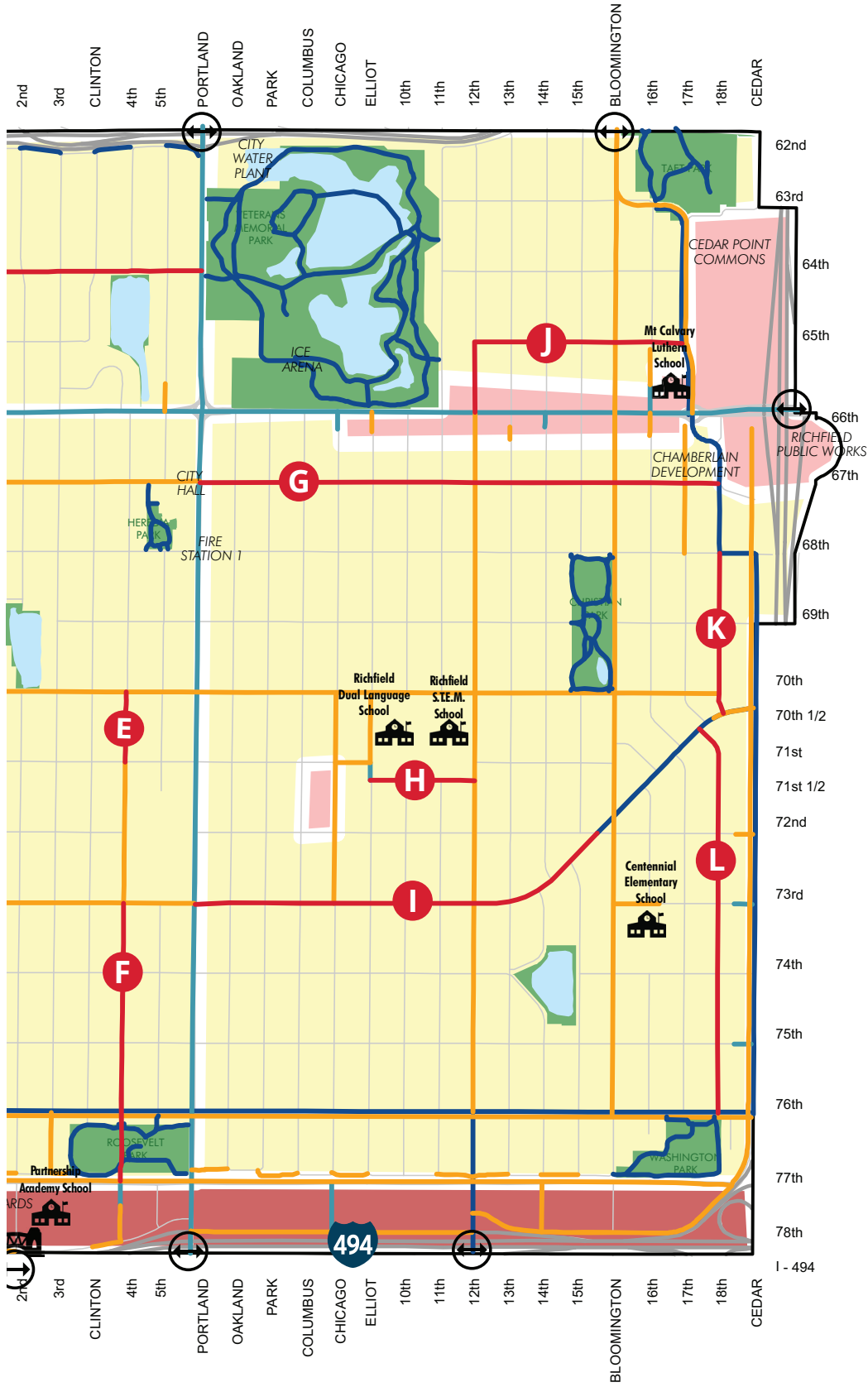


People walk for many different reasons and in many different places, but people avoid walking when they feel unsafe or uncomfortable. As a result, there is often significant latent demand for walking that doesn't show up when counts are made of current walking. A better understanding of both current and latent pedestrian demand is achieved by looking at factors including:

- Adjacent land uses and nearby activity centers
- Proximity to parks and schools
- Presence of transit service
- Population density and demographic make
- Role of the corridor within the larger transportation network

The following maps illustrate pedestrian demand in Richfield. The first shows destinations and activity centers within the city, based on a survey completed as part of the development of the Richfield Bicycle Master Plan in 2010, and updated to reflect current conditions. The second is a pedestrian demand "heat map" which interpolates pedestrian demand factors and population characteristics to show the relative pedestrian demand throughout the city. Together, these maps serve as a starting place for understanding pedestrian demand at a given location.

Demand is inclusive of both existing users and unmet need, or latent demand, based on the surrounding land use and context.



Land Use Typologies

- Neighborhood Residential
- Neighborhood Commercial
- Highway Commercial

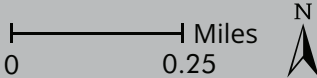
Priority Pedestrian Routes

Priority Pedestrian Routes

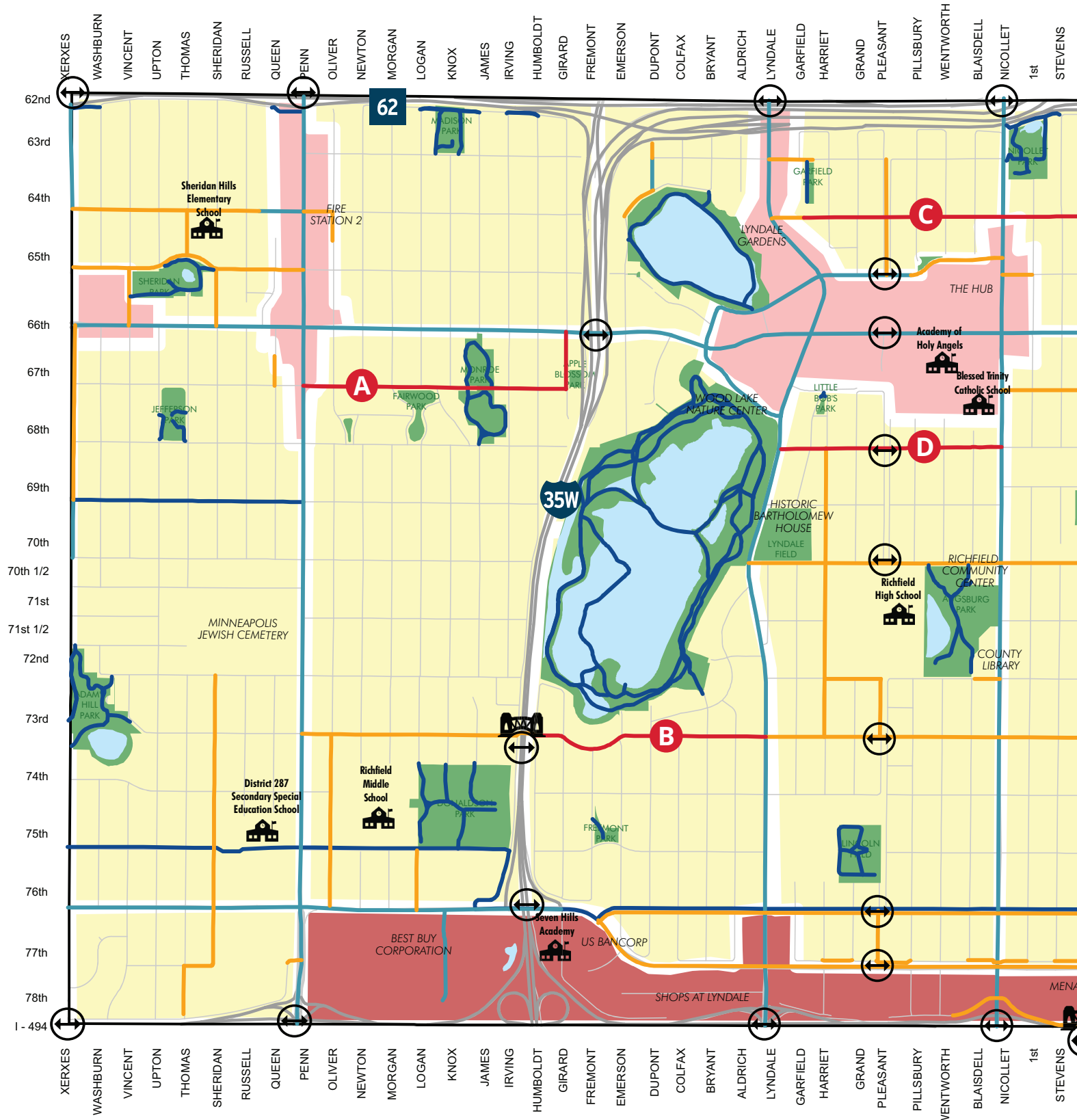
- A** 67th St from Penn Ave to Girard Ave and Girard Ave from 67th St to 66th St
- B** 73rd St from the I-35W Ped Bridge to Lyndale Ave
- C** 64th St from Lyndale Ave to Portland Ave
- D** 68th St from Lyndale Ave to Nicollet Ave
- E** 4th Ave from 70th St to 71st St
- F** 4th Ave from 73rd St to 76th St
- G** 67th St from Portland Ave to Richfield Pkwy
- H** 71st St from Elliot Ave to 12th Ave
- I** 73rd St Diagonal Blvd from Portland Ave to Cedar Ave
- J** 12th Ave from 66th St to 65th St and 65th St from 12th Ave to Richfield Pkwy
- K** Richfield Pkwy, from 68th St to 70th St
- L** Richfield Pkwy, from Diagonal Blvd to 76th St

Pedestrian Infrastructure

- Sidewalk on One Side
- Sidewalk on Both Sides
- Two-way Trail
- Pedestrian Bridges
- Barrier Crossing



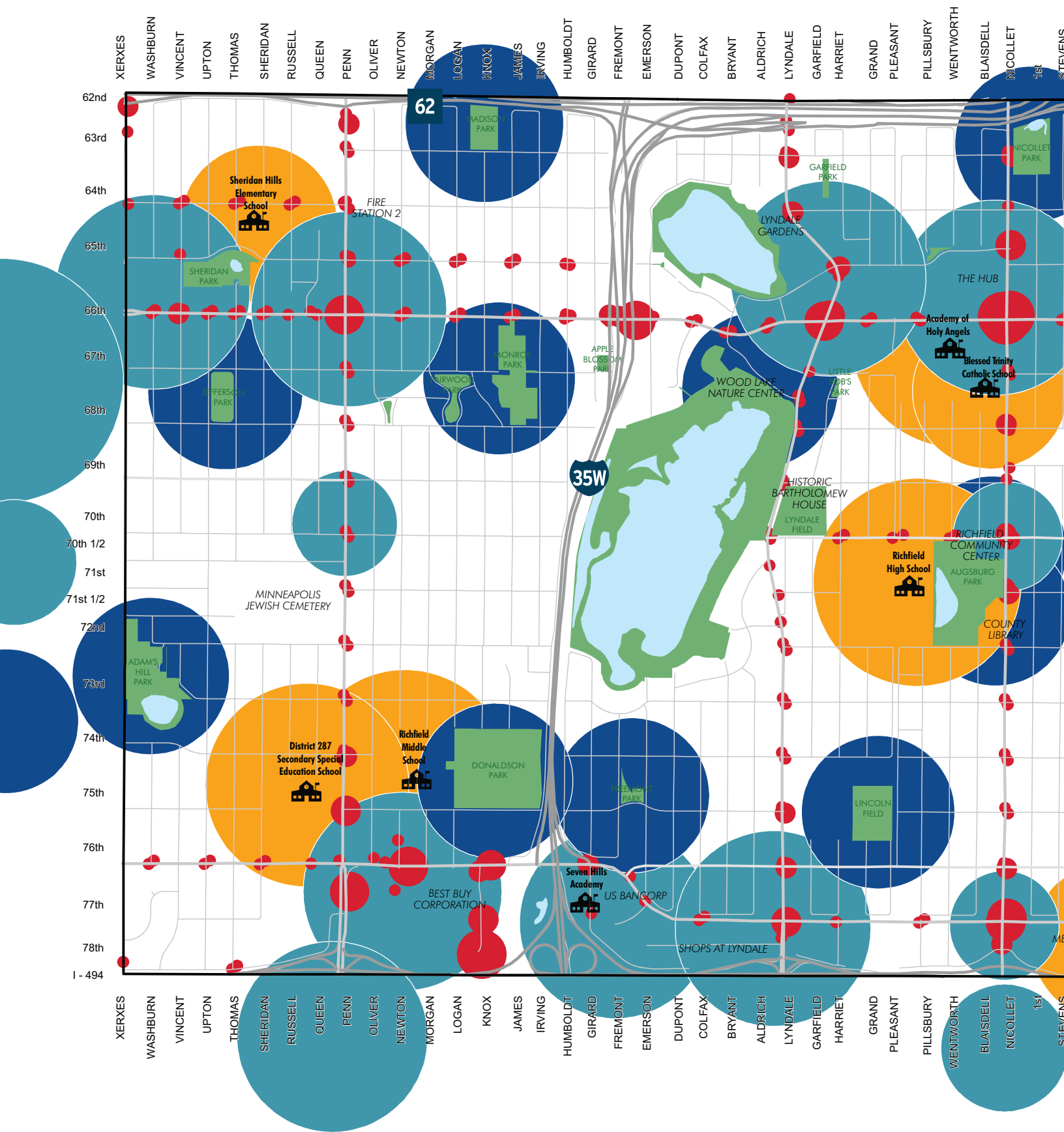
Planned Pedestrian Network



Walking can be an easy choice for many people in Richfield.

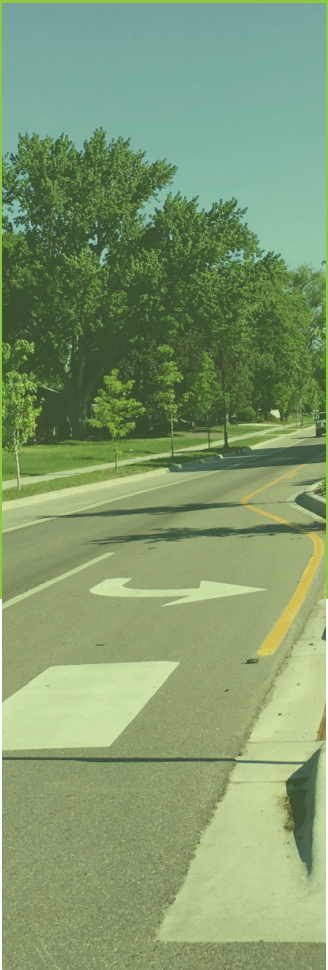


Richfield Pedestrian Destinations, Activity Centers, and Transit Stops



"I walk for health, wellness and longevity."

- Richfield resident at Penn Fest 2017



Land Use Typologies

Land use typologies provide a basis for decision making and should be used in the project development process, in combination with an understanding of pedestrian demand and experience, to identify a suitable pedestrian facility design. The following typologies have been identified:

Neighborhood Residential

Primarily residential uses along lower volume streets. Focus on slower vehicle speeds, clear and well-maintained walking paths, and safe crossings

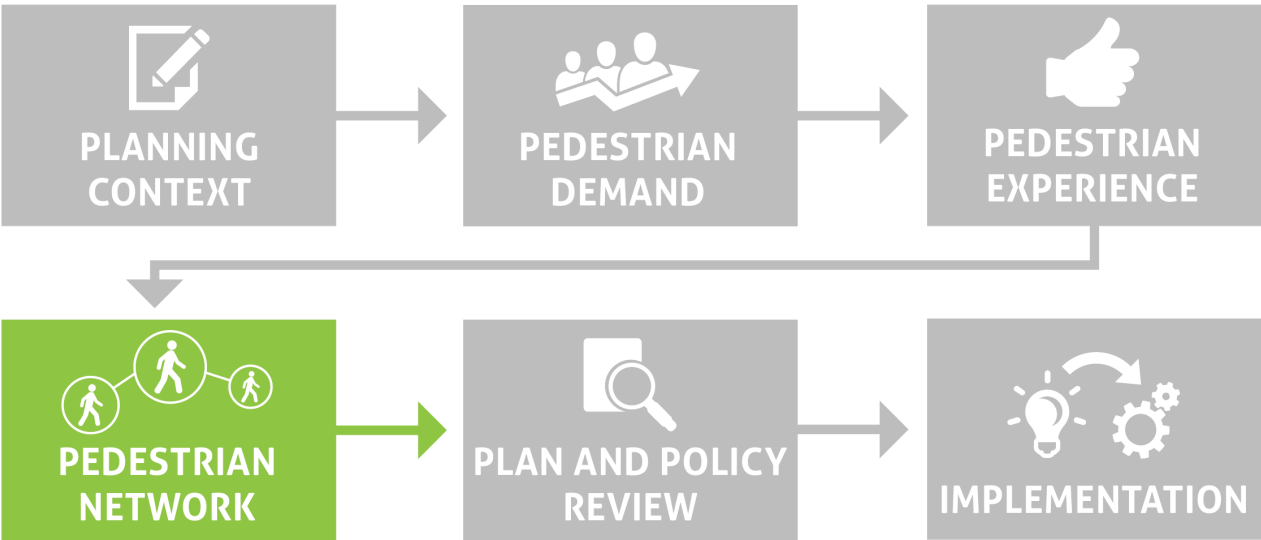
Neighborhood Commercial

Generally, neighborhood serving commercial uses. Focus should be safe and efficient crosswalks, direct and visually appealing pedestrian routes, and separation from vehicle traffic

Highway Commercial

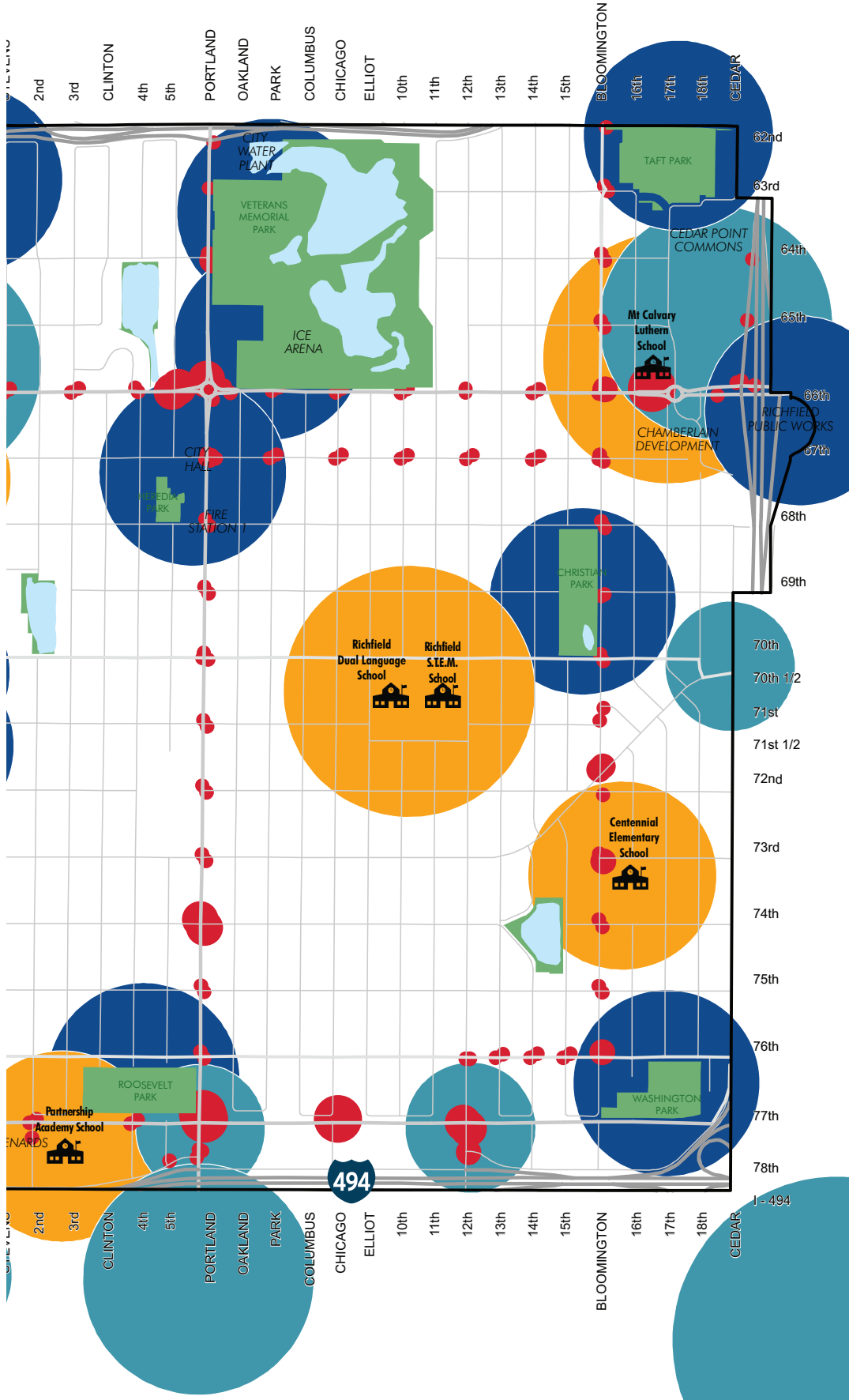
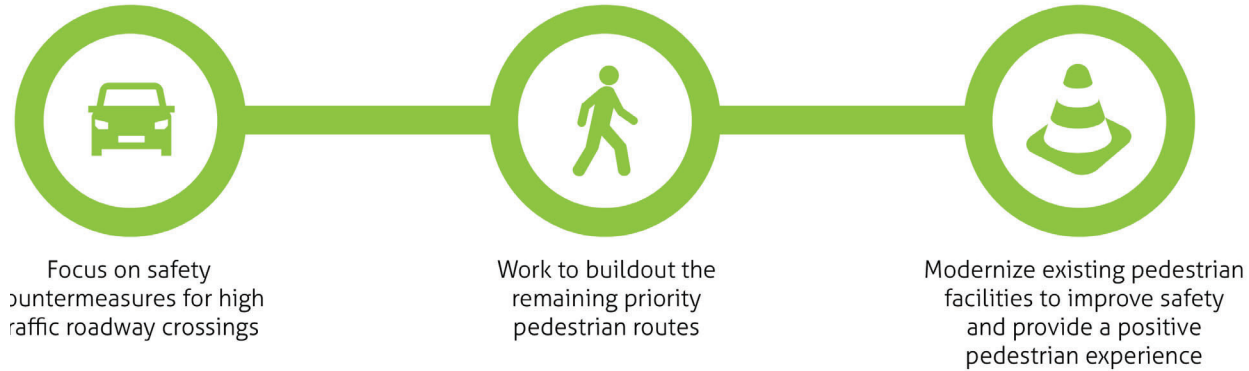
Tends to be auto oriented land uses. Focus should be on providing separation from vehicle lanes and safe places to cross the street

PEDESTRIAN NETWORK



The city’s pedestrian network will be expanded and modernized overtime to improve safety and to create a positive pedestrian experience with the highest priority given to safety countermeasures at high traffic roadway crossings. In addition, priority pedestrian routes have been identified based on proximity to activity centers, gaps in the existing pedestrian network, and crossings of major pedestrian barriers (e.g., highway bridges, railroad crossings, etc.). Routes with existing pedestrian facilities will also be modernized, based on need, to provide a positive pedestrian experience.

Richfield has a robust transportation system, but there is more work to be done.

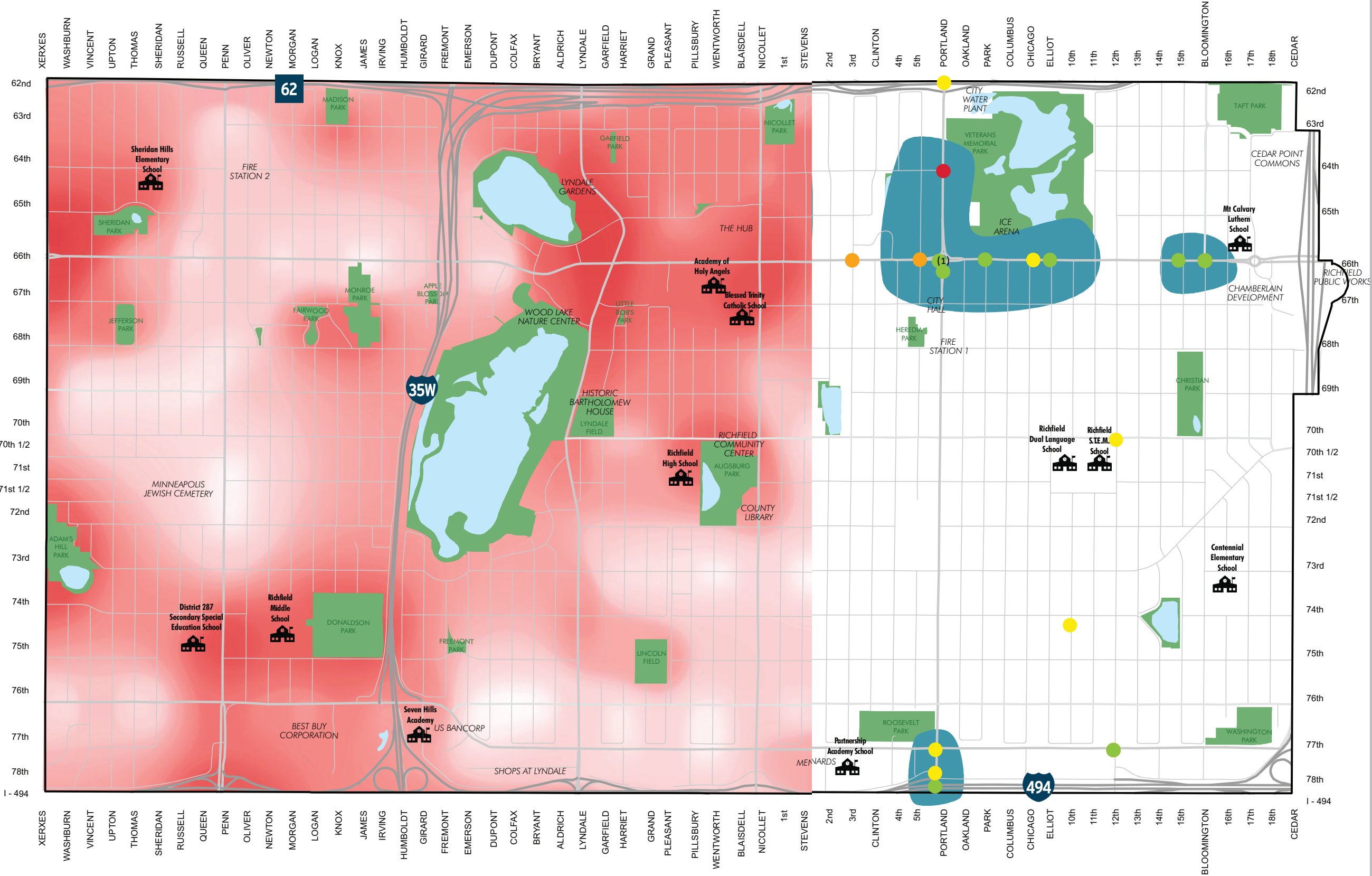


- Destinations ⁽¹⁾**
- Public Areas
 - Business Areas
 - Schools

- Average Daily Transit Boardings, Fall 2015**
- <10
 - 11–25
 - 26–50
 - 50–100
 - >100

⁽¹⁾ Larger circles indicate higher demand, based on a survey of Richfield residents completed in 2011 as part of the Bicycle Master Plan and updated in 2018 as part of the Richfield Pedestrian Plan.

Citywide Pedestrian Demand

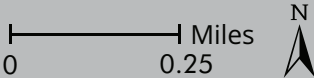


Pedestrian Areas of Concern

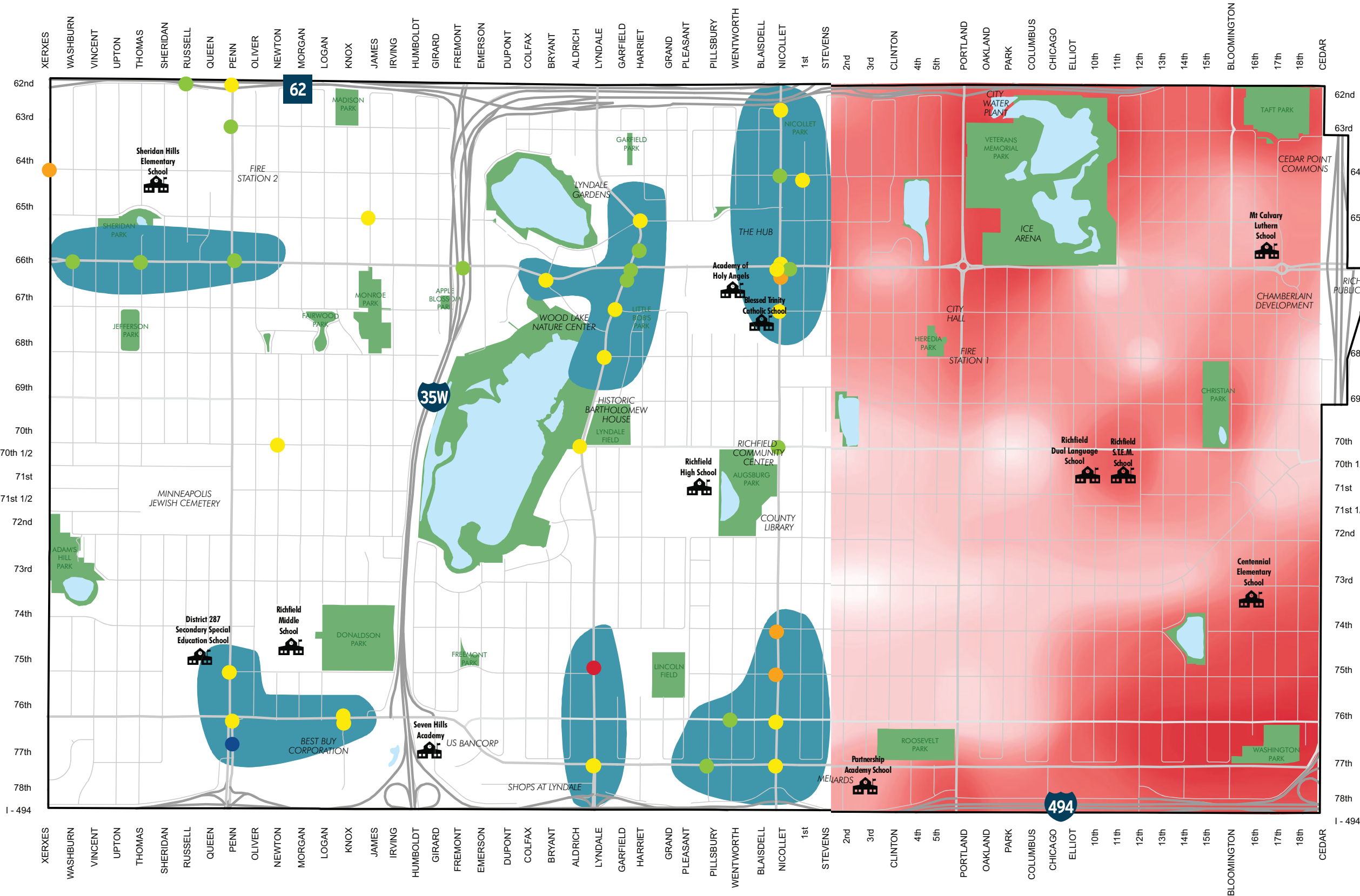
Severity of Pedestrian Crash

- Fatal (2 Total)
- Incapacitating Injury (9 Total)
- Possible Injury (32 Total)
- Non-incapacitating Injury (29 Total)
- Property Damage (1 Total)

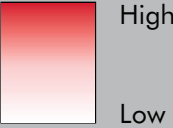
(1) There have been zero injury crashes reported at the Portland Avenue and 66th Street roundabout since it was first installed in 2009.



Location and Severity of Crashes in Richfield (2006 – 2015)



Pedestrian Demand

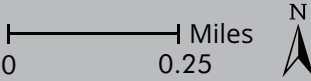


Pedestrian Demand Methodology

Pedestrian demand was determined based a review of arterial, collector, and connector roadways and their relative proximity to activity centers and population density. A higher concentration of, or closer proximity to activity centers, means higher demand. Activity centers considered include:

- Community buildings such as the community center, libraries, and city offices
- Businesses and commercial areas such as shopping centers, restaurants, retail stores, large offices and industrial parks
- Schools, recreation facilities and parks

Likewise, closer proximity to higher population density means higher demand, as well as proximity to concentrations of older adults, people living in poverty, minority populations, and young people.

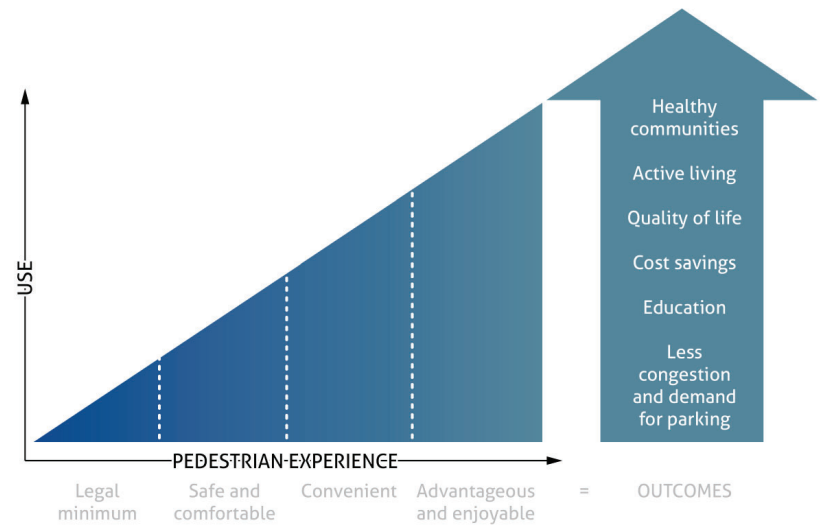


PEDESTRIAN EXPERIENCE



Walking increases as the level of pedestrian improvements increases. With a higher level of accommodation, it becomes more advantageous, or even enjoyable, to choose walking over other modes of transportation.

Level of Accommodation/Use Relationship



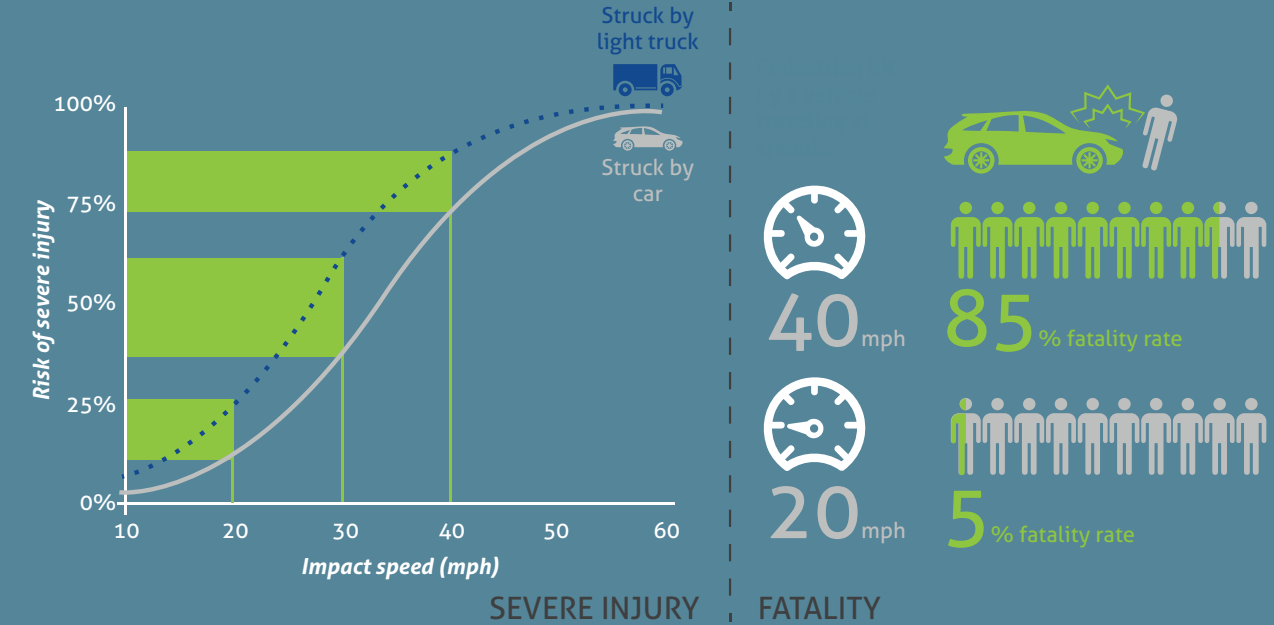
People are drawn to walk in locations where they feel safe, where the route is convenient, and where the overall experience is enjoyable.

Pedestrian Safety

Safety is the primary concern when planning and designing pedestrian facilities. Safety includes consideration for people walking, biking, using transit and in motor vehicles.

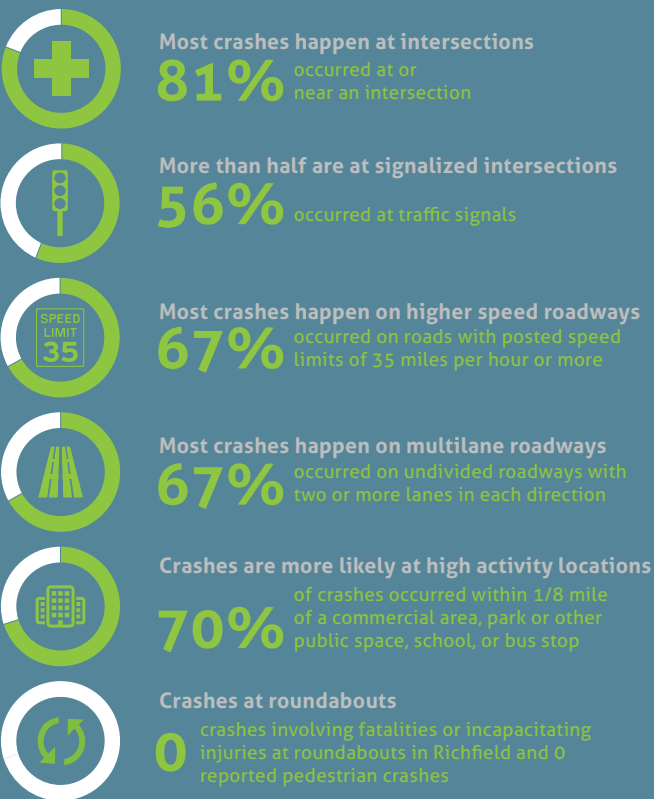
The data are clear – pedestrian safety is enhanced by slower traffic speeds, shorter crossing distances (less crash exposure), and greater driver awareness and visibility.

Vehicle Speed and Pedestrian Injury Relationship



Source: Impact Speed and a Pedestrian's Risk of Injury or Death. AAA Foundation for Traffic Safety. September 2011.

Richfield Crash Trends*



*Source: MnCMAT (2017) and City of Richfield

Measures of Pedestrian Experience

The following are typical criteria for the evaluation of pedestrian experience, for both crossings and linear facilities

Crossing Facilities

- Physical condition
- Pedestrian delay
- Crossing distance and crash exposure
- Speed of opposing vehicle traffic
- Visibility
- Land use connectivity

Linear Facilities

- Physical condition
- Width of the Pedestrian Access Route (PAR)
- Separation from traffic – boulevard, furnishing zone, sign zone
- Pedestrian features
- Visual quality
- Land use connectivity

Pedestrian Master Plan Public Comments

Public comment on the Pedestrian Master Plan and resident input were taken at:

- Penn Fest, September 17th, 2017 - Public input on pedestrian destinations within the City.
- Comprehensive Plan Open House, March 15th, 2018 - Public input on pedestrian destinations and barriers to walking within the City.
- Five Transportation Commission meetings (September 2017 and January, June, September and October 2018) - The Commission reviewed the process described in the plan and the DRAFT report. Recommendation for Council to approve the Pedestrian Master Plan moved on October 3rd, 2018.
- On-line comments on the DRAFT Pedestrian Master Plan from September 27th, 2018 through October 16th, 2018.

Public Comments on DRAFT Pedestrian Master Plan via email

I am so happy to hear that pedestrian safety is a priority for the city. I am particularly concerned about pedestrian safety with respect to the roundabouts, which are fantastic for drivers, but hazardous for pedestrians. I have personally had to dodge drivers, especially in the 2 lane roundabout at Portland. Drivers are so focused on how to maneuver through the roundabout – quite frankly they do not see pedestrians.

My suggestion would be to have flashing lights that indicate pedestrians at the crossing. I know it would be an expensive investment monetarily – but a great investment in human life – especially at the Lyndale & 66th roundabout because of all the seniors.

Thank you.

Anne Weinauer

Hello,

I spent some time this morning reviewing the new pedestrian plan for Richfield and I think it's a great start. Pedestrians have been entirely neglected during the last few years of construction and it's been increasingly dangerous and scary especially in neighborhoods with many kids on the street and no sidewalks. I live at 68th and 1st so I see firsthand the traffic from Holy Angels and at the Hub and the folks who zip through our blocks even though they're not major thoroughfares. I think the plan to make 68th a pedestrian boulevard is wonderful - I'm assuming that means that there would be sidewalks on both sides. However I find a puzzling that there are no north-south routes planned for huge 8 block areas throughout Richfield. For people who live on these blocks it's not common to walk or take your

kids on a 20 block round trip tricycle ride. For example with the plan as proposed to take a simple walk on a sidewalk I would need to take 68th all the way down to Portland to go North to come back on either 67th or 66th, all the way back to Nicollet. I think if we want people who live in the neighborhood to get out and walk to local shopping areas or to school with their children, and to really engage in the neighborhood, some north-south connectors are common sense. I know we never may have sidewalks on every block in Richfield but it would be great to have the layout make more sense for the folks who live here rather than just people who drive to the area or ride public transit and want to get around in commercial areas.

thank you for your consideration of comments from the community and your work on moving us into the 21st century in terms of a walkable community.

Amelia Helm

6738 1st Ave S

Jack -

Thank you to the city of Richfield for making this report public and seeking resident opinions!

It is nice to see more sidewalks coming to the city in the plan. Although our family doesn't feel every street needs a sidewalk as the community feel comes from walking the wide side streets and sometimes sidewalks equate to non resident traffic and trash build up, we are happy to see busier roads getting pedestrian access!

Provided Portland is seeing excessive traffic this summer due to the road work on 66th and Nicollet the most feedback I have is in regards crosswalks (not only on Portland) from enforcing traffic to stop and making them more visible. The near accidents that have been witnessed near the pool, with a flashing light crosswalk, amazes me. We have noticed the small triangular signs showing up in the median on 66th, can these be put on every crosswalk in the city? Can we police more? I don't know what exactly the solution is but it would nice to see some action taken.

Is there a plan to paint bikeways green like Minneapolis? This would make them more visible for all.

Thank you!

Louise B.

Cell - (612) 590-0597

Dear Mr. Broz,

First, thank you for the information on the website, it's informative and helpful to understand the vision. I want to compliment you and the staff for your excellent work on transportation for our city, the bicycle paths that I have used are excellent.

After reviewing the pedestrian master plan I think it takes into consideration the areas of major concerns and needs of the population . My concerns are:

1 – the cross walks in the traffic circles are too close to the circles. Drivers are focused on other traffic entering and in the circle that it's easy to not see the pedestrian wanting to cross. I say that as a person who truly tries to watch out and yield to pedestrians. These are not corners and the pedestrian shouldn't be that close to the traffic. Move the cross walks out of the circle areas by 15 – 20 feet so the driver has time to see them and react.

2- the only place I saw benches mentioned was on page 46 out of a total of 47 pages – not exactly a priority. Not only should we have more benches near the walks they need to be placed correctly. I would like to recommend that all bus stops on main arterials have covered / heated stops like are found outside of Best Buy and on 66 & Nicollet. If this is a metro issue lets work with them and get it corrected. Bus stops not on the major streets should have benches and they should be behind the sidewalk, not up against the curb like on Lyndale and 76 or Portland near 62 and Veteran's park.

I'd be happy to discuss in more detail or clarify these descriptions if it would be of interest to you.

Regards,

Linda Crear

7117 Garfield Ave S


Jack,

I just looked over the sweetstreets plan. Most of the plan looks to be decent but I have to say roundabouts are in no way pedestrian friendly. Cars routinely don't stop at signaled intersections and now they don't even have to. If the desire is to get people to walk to their local stores roundabouts are counter productive. The busier the retail area the less need for a round-about pedestrian speaking. Just my 2 cents worth.


Paul Case

(Facebook Comments on following pages)




Comment on the DRAFT Pedestrian Master Plan from Sweet Streets Facebook Post - September 27th, 2018

**Sweet Streets-City of Richfield**
September 27 at 1:03 PM · 🌐

The City of Richfield is in the process of adopting a Pedestrian Master Plan and seeks your input! The Pedestrian Master Plan documents the current process used by Public Works on transportation projects to create safer, more convenient and enjoyable places to walk in the City of Richfield. The process set forth in the Pedestrian Master Plan will be used to guide future pedestrian infrastructure development. The Pedestrian Master Plan is in the final review stages among staf... [See More](#)




RICHFIELDSWEETSTREETS.ORG
DRAFT Pedestrian Master Plan - Richfield Sweet Streets
The DRAFT Richfield Pedestrian Master Plan has been developed as part...

 Like  Comment  Share

Laurel Walberg Lien and Robert Rimstad like this. [All Comments ▾](#)

1 Share

**Charles Gregory Johnson** I know what the stats say about pedestrian safety in roundabouts but it was pretty clear to me that cars definitely stop for you if there is a squad or officer nearby not so much if there isn't.

2w

Comments on the DRAFT Pedestrian Master Plan from City of Richfield Facebook Post - October 2nd, 2018



City of Richfield, Minnesota - Local Government

October 2 at 6:10 AM · 🌐

The City of Richfield is in the process of adopting a Pedestrian Master Plan and seeks your input!

The Pedestrian Master Plan documents the current process used by the Public Works Department on transportation projects to create safer, more convenient and enjoyable places to walk in the community.

The process set forth in the Pedestrian Master Plan will be used to guide future pedestrian infrastructure development. The Pedestrian Master Plan is in the final review stages a... [See More](#)



Like



Comment

Maureen Scaglia, Becka Bressler, Jennifer Fitzpatrick and 16 others like this.

[All Comments](#) ▼

5 Shares



Tracy Madden We would like sidewalks please!!!!

2w



Brien Hall On every street?

2w



Tracy Madden Brien Hall I don't know if that's realistic, but sure. Sidewalks (in my opinion) make a city safer and more walkable.

2w · Edited



Jon Karner Why would you waste the money? Most side streets never have traffic to contend with.

1w



James Peter Makres I don't want to pay for something no one will use.

1w



Barb Bauer Make decent sidewalks along Nicollet !!!

2w



Andrew Weibel do you mean repair the existing ones?

1w



Kelly Lars Next year -atleast on north section, county plan

1w · Edited



Jon Karner Why the hell did you neck down 66th and then make the bus block the traffic lane?

Quit trying to make everything walkable. I'd rather walk a quite street that a busy through way. ... [See More](#)



1w



Jacob Hark Jon Karner been saying this since Portland. No one listens. Common sense.... 1 lane with busses causes traffic.

1w



Jon Karner I can only see a city that drives all business out because you never know when they'll close access to your business.

1w



Jon Mahachek Dumbest design ever. Notice a emergency vehicle has no room to get around that bus either! They knew this and built anyways.
There is no use submitting your opinion to the city as a regular citizen, they won't listen.
I wrote a letter to the Richfield Chamber of commerce and told them I will avoid the businesses along 66th because of the terrible street design. I of course got no response, but maybe if enough people write to them maybe they'll have some push with the city.

1w



David Kutzler The response i got is that they are our elected official and will do what they want. It was never presented to the city for a vote and they will have done it anyway just like the roundabouts that they have to have at every intersection.

1w



Sean Hayford O'leary This situation only occurs at extremely low-volume bus stops where the bus is only stopping long enough to drop off and pick up passengers -- about 10 seconds typically. Each of the stops only sees about 10 passengers per day boarding.

In the unlikely event you end up behind a bus, you will likely spent far less time than if you caught a single red light. This seems like a reasonable "price" to pay in order to get these medians so neighbors can safely cross the street to get our biggest park.

1w



Jon Karner If the use and traffic is so light why the islands?

Drive down Snelling ave in St Paul and see how well the peds are hidden by the trees in the median. And the upkeep and plowing costs. Stupid.

1w · Edited



Danielle Double Sidewalks! Every walk I take around the neighborhood is stressful due to my kids in the street. Even if it's just one side of the street having them, like I've seen in SLP. Something is better than nothing.

1w



Amanda Rose Burrill Agree 100%

1w



Theresa Woods Olson Traffic specifically speed enforcement in roundabouts! Check out Portland during evening commute time....scary how aggressive and fast these drivers are moving

2w



Maria At Yes, and drivers only watch for cars not really for pedestrians, one day me and my kids almost got hit while crossing there.

2w



Theresa Woods Olson Maria At I hope that doesn't happen! Let's get some enforcement to slow things down; it's not a race track!

2w



Dave Korzeniowski I agree that crosswalks at roundabouts are a problem, while pedestrian have the right to cross, many have no common sense and walk right in front of moving vehicles (look both ways ring a bell) The roundabouts are designed to keep things moving which I like but traffic lights are much safer for pedestrians. Hopefully powers that be can figure out a better way, accidents are waiting to happen.

1w



Andrew Weibel Below is an excerpt from the executive plan. Please notice that "Pedestrian Demand" is not factually based on any community input from pedestrians....

Pedestrian Demand

Methodology

Pedestrian demand was determined based on a review of arterial, collector, and connector roadways and their relative proximity to activity centers and population density. A higher concentration of, or closer proximity to activity centers, means higher demand. Activity centers considered include:

- Businesses and commercial areas such as shopping centers, restaurants, retail stores, large offices and industrial parks
- Schools, recreation facilities and parks
- Community buildings such as the community center, libraries, and city offices. Likewise, closer proximity to higher population density means higher demand, as well as proximity to concentrations of older adults, people living in poverty, minority populations, and young people.

1w



Kim Becker This is the best sentence in the entire report: "Experience in many communities, including Richfield, has shown that people walk more and are drawn to locations where they feel safe, the route is convenient, and the experience is enjoyable." So how do we create more of this experience? I see people walking dogs, walking strollers, jogging for exercise. I do not see a lot of commuter walking, although I know it exists because I see people at bus stops. But they are not at bus stops because the walk experience is nice...they are there because the bus is going the way they need. I used to walk to Rainbow for small grocery trips but it is gone. I would never walk to Target because I can't carry all the stuff I buy on a once a month trip. We need restaurants and other places of interest worth walking to!

1w



Andrew Weibel I would like to know what "experience" this statement is drawing from

1w



Lee Mollan Flashing lights by all round about's walkways

2w



Kimberly Huelsman Those at crosswalks are amazing for drivers.

2w



Lee Mollan Flashing lights by all round about's walkways

2w



Kimberly Huelsman Those at crosswalks are amazing for drivers.

2w



Carissa Fink Dont have peds cross at roundabouts!!! They are dangerous enough, why is a ped in the mix too?! The 66th re-design is not so great 😞

1w · Edited



David Kutzler Carissa Fink it's downright awful. What is going to happen as more and more cars are on the road. Let me guess they didn't think of that...

1w



Carissa Fink David Kutzler 🤔😞 they sure didn't! I cant wait to do the roundabout by Target on 66th once 300 unit apt bldg is occupied. What were they thinking??

1w



Kevin Austin Birt I think all crosswalks need streetlights! That way I can clearly see if someone is crossing before I start turning instead of creeping through in the dead of night.

1w



Kip Livingston Thanks for the improvements. Driving, Biking, Walking. I live right N. of 62 Try getting these in Mpls.---🤔🤔🤔🤔

1w



Janelle Nelson Markings to designate more clearly the pedestrian/cycling lane on 69th from Penn to Xerxes. The number of times I've had a car coming at me head on in the walking lane is staggering.

2w



Jeannine Grundstrom I think the city is really looking great. Any idea when 66th by 35W will be done? The construction on that street seems to stop and restart constantly.

2w



Amalia J. Delima Awesome! Please start with cross walks to keep students getting off buses safely.

2w



Ginny Morin I'd be interested to know where this data came from. Most of it seems suspect to me. FYI sidewalks destroy community. It's not neighbors that use them. Look at the lack of community in Mpls and St. Paul. Sidewalks haven't brought neighborhoods closer. They facilitate non-residents cutting through neighborhoods which increases traffic, garbage to adjacent properties to the sidewalk and upkeep and liability to homeowners. Start thinking of US for a change!!!

1w



David Kutzler Ginny Morin they only want to think about us when they need more money for these projects and raise our taxes...

1w



Tara Dewars @ Kellie Dewars Zobeck

1w



STAFF REPORT NO. 188
CITY COUNCIL MEETING
10/23/2018

REPORT PREPARED BY: John Stark, Community Development Director

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director
10/17/2018

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager
10/18/2018

ITEM FOR COUNCIL CONSIDERATION:

Consideration of an affirmation of the modified language in the Inclusionary Housing Policy.

EXECUTIVE SUMMARY:

At its September 25 regular meeting, the City Council adopted a resolution approving an Inclusionary Affordable Housing Policy (Policy). While there was adequate consensus to unanimously adopt the resolution, there were some questions about the application of the Policy to Richfield Rediscovered single-family housing development (and other "scattered site" single family housing development programs). City Council members asked that modified language for the Policy be placed on a future agenda for formal adoption into the public record.

Based on feedback from the September 25 City Council meeting, the proposed Policy has been revised to state that it is to be applied only for developments of 5 or more units and that, in the case of "scattered site" developments (Richfield Rediscovered and New Home) the 20% affordability requirement shall be applied cumulatively over a three-year period.

Since the City Council's consideration, both the Housing and Redevelopment Authority (HRA) and the Economic Development Authority (EDA) have adopted this Policy.

RECOMMENDED ACTION:

By motion: Affirm adoption of an Inclusionary Affordable Housing Policy.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- On September 25, 2018 the City Council adopted a resolution to approve an Inclusionary Affordable Housing Policy.
- At that meeting, the Council clarified their expectations on the application of this policy to housing developments of fewer than five units and on the application to the HRA's Richfield Rediscovered and New Home Programs.
- Since that time the policy has been revised to reflect the City Council's input.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- On October 15, 2018 both the Richfield HRA and the Richfield EDA adopted this Policy.

C. CRITICAL TIMING ISSUES:

- If affirmed, this Policy will go into effect immediately on all new developments seeking approval on public assistance from the City, HRA or EDA.

D. FINANCIAL IMPACT:

- While there is no fiscal impact on City/HRA/EDA operational costs, a developer's election to pledge funds to the HRA's Housing and Redevelopment Fund would be available to assist in affordable housing costs throughout the community.

E. LEGAL CONSIDERATION:

- The City Attorney has reviewed the proposed Policy.

ALTERNATIVE RECOMMENDATION(S):

- Give staff further direction on revised wording; this would result in a revised version needing to be considered by both the HRA and EDA.

PRINCIPAL PARTIES EXPECTED AT MEETING:

None

ATTACHMENTS:

Description	Type
□ Inclusionary Affordable Housing Policy	Backup Material

City of Richfield
Richfield Housing and Redevelopment Authority
Richfield Economic Development Authority
Inclusionary Affordable Housing Policy

The City of Richfield, Richfield Housing and Redevelopment Authority, and Richfield Economic Development Authority are committed to building a community that is welcoming and affordable to a diverse population of individuals and families at all stages of their lives. As such, we hereby establish the following policy for the inclusion of affordable housing in development proposals.

Requirements

1. Housing Development Projects containing the construction of at least 5 new units which receive Financial Assistance from HRA, EDA or City:
 - a. Must contain at least 20% affordable units
 - i. At least 20% of rental housing units must be made affordable to tenant households earning no more than 60% of the Area Median Income over a period of ten years or the duration of the subsidy (whichever is longer);
 - ii. At least 20% of owner-occupied housing units must be made affordable to, and initially sold to, households earning no more than 115% of the Area Median Income;
 - iii. At least 20% of the grand total of housing units in a mixed rental/ownership development must be affordable at the affordability levels established in 1.a)i and 1.a)ii,
 - or;
 - b. Must contribute to the Richfield Housing and Redevelopment Fund
 - i. 15% of the “net present value” of Tax Increment generated by the project (or 15% of the net present value of other types of assistance) must be pledged to the Richfield Housing and Redevelopment Fund over a period of ten years or the duration of the subsidy (whichever is longer), or;
 - ii. A pro-rata combination of the above (i.e. 10% affordable units and a 7.5% contribution) may be considered, and;
 - c. Must agree to provide 90 days’ advance notice to the public body providing funding of any sale of the property,
and;
 - d. Must agree to not discriminate against households utilizing Housing Choice Vouchers (Section 8) or other forms of rental assistance.
2. Non-Housing Development Projects that receive Financial Assistance from HRA, EDA or City and which result in the loss of affordable housing:
 - a. Affordable housing units eliminated by the project must be replaced on-site or at another location in Richfield by the developer at similar affordability levels, or;
 - b. 5-15% (depending on the magnitude of the loss of affordable housing) of the “net present value” of the Financial Assistance provided must be pledged to the Richfield Housing and Redevelopment Fund over a period of ten years or the duration of the subsidy (whichever is longer).

Incentives

3. Housing Development Projects which include affordable units (as outlined in 1a above) are eligible to apply to the City for the following considerations regardless of whether or not they receive Public Financial Assistance:
 - i. Building Permit Fee Reductions (10% reduction for rehabilitation and/or 5% reduction for new construction);
 - ii. 4d Property Tax Reduction (rental projects);
 - iii. Consideration of code flexibility (e.g., smaller setbacks, excessive impervious surface, etc.) in planned unit developments;
 - iv. A housing unit density bonus of 5-15% (e.g., a project in an area that allows 8-24 units/acre could add an additional 1-4 units/acre and remain in compliance).

Exceptions

4. With regards to “scattered-site single family housing development”, at least 20% of the units constructed in any three-year period must meet the proscribed affordability requirements.
5. The City Council or Board of Commissioners of the Housing and Redevelopment Authority or Economic Development Authority may vary the application of this policy as circumstances warrant with the adoption of findings of the reasons for doing so.

Adopted:

This 23rd day of October, 2018 by the Richfield City Council.

Mayor

City Clerk

This 15th day of October, 2018 by the Richfield Housing and Redevelopment Authority.

Chair

Secretary

This 15th day of October, 2018 by the Richfield Economic Development Authority.

President

Secretary



STAFF REPORT NO. 189
CITY COUNCIL MEETING
10/23/2018

REPORT PREPARED BY: Matt Brillhart, Associate Planner

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director
10/16/2018

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager
10/16/2018

ITEM FOR COUNCIL CONSIDERATION:

Public hearing and consideration of the adoption of a resolution regarding the removal of a utility easement on the Partnership Academy development site at 6500 Nicollet Avenue.

EXECUTIVE SUMMARY:

Development plans for Partnership Academy at 6500 Nicollet Avenue were approved by the Council on July 24, 2018. Preliminary work by Partnership Academy had not identified an approximately 15-foot wide utility easement running along the property line adjacent to Nicollet Avenue. This easement area does not contain any underground or overhead utilities, and City staff sees no reason to maintain the existing easement. This utility easement must be vacated in order for Partnership Academy to construct the new school building as planned.

RECOMMENDED ACTION:

Conduct and close a public hearing and by motion: Adopt a resolution vacating a utility easement on the Partnership Academy development site at 6500 Nicollet Avenue.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- The City historically vacates Utility Easements as a matter of policy, whenever that easement does not contain any current or planned utility infrastructure.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- The City may vacate an easement by resolution when it appears in the interest of the public to do so.
- City staff sees no reason to maintain the existing easement. No underground or overhead utilities are located within the easement area.
- Hennepin County and the various public utility companies do not object to the removal of the easement.

C. CRITICAL TIMING ISSUES:

- With winter fast approaching, Partnership Academy would like to begin construction as soon as possible. Approval of this vacation is required prior to the issuance of building permits. Demolition

and footing permits have been issued prior to this hearing.

D. FINANCIAL IMPACT:

- None

E. LEGAL CONSIDERATION:

- Notice of this public hearing was published in the Sun Current and mailed to properties within 350 feet of the easement area.
- No comments related to the easement have been received.
- The City Council may vacate public easements in accordance with MN Statute 412.851.

ALTERNATIVE RECOMMENDATION(S):

- None

PRINCIPAL PARTIES EXPECTED AT MEETING:

None

ATTACHMENTS:

Description		Type
<input type="checkbox"/>	Resolution	Resolution Letter
<input type="checkbox"/>	Utlitiy easement depiction & map	Backup Material

RESOLUTION NO.

**RESOLUTION AUTHORIZING THE VACATION OF A
UTILITY EASEMENT AT 6500 NICOLLET AVENUE S**

WHEREAS, the following described lands are subject to a utility easement in favor of the City of Richfield:

Lot 1, Block 1, RICHFIELD HUB SUPERBLOCK, according to the recorded plat thereof, Hennepin County, Minnesota

WHEREAS, there are not existing utility lines within the portion of the easement area proposed to be vacated; and

WHEREAS, the City Council finds that a portion of the easement reserved in the recorded plat of RICHFIELD HUB SUPERBLOCK is no longer needed, described as:

That part of the utility easement dedicated to the public in the plat of RICHFIELD HUB SUPERBLOCK, according to the recorded plat thereof, Hennepin County, Minnesota, lying south of the south line of vacated West 65th Street, lying 15.62 feet west of and parallel with the most easterly line of Lot 1, Block 1, said RICHFIELD HUB SUPERBLOCK and north of the most southerly line of said Lot 1.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Richfield, Minnesota, as follows:

1. The easement for utility purposes, which was reserved over the above-described property in the recorded plat of RICHFIELD HUB SUPERBLOCK, is vacated, effective upon the recording of this resolution.
2. This resolution does not affect the utility easement(s) reserved in the recorded plat of RICHFIELD HUB SUPERBLOCK as to lands other than the property described above.
3. The City Clerk is directed to prepare a certificate of completion of vacation proceedings and to record the vacation in the office of the Hennepin County Recorder.

Adopted by the City Council of the City of Richfield, Minnesota this 23rd day of October, 2018.

Pat Elliott, Mayor

ATTEST:

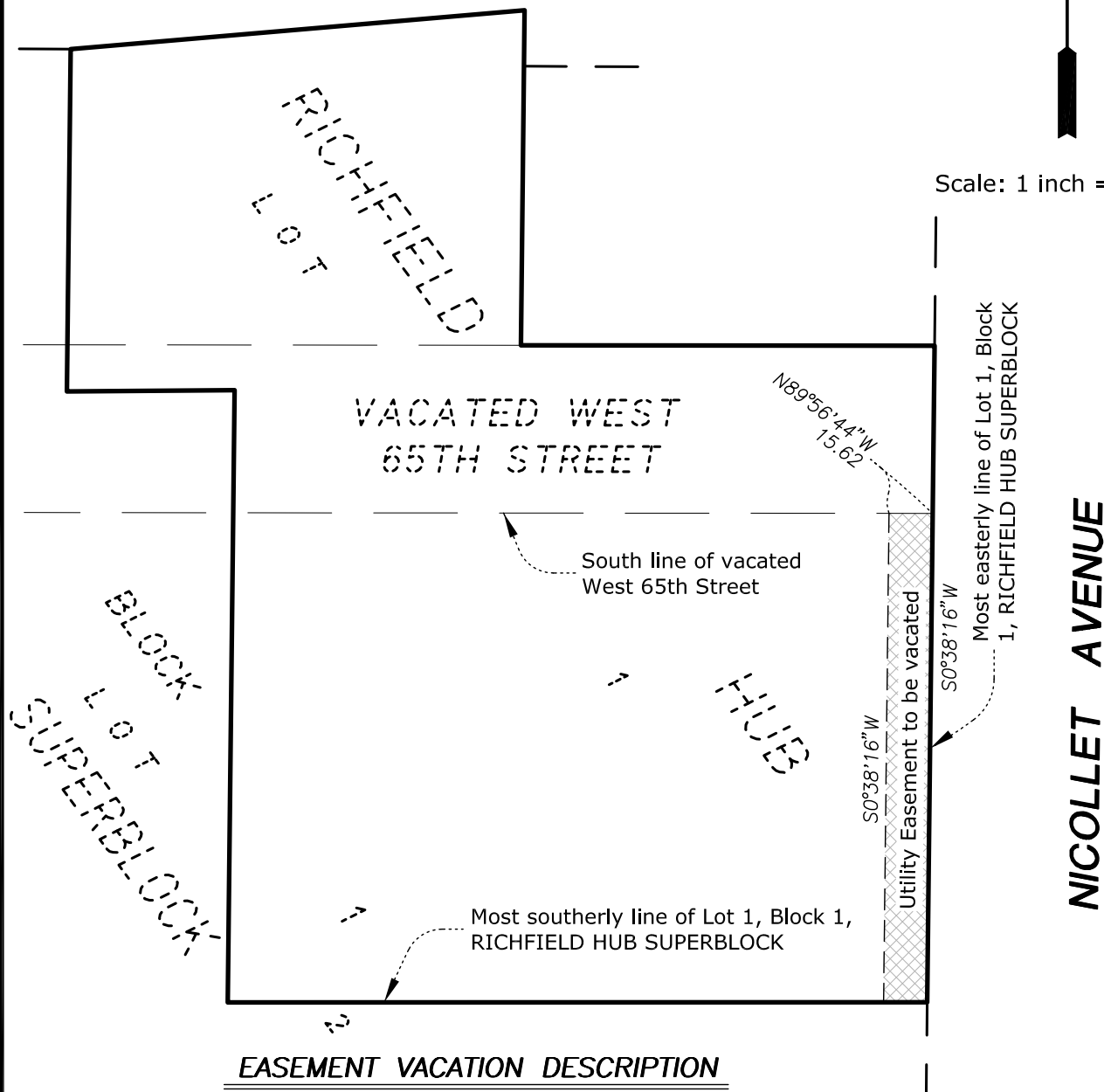
Elizabeth VanHoose, City Clerk

Easement Vacation Sketch for
PARTNERSHIP ACADEMY ASSOCIATION

WEST 65TH STREET



Scale: 1 inch = 60 feet



EASEMENT VACATION DESCRIPTION

That part of the utility easement dedicated to the public in the plat of RICHFIELD HUB SUPERBLOCK, according to the recorded plat thereof, Hennepin County, Minnesota, lying south of the south line of vacated West 65th Street, lying 15.62 feet west of and parallel with the most easterly line of Lot 1, Block 1, said RICHFIELD HUB SUPERBLOCK and north of the most southerly line of said Lot 1.

Rehder and Associates, Inc.

CIVIL ENGINEERS AND LAND SURVEYORS

3440 Federal Drive • Suite 110 • Eagan, Minnesota • Phone (651) 452-5051

6500 Nicollet Avenue S – context map for proposed utility vacation





STAFF REPORT NO. 190
CITY COUNCIL MEETING
10/23/2018

REPORT PREPARED BY: Matt Brillhart, Associate Planner

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director
10/16/2018

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager
10/16/2018

ITEM FOR COUNCIL CONSIDERATION:

Consideration of the approval of an ordinance amending the Zoning Ordinance to make tattoo businesses 'permitted' rather than 'conditionally permitted' in the C-2 General Business Zoning District and adoption of a resolution authorizing summary publication of said ordinance.

EXECUTIVE SUMMARY:

In August 2018, representatives from MN Luxury Laser Education contacted City staff about relocating their facilities to Richfield Shoppes, located at 6501 Nicollet Avenue. MN Luxury Laser Education, currently based in Bloomington, is a private career school providing instruction in laser hair removal, skin tightening, tattoo removal, and cosmetic tattoo services, also known as microblading or permanent makeup. The definition of tattooing in the City's Public Health Code includes all forms of cosmetic tattooing. In addition to Public Health regulations under City Code Section 630, tattoo businesses are also regulated through the Zoning Code.

Tattoo businesses are currently permitted only in the Mixed Use Zoning Districts (Community and Regional), which are generally located along 77th Street, the Cedar Avenue Corridor, and Penn Central. In the General Business (C-2) Zoning District, tattoo businesses are conditionally permitted, when these five buffer distance conditions are met:

- *Such uses shall be located not less than 100 feet from any residentially zoned property;*
- *Such uses shall be located not less than 350 feet from any school, church, park, day care center, or public library;*
- *Such uses shall be located not less than 350 feet from any establishment selling and/or serving alcoholic beverages;*
- *Such uses shall be located not less than 100 feet from the right-of-way of an entry street to the City. For purposes of this subdivision, an entry street is defined as Penn Avenue, Lyndale Avenue, Nicollet Avenue, Portland Avenue, Cedar Avenue and 12th Avenue; and*
- *Such uses shall be located not less than 1,000 feet from other tattoo establishments.*

These regulations would prohibit MN Luxury Laser, or any other tattooing business, from locating in many commercial properties within the C-2 Zoning District. In the specific case of Richfield Shoppes, the space MN Luxury Laser intends to lease is adjacent to El Tejaban restaurant, which holds a full liquor license. Additionally, the "entry street" 100-foot setback would apply, as the

Richfield Shoppes building is within 100 feet of Nicollet Avenue. In order for MN Luxury Laser to locate within Richfield Shoppes, they would need to apply for a conditional use permit, as well as variances from four of the five buffer criteria. Rather than directing MN Luxury Laser request a conditional use permit and multiple variances, staff recommended that the applicant request an ordinance amendment to reevaluate these regulations.

Staff is recommending an ordinance amendment that would make tattoo businesses permitted, rather than conditional, in the C-2 Zoning District. While the City could take a narrower approach to the matter, such as making minor adjustments to the buffer conditions or specifically allowing only cosmetic tattoo businesses, staff's research into Richfield's Zoning Code and the codes of peer cities indicated that a broader change to zoning regulations for tattoo business may be more appropriate. Making tattoo businesses permitted would bring the C-2 Zoning District into conformance with the Mixed Use Districts (Commercial and Regional), where tattoo businesses are permitted without any buffer distance requirements. Under the proposed amendment, tattoo businesses would remain prohibited in the Neighborhood Commercial (C-1) and Mixed Use Neighborhood (MU-N) Zoning Districts. The regulation and licensure of tattoo establishments remains tightly regulated by Richfield Public Health Code Section 630, which is attached to this report for reference. No changes are proposed to Section 630.

A map is attached to this report, showing the Mixed Use Districts where tattoo businesses are permitted currently, as well as the C-2/PC-2 Districts that are proposed to be amended to make tattoo businesses permitted, rather than conditionally permitted.

RECOMMENDED ACTION:

By motion:

1. **Approve an ordinance amending the Zoning Ordinance to make tattoo businesses 'permitted' rather than 'conditionally permitted' in the C-2 General Business District.**
2. **Adopt a resolution authorizing summary publication of said ordinance.**

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- This is the second such request that the City has received in recent years. A previous request in 2016 sought to locate a scalp micropigmentation (cosmetic tattooing) business at Woodlake Centre, although the application was ultimately withdrawn.
- Societal perceptions of tattoos have changed over the years. While once considered to be undesirable uses, tattoo and body art businesses, including cosmetic procedures such as microblading and micropigmentation, have become accepted and commonplace local businesses in many communities.
- For the past several years, there has been just one tattoo business operating in Richfield, located in Penn Central. Based on this recent history and the low number of annual requests staff receives relating to tattoo businesses, staff finds that the market is capable of determining the appropriate locations and quantity of tattoo businesses in the City.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

In researching peer cities, staff found that Bloomington, St. Louis Park, and Hopkins all permit tattoo businesses in their commercial districts. St. Louis Park and Hopkins consider them as "service" and "art" businesses, respectively. In Bloomington, tattoo businesses formerly required a conditional use permit, but they were made permitted in recent years. Bloomington staff cited that the City's strict controls on the licensing of body art establishments had made it onerous to regulate such businesses through the Zoning Code.

The ordinance amendment is quite simple in terms of text changes to the code:

- In Section 534.07 (Conditional uses in the C-2 General Business District), Subdivision 18 relating to tattoo businesses is repealed.

- In Section 512.07, which is a table of the permitted, conditional, accessory, and prohibited uses in the Commercial Districts (SO, C-1, and C-2), tattoo businesses are now 'permitted', rather than 'conditional'.

If these changes are adopted, tattoo businesses will become permitted uses in the C-2 and PC-2 Zoning Districts. Tattoo businesses would be treated similarly to other service businesses such as salons and clinics. Tattoo businesses would remain prohibited in the Neighborhood Commercial (C-1) and Mixed Use Neighborhood (MU-N) Zoning Districts.

The regulation and licensure of tattoo establishments remains tightly regulated under City Code Chapter VI (Public Health), Section 630: Tattoo, body piercing, body branding and body painting establishments. No changes are proposed to City Code Section 630. Body art establishments are also regulated by Minnesota State Statutes.

C. CRITICAL TIMING ISSUES:

- None

D. FINANCIAL IMPACT:

- None

E. LEGAL CONSIDERATION:

- A public hearing was held before the Planning Commission on September 24, 2018. Notice of the public hearing was published in the Sun Current newspaper. No one spoke at the public hearing.
- The Planning Commission recommended approval of the zoning ordinance amendment (6-1).
- The Council approved a first reading of the ordinance on October 9, 2018.

ALTERNATIVE RECOMMENDATION(S):

- Approve the ordinance with modifications.

PRINCIPAL PARTIES EXPECTED AT MEETING:

Carly Williams / Eloise Anderson, MN Luxury Laser

ATTACHMENTS:

Description	Type
▢ Ordinance	Ordinance
▢ Resolution	Resolution Letter
▢ Zoning map - Tattoo Businesses in C2, MU districts	Backup Material
▢ Luxury Laser - Executive Summary	Backup Material
▢ City Code Section 630 - Tattoo, Body Piercing establishments	Backup Material

BILL NO. _____

**AN ORDINANCE AMENDING THE RICHFIELD CITY CODE
TO ALLOW TATTOO ESTABLISHMENTS
IN THE GENERAL BUSINESS (C-2) ZONING DISTRICT**

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1 Section 534 of the Richfield City Code is amended by repealing Subsection 534.07, Subdivision 18 as follows:

- ~~**Subd. 18.** Tattoo establishments, provided the following conditions are met:~~
- ~~a) Such uses shall be licensed under Section 630 of the City Code;~~
 - ~~b) Such uses shall be located not less than 100 feet from any residentially zoned property;~~
 - ~~c) Such uses shall be located not less than 350 feet from any school, church, park, day care center, or public library;~~
 - ~~d) Such uses shall be located not less than 350 feet from any establishment selling and/or serving alcoholic beverages;~~
 - ~~e) Such uses shall be located not less than 100 feet from the right-of-way of an entry street to the City. For purposes of this subdivision, an entry street is defined as Penn Avenue, Lyndale Avenue, Nicollet Avenue, Portland Avenue, Cedar Avenue and 12th Avenue; and~~
 - ~~f) Such uses shall be located not less than 1,000 feet from other tattoo establishments.~~

Section 2 Subsection 512.07 of the Richfield City Code relating to Permitted, Conditional, Accessory and Prohibited Uses in Commercial Districts is amended to read as follows:

512.07. - Permitted, Conditional, Accessory and Prohibited Uses in Commercial Districts.

The following table summarizes which land uses are classified as permitted, accessory, conditional or prohibited in the Commercial Districts. Refer to Sections 529 through 534 for complete regulations. (Amended, Bill No. 2011-19)

P: Permitted
A: Accessory
C: Conditional
N: Null or not Permitted

Land Use	S-O	C-1	C-2
Adult businesses	N	N	P
Animal kennels	N	N	P/C
Apartments within a commercial building	A	A/C	C
Assembly, light manufacturing, warehouse	N	N	A
Auction houses	N	N	P

Land Use	S-O	C-1	C-2
Auto mechanical/body repair	N	N	C
Auto detailing	N	N	C
Auto or boat sales	N	N	C
Auto stereo installation service	N	N	P
Auto washes	N	N	C
Barber or beauty shops	P/C	P/C	P/C
Bicycle stores	N	P/C	P/C
Bicycle repair shops	P/C	P/C	P/C
Bowling alleys	N	N	P
Carpet or paint stores	N	P/C	P/C
Cemeteries	N	N	C
Convenience store	N	P	P
Day care facilities	C	P	P
Drug stores without drive-up facility	N	P/C	P/C
Drug stores with drive-up window	N	N	C
Emergency shelter	N	N	C
Enclosed storage	A	A	A
Fences, walls and hedges	A	A	A
Financial institutions without drive-up service	N	N	P
Financial institutions with drive-up service	N	N	C
Firearms related uses	N	N	C
Fortune telling	N	N	P
Funeral homes, mortuaries	N	N	C
Furniture or appliance stores	N	P/C	P/C
Governmental buildings	P	P	P
Grocery stores	N	P/C	P/C
Health club or studio, spa	N	P	P
Hospital or 24-hour urgent care	P/C	P/C	P/C
Hotel or motel (6 or more units)	N	N	C
Junk yard	N	N	N
Libraries, public	P	P	P
Liquor store, municipal	N	N	P
Marijuana (medical) dispensaries	N	N	C
Marijuana (recreational) sales outlets	N	N	N
Micro-production facility (micro-brewery/micro-distillery)	N	N	C
Nursing home	P	P	N

Land Use	S-O	C-1	C-2
Office, single-tenant, professional, executive or business	P/C	P/C	P/C
Office, multi-tenant, professional, executive, or business	P/C	P/C	P/C
Outdoor merchandising or storage (except as allowed by Section 1135 of the City Code)	N	N	N
Parking	A	A	A
Pawn shops and second hand goods dealers licensed under Section 1186 or 1187 of the City Code	N	N	C
Public utility, minor	A	A	A
Public utility, major	C	C	C
Religious institutions	N	N	P
Restaurant, take-out only (Class IV)	N	C	P
Restaurant, fast food/convenience food (Class III) or any restaurant with drive-up service	N	N	C
Restaurant, traditional or cafeteria (Class II)	N	C	C
Restaurant, full service (Class I)	N	N	C
Retail, general (single or multi-tenant)	N	P/C	P/C
Schools, public or private	N	N	P
Service station	N	N	C
Service station/convenience store	N	N	C
Service or non-auto repair shop	P/C	P/C	P/C
Taproom/cocktail room	N	N	A/C
Tattoo shops	N	N	PG
Taxi or limousine service	N	N	P
Theater, movie or live entertainment	N	N	C
Veterinary clinic	N	N	P

(Amended, Bill No. 2011-13; 2011-19; 2014-4; 2015-5; 2015-15)

Section 3 This Ordinance is effective in accordance with Section 3.09 of the Richfield City Charter.

Passed by the City Council of the City of Richfield, Minnesota this 23rd day of October, 2018.

Pat Elliott, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk

RESOLUTION NO. _____

**RESOLUTION APPROVING SUMMARY PUBLICATION
OF AN ORDINANCE AMENDING THE RICHFIELD CITY CODE
TO ALLOW TATTOO ESTABLISHMENTS
IN THE GENERAL BUSINESS (C-2) ZONING DISTRICT**

WHEREAS, the City has adopted the above-referenced amendment of the Richfield City Code; and

WHEREAS, the verbatim text of the amendment is cumbersome, and the expense of publication of the complete text is not justified.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield that the following summary is hereby approved for official publication:

**SUMMARY PUBLICATION
BILL NO. _____**

**AN ORDINANCE AMENDING THE RICHFIELD CITY CODE
TO ALLOW TATTOO ESTABLISHMENTS
IN THE GENERAL BUSINESS (C-2) ZONING DISTRICT**

This summary of the ordinance is published pursuant to Section 3.12 of the Richfield City Charter.

This ordinance revised Zoning Code Section 534, affecting the General Business (C-2) and Planned General Business (PC-2) Zoning Districts. The ordinance repeals Section 534.07, Subdivision 18, making tattoo businesses 'permitted' rather than 'conditionally permitted'. In Section 512.07, which is a table of the permitted, conditional, accessory, and prohibited uses in the Commercial Districts (SO, C-1, and C-2), tattoo businesses are now 'permitted', rather than 'conditional', in C-2.

Copies of the ordinance are available for public inspection in the City Clerk's office during normal business hours or upon request by calling the Department of Community Development at (612) 861-9760.

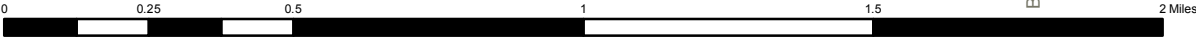
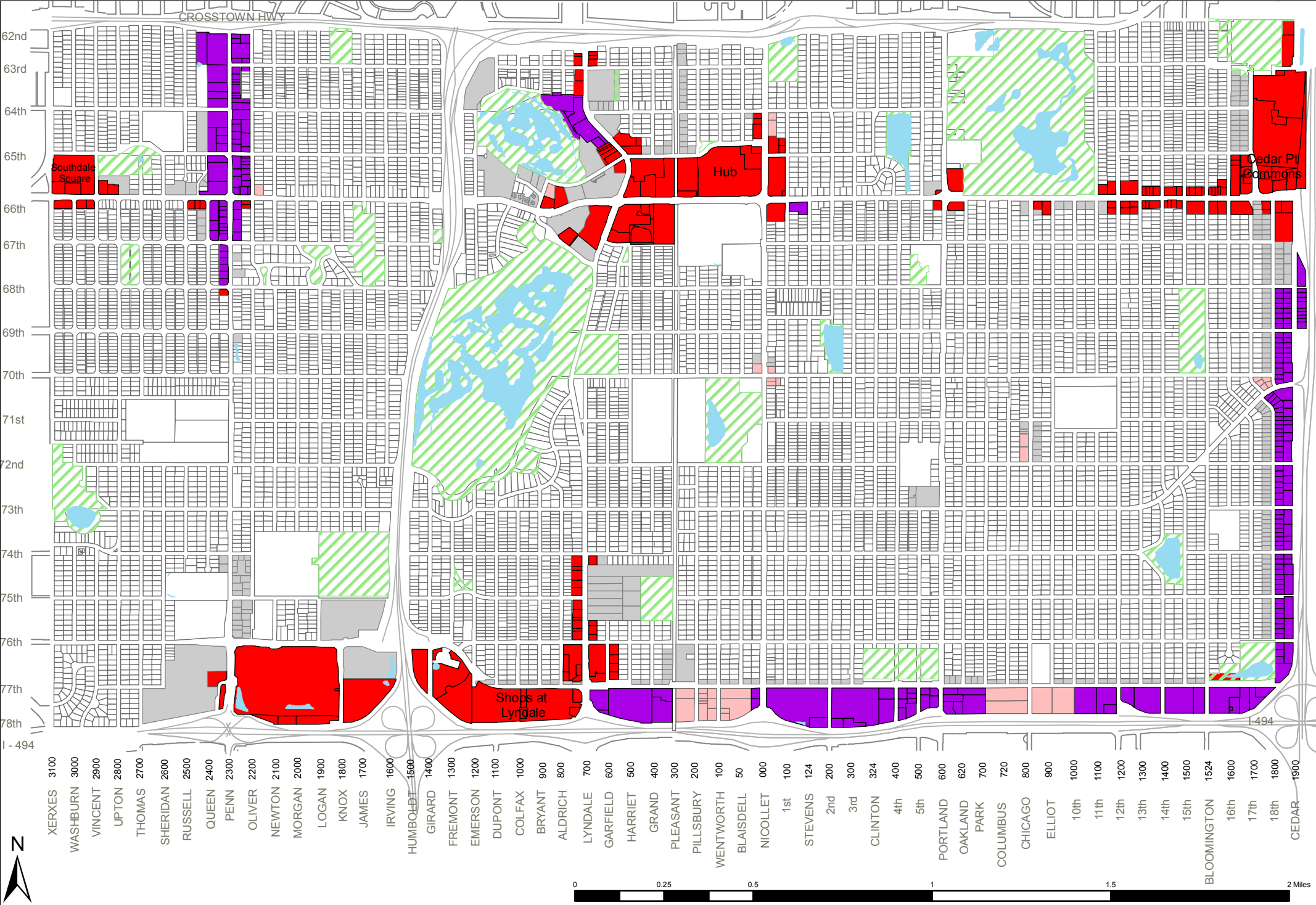
Adopted by the City Council of the City of Richfield, Minnesota this 23rd day of October, 2018.

Pat Elliott, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk

Tattoo Businesses - Permitted, Conditional, Not Permitted Zones



Our Mission

Luxury Laser Medspa offers superior aesthetic services, including microblading. We also hold the only licensed Laser Certification course in the state. Our team provides top-notch services to our guests and ensures that every experience with us is outstanding. We have a team of results-driven laser technicians and estheticians who are experienced instructors as well.

The Company and Management

Luxury Laser is currently located in Bloomington, MN, but will potentially be relocating to Richfield. The company is owned by Carly Williams, who has over seven years of experience in the medical aesthetic industry. She is a Board Certified Esthetics Instructor, Medical Laser Safety Officer, as well as apart of the Associated Skincare Professionals. We are medical directed by Dr. Yasmin Orandi.

Our Services

Luxury Laser's aesthetic services include laser hair removal, cellulite removal, photo-rejuvenation, lesions removal, micro-needling, facial skin tightening, body skin tightening, scar removal, stretch mark removal, freckle removal, vein removal, tattoo removal, medical grade chemical peels, and microdermabrasion.

Luxury Laser Edu is held within the same facility and is MN's only licensed laser certification program, and only 1 of 6 in the country. Students attend 40 hours of class time and then complete their internship, which consists of bringing in clients. This program will bring many clients into Richfield every week. We remain quite busy and keep our calendar booked weeks out in advance.

Another important aspect of Luxury Laser Edu is our microblading program. This semi-permanent makeup application course will bring in clients weekly as well.

Body Art in Richfield

We are requesting that body art be permitted in Richfield. Microblading is a very in-demand body art service that brings us a large percentage of our revenue. Microblading is tattooing eyebrows, which is a very sought after service by men and women of all ages. This is a high-end service that can only be administered by experienced professionals.

We are seeking to relocate to Richfield because it is a central location. We have students and clients that come to us from all over the state, as well as Wisconsin and Iowa.

We hope that the city will consider this awesome opportunity to bring body art to Richfield.
Thank you.

SECTION 630. - TATTOO, BODY PIERCING, BODY BRANDING AND BODY PAINTING ESTABLISHMENTS

(Added, Bill No. 1997-21)

630.01. - Regulation of body art establishments .

Subdivision 1. Purpose statement. The purpose of this section is to regulate the business of body art in order to protect the health and welfare of the general public. The principal objectives of this Section are:

- (a) To prevent disease transmission;
- (b) To correct and prevent conditions that may adversely affect persons utilizing body art establishments;
- (c) To provide standards for the design, construction, operation, and maintenance of body art establishments; and
- (d) To meet consumer expectations of the safety of body art establishments.

Subd. 2. Scope. This Section shall apply to all persons performing body art procedures and all body art establishments where tattooing and body piercing are conducted.

Subd. 3. Exemptions. Board-certified medical or dental personnel that tattoo, pierce or remove tattoos as part of a medical or dental procedure are exempt from this Section. Persons piercing only the outer perimeter or lobe of the ear using pre-sterilized single use stud and clasp ear-piercing system are exempt from this Section's license requirement.

Subd. 4. Prohibitions. No person shall:

- (a) Conduct branding, cutting, subdermal implantation, microdermal, suspension, tongue bifurcation, or scarification of another person;
 - (b) Tattoo a minor;
 - (c) Pierce or tattoo the genitalia or nipples of a minor;
 - (d) Practice tattooing or piercing while under the influence of alcohol, controlled substances as defined in Minnesota Statutes, section 152.01, subd. 4, or hazardous substances as defined in the rules adopted under Minnesota Statutes, Chapter 182; or
 - (e) Operate a body art establishment or perform body art procedures as described in this Section without a license.
- (Amended, Bill No. 2013-15)

630.03. - Definitions .

For purposes of this subsection, the terms defined in this subsection have the meanings given them.

Subdivision 1. "Aftercare" means written instructions given to the client, specific to the procedure(s) rendered, on caring for the body art and surrounding area. These instructions must include information on when to seek medical treatment.

Subd. 2. "Antiseptic" means an agent that destroys disease-causing microorganisms on human skin or mucosa.

Subd. 3. "Apprentice" means a person working under the direct supervision of a licensed technician(s), in a licensed body art establishment to learn the skills of the trade.

Subd. 4. "Apprenticeship" means an agreement an apprentice has with a licensed technician(s) learning the skills of tattooing or piercing while working under the direct supervision of a licensed technician(s) in a licensed establishment.

Subd. 5. "Body Art" means physical body adornment using, but not limited to, the following techniques: body piercing, tattooing, and cosmetic tattooing. This definition does not include practices that are considered part of a medical procedure performed by board certified medical or dental personnel, such as, but not limited to, implants under the skin. Such medical procedures shall not be performed in a body art establishment. This definition does not include piercing of the outer perimeter or lobe of the ear using pre-sterilized single use stud and clasp ear piercing system.

Subd. 6. "Body Art Establishment" means any structure or venue, whether permanent, temporary, or mobile, where the practices of body art, whether or not for profit, are performed. Mobile establishments include vehicle-mounted units, either motorized or trailered, and readily moveable without disassembling and where body art procedures are regularly performed in more than one (1) geographic location.

Subd. 7. "Body Piercing" means the penetration or puncturing of human skin by any method, for the purpose of inserting jewelry or other objects, in or through the human body. Body Piercing shall not refer to any medical procedure performed by board certified medical or dental personnel. Also, Body Piercing shall not refer to the puncturing of the outer perimeter or lobe of the ear using pre-sterilized single use stud and clasp ear-piercing system.

Subd. 8. "Body Scarification" or "Scarring" means any method of applying a scar to the body for the purpose of creating a permanent mark or design on the skin.

Subd. 9. "Branding" means any method using thermal cautery, radio hyfrecation, striking or any other method using heat, cold, or any chemical compound to apply a scar to the body for the purpose of creating a permanent mark or design on the skin.

Subd. 10. "Clean" means the absence of dirt, grease, rubbish, garbage, and other offensive, unsightly, or extraneous matter.

Subd. 11. "Contaminated Waste" means any liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; sharps and any wastes containing blood and other potentially infectious materials, as defined in Code 29 of Federal Regulations Part 1910, 1030, known "Occupational Exposure to Bloodborne Pathogens."

Subd. 12. "Cosmetic Tattooing" - also called micropigmentation or permanent makeup. See definition of tattooing.

Subd. 13. "Cutting" means the practice of cutting the skin, mucosa or part of the body to create a permanent scar or division of tissue for the purpose of body art. Cutting shall not refer to any medical procedure performed by board certified medical or dental personnel.

Subd. 14. "Disinfection" means the destruction of disease-causing microorganisms on inanimate objects or surfaces, thereby rendering the objects safe for use or handling.

Subd. 15. "Equipment" means all machinery, including fixtures, containers, vessels, tools, devices, implements, furniture, storage areas, sinks, and all other apparatus and appurtenances used in the operation of a body art establishment.

Subd. 16. "Establishment Plan" means a to-scale drawing of the establishment's layout illustrating the requirements of this ordinance.

Subd. 17. "Good Repair" means free of corrosion, breaks, cracks, chips, pitting, excessive wear and tear, leaks, obstructions, and similar defects so as to constitute a good and sound condition.

Subd. 18. "Guest Artist" means a person who performs body art procedures under a current technician license or meets the apprenticeship requirements of subsection 630.07, subd. 8.

Subd. 19. "Handsink" means a lavatory equipped with hot and cold water held under pressure, used solely for washing hands, wrists, arms or other portions of the body.

Subd. 20. "Health Authority" means the designated agent of the City to perform health and safety inspections and other delegated duties.

Subd. 21. "Issuing Authority" means the Director of Public Safety or designee.

Subd. 22. "Hot Water" means water at least 110 degrees Fahrenheit.

Subd. 23. "Implanting" means to fix or set securely an object in or under tissue and includes, but is not limited to, three-dimensional body art applications. Implanting does not include medical procedures including, but not limited to, pacemaker insertion, cosmetic surgery, and reconstructive surgery performed by board certified medical and dental personnel.

Subd. 24. "Jewelry" means any personal ornament inserted into a newly pierced area.

Subd. 25. "Liquid Chemical Germicide" means a tuberculocidal disinfectant or sanitizer registered with the Environmental Protection Agency.

Subd. 26. "Microdermal" means a single-point perforation of any body part other than an earlobe for the purpose of inserting an anchor with a step either protruding from or flush with the skin.

Subd. 27. "Operator" means any person who controls, operates, or manages body art activities at a body art establishment and who is responsible for compliance with these regulations, whether actually performing body art activities or not.

Subd. 28. "Person" means any individual, partnership, corporation, or association.

Subd. 29. "Procedure Area" means the physical space or room used solely for conducting body art procedures.

Subd. 30. "Procedure Surface" means the surface area of furniture or accessories that may come into contact with the client's clothed or unclothed body during a body art procedure and the area of the client's skin where the body art procedure is to be performed and the surrounding area, or any other associated work area requiring sanitizing.

Subd. 31. "Remodel" means any change to the current establishment requiring either a building or trades permit for the work to proceed. Remodel does not include changes to the front desk area, waiting area, painting, wallpapering, or carpeting, even if a permit is otherwise required. Adding a new workstation, plumbing changes, or expanding into an adjacent space to add workstations are examples of remodeling. Remodeling also means any changes to an establishment plan previously submitted to the Health Authority.

Subd. 32. "Sanitization" means a process of reducing the numbers of microorganisms on clean surfaces and equipment to a safe level.

Subd. 33. "Safe Level" means not more than 50 colonies of microorganisms per four (4) square inches of equipment or procedure surface.

Subd. 34. "Scarification" means an indelible mark fixed on the body by the production of scars.

Subd. 35. "Sharps" means any object, sterile or contaminated, that may purposefully or accidentally, cut or penetrate the skin mucosa including, but not limited to, pre-sterilized single use needles, scalpel blades, and razor blades.

Subd. 36. "Sharps Container" means a closed, puncture-resistant, leak-proof container labeled with the international biohazard symbol, used for handling, storage, transportation and disposal of sharps.

Subd. 37. "Single Use" means products or items intended for one (1) time use and are disposed of after use on each client including, but not limited to, cotton swabs or balls, tissues or paper products, paper or plastic cups, gauze and sanitary coverings, razors, piercing needles, tattoo needles, scalpel blades, stencils, ink cups, and protective gloves.

Subd. 38. "Standard Precautions" means guidelines and controls published by the Center for Disease Control (CDC) as guidelines for prevention of transmission of human immunodeficiency virus and hepatitis B virus to health-care and public-safety workers" in Morbidity and Mortality Weekly Report (MMWR), June 23, 1989, Vol. 38, No. S-6, and as "recommendation for preventing transmission of human immunodeficiency virus and hepatitis B virus to patients during exposure-prone invasive procedures," in MMWR, July 12, 1991, Vol. 40, No. RR-Subd. T. This method of infection control requires the employer and the employee to assume that all human blood and specified human body fluids are infectious for HIV, HVB and other blood pathogens. Precautions include handwashing, gloving, personal protective equipment, injury prevention, and proper handling and disposal of needles, other sharp instruments, and blood and body fluid contaminated products.

Subd. 39. "Sterilization" means a process resulting in the destruction of all forms of microbial life, including highly resistant bacterial spores.

Subd. 40. "Subdermal implantation" means the implantation of an object entirely below the dermis.

Subd. 41. "Suspension" means the piercing of human tissue with large gauge fishing hooks or other piercing apparatus to raise or lower a person with pulleys or other apparatus.

Subd. 42. "Tattooing" means any method of placing ink or other pigments into or under the skin or mucosa with needles or any other instruments used to puncture the skin, resulting in permanent coloration of the skin or mucosa. This definition includes all forms of cosmetic tattooing.

Subd. 43. "Technician" means any person licensed by the Minnesota Department of Health and registered with the City under this Section who conducts or practices body art procedures at a body art establishment.

Subd. 44. "Temporary body art establishment" means any place or premise operating at a fixed location where an operator or technician performs body art procedures for no more than four (4) continuous days, in conjunction with a single event and not more than four (4) events in a calendar year.

Subd. 45. "Tongue bifurcation" means the cutting of the tongue from the tip to the base, forking at the end. (Amended, Bill No. 2013-15)

630.05. - License required.

No person shall own or operate any body art establishment without a body art establishment license, nor shall any person engage in the practice of body art without first procuring technician registration from the Issuing Authority. Licenses must be prominently displayed in a public area of the establishment. (Amended, Bill No. 2013-15)

630.07. - Contents of application for license.

Subdivision 1. Forms. Every application for a license under this subsection shall be made on a form supplied by the Issuing Authority.

Subd. 2. Contents of application. In addition to information which may be required, the applicant shall state whether the applicant is a natural person, corporation, partnership, or other form of organization.

Subd. 3. Additional information: natural persons. If the applicant is a natural person, the following information shall be furnished:

- (a) The name, place and date of birth, street residence address, and phone number of the applicant.
- (b) Whether the applicant has ever used or has been known by a name other than the applicant's name, and if so, the name or names used and information concerning dates and places where used.
- (c) The name of the business if it is to be conducted under a designation, name, or style other than the name of the applicant, and a certified copy of the certificate as required by Minnesota Statutes, section 333.01.
- (d) The street addresses at which the applicant has lived during the preceding five (5) years.
- (e) The type, name and location of every business or occupation in which the applicant has been engaged during the preceding five (5) years, and the name(s) and address(es) of the applicant's employer(s) and partner(s), if any, for the preceding five (5) years.
- (f) Whether the applicant has ever been convicted of a felony, crime, or violation of any ordinance other than a petty misdemeanor. If so, the applicant shall furnish information as to the time, place and offense for which convictions were had.

Subd. 4. Additional information: partnership. If the applicant is a partnership, the following information shall be furnished:

- (a) The name(s) and address(es) of all general and limited partners and, for each general partner, require the information under subdivisions 3 and 6 of this subsection.
- (b) The name(s) of the managing partner(s) and the interest of each partner in the business to be licensed.
- (c) A true copy of the partnership agreement shall be submitted with the application. If the partnership is required to file a certificate as to a trade name pursuant to Minnesota Statutes, section 333.01, a certified copy of such certificate shall be attached to the application.

Subd. 5. Additional information: corporation. If the applicant is a corporation or other organization, the following information shall be furnished:

- (a) The name of the corporation or business formed, and if incorporated, the state of incorporation.
- (b) A true copy of the certificate of incorporation. If the applicant is a foreign corporation, a certificate of authority as required by Minnesota Statutes, section 303.06, shall be attached to the application.
- (c) The name of the manager(s) proprietor(s), or other agent(s) in charge of the business and, for each such person, the information required under subdivisions 3 and 6 of this subsection.

Subd. 6. All applicants. All applicants must furnish the following information:

- (a) Whether the applicant holds a current tattooing, body piercing, body branding or body painting license from any other

governmental unit.

- (b) Whether the applicant has previously been denied a tattooing, body piercing, body branding or body painting license from any other governmental unit.
- (c) The location of the business premises and the legal description thereof.
- (d) Whether all real estate and personal property taxes that are due and payable for the premises to be licensed have been paid, and if not paid, the years and amounts that are unpaid.
- (e) Whenever the application is for premises either already in existence, planned or under construction or undergoing substantial alterations, the application shall be accompanied by a set of preliminary plans showing the design of the proposed premises to be licensed. If the plans of design are on file with the City of Richfield, building and inspection division, no plans need be submitted to the Issuing Authority.
- (f) Whether the applicant has had a license for body art revoked or denied by the City or any other governmental body within three (3) years before the application date.
- (g) The applicant's hours of operation, on-site management and parking facilities.
- (h) An executed data privacy advisory and consent form authorizing the release of criminal history information for each of the individuals, partners and corporate officers having an interest in the business.
- (i) Proof of Worker's Compensation Insurance as required by Minnesota Statutes, section 176.182 and the applicant's Minnesota business tax identification number, as required by Minnesota Statutes, section 270C.72.
- (j) The website and electronic mail address for the business and each of the individuals, partners, and corporate officers having an interest in the business.
- (k) Such other information the City Council or the Department of Public Safety may require.

Subd. 7. Technician registration. An application for a body art technician registration shall be made on a form supplied by the Issuing Authority and shall request the following information:

- (a) The applicant's name and current address.
- (b) The applicant's current employer.
- (c) The applicant's employers for the previous five (5) years, including the employer's name, address and dates of employment.
- (d) The applicant's addresses for the previous five (5) years.
- (e) The applicant's date of birth, home telephone number, weight, height, color of eyes, and color of hair.
- (f) Whether the applicant has ever been convicted of any felony, crime, or violation of any ordinance other than a minor traffic offense and, if so, the time, place, and offense for which convictions were had.
- (g) Whether the applicant has ever used or been known by a name other than the applicant's name, and if so, the name or names and information concerning dates and places where used.
- (h) Description of body art procedures to be performed.
- (i) Name and business address of licensed body art establishment(s) where body art procedures will be performed.
- (j) Current proof of successful completion of an approved course on bloodborne pathogens and prevention of disease transmission. Courses considered approved may include those administered by the following: the American Red Cross, United States Occupational Safety and Health Administration (OSHA), or the Alliance of Professional Tattooists.
- (k) Each technician registration application shall include proof of training and experience, which may include a signed affidavit as proof of completion of supervised apprenticeship for a minimum of 200 hours in the area which the applicant is seeking a license or current license issued from another health agency.
- (l) Proof of licensure by the State of Minnesota Department of Health.
- (m) Such other information as the City Council or Issuing Authority shall require.

Subd. 8. Apprenticeship and guest artist procedures.

- (a) No person shall start an apprenticeship or conduct body art procedures as a guest artist, until a licensed and registered technician registers the apprenticeship or guest artist with the Issuing Authority on forms provided by the Issuing Authority. The following information is required for registration:

- (1) The name and address of the licensed establishment where the apprentice or guest artist will be training or working;
 - (2) The name of the apprentice or guest artist.
- (3) The name(s) of the licensed and registered technician(s) conducting the apprenticeship or sponsoring the guest artist. If more than one (1) person is conducting the apprenticeship, then a lead technician must be identified on the application;
- (4) The starting date of the apprenticeship or guest artist;
- (5) The anticipated completion date of the apprenticeship or guest artist; and
- (6) Proof of licensure by the State of Minnesota Department of Health.
- (b) At least one of the licensed and registered technician(s) listed in (a)(3) above, shall be present at all times when the apprentice is conducting body art procedures.
- (c) The sponsoring licensed and registered technician is not required to be present at all times when a guest artist is conducting body art procedures if the guest artist provides to the Issuing Authority, upon registration, the information required in subsection 630.07, subd. 7(j) and (k).
- (d) An apprentice shall complete a minimum of 200 hours of training under the direct supervision of licensed and registered technician(s) before becoming eligible for a technician license and registration.
- (e) The length of time the guest artist may conduct body art procedures shall not exceed 30 days per calendar year per licensed establishment. If the length of time exceeds this, then the guest artist shall apply for a technician license with the Minnesota Department of Health and register as a technician with the Issuing Authority.
- (f) If the apprenticeship or guest artist procedure is not followed, the person, apprentice, or guest artist and/or licensed technician(s) conducting the apprenticeship may be subject to penalties.

Subd. 9. Execution. The application must be executed as follows:

- (a) An application by a natural person, by that person;
- (b) An application by a corporation, by an officer of the corporation;
- (c) An application by a partnership, by a partner;
- (d) An application by an incorporated association, by the manager or managing officer.

Any falsification on a license application shall result in the denial of a license. (Amended, Bill No. 2013-15)

630.09. - Application verification and consideration.

Subdivision 1. All applications shall be referred to the Issuing Authority for verification and investigation of the facts set forth in the application, including any necessary criminal background checks to assure compliance with this subsection.

Subd. 2. Consideration. Within a reasonable period of time after the completion of the license verification process by the Issuing Authority, the Issuing Authority shall accept or deny the license application in accordance with this subsection. The notice shall be mailed by regular mail to the applicant at the address provided in the application and it shall inform the applicant of the applicant's right, within 20 days after receipt of the notice by the applicant to request an appeal of the Issuing Authority's determination to the City Council. If an appeal to the City Council is timely received by the Issuing Authority, the hearing before the City Council shall take place within a reasonable period of time after receipt of the appeal by the Issuing Authority. (Amended, Bill No. 2013-15)

630.11. - License period and fees.

Subdivision 1. Fees and term. The license fees are fixed in appendix D. The term of a license is the calendar year or the remaining portion thereof. Licenses will not be prorated. Licenses expire on December 31 of each year.

Subd. 2. Payment. At the time of an original application for a license, the license fee shall be paid when the application is filed. At the time of renewal of a license, the total license fee shall be paid when the application is filed.

Subd. 3. Investigation fee. At the time of each original application for a license, the applicant shall also pay an investigation fee set by appendix D. If the expenses of the investigation exceed the investigation fee, the Issuing Authority shall so notify the applicant and shall require the applicant to pay an additional investigation fee as provided in appendix D which the Public Safety Director deems necessary to

complete the investigation of the applicant. The applicant shall pay such an additional investigation fee within five (5) days after notification. If such additional investigation fee is not paid within the five-day period, the City will give no further consideration to the application.

Subd. 4. Refunds. No part of a license or investigation fee shall be refunded except in accordance with this subsection. (Amended, Bill No. 2013-15)

630.13. - Persons ineligible for license.

Subdivision 1. No license shall be issued to an applicant who is a natural person if such applicant:

- (a) Is a minor at the time the application is filed;
- (b) Has been convicted of any crime directly related to the occupation licensed as prescribed by Minnesota Statutes, section 364.03, subd. 2, and has not shown competent evidence of sufficient rehabilitation and present fitness to perform the duties of the licensed occupation as prescribed by Minnesota Statutes, section 364.03, subd. 3;
- (c) Does not have the legal authority to be employed in the United States;
- (d) Is not of good moral character or repute;
- (e) Knowingly falsifies or misrepresents information on the license application;
- (f) Owes taxes or assessments to the State, County, School District or City that are due and delinquent;
- (g) Is not the real party in interest in the business to be licensed; or
- (h) Has had a license for body art revoked or denied by the City or another governmental body within three (3) years before the application date.

Subd. 2. No license shall be issued to a partnership if such partnership has any general partner or managing partner:

- (a) Who is a minor at the time the application is filed;
- (b) Who has been convicted of any crime directly related to the occupation licensed as prescribed by Minnesota Statutes, section 364.03, subd. 2, and who has not shown competent evidence of sufficient rehabilitation and present fitness, to perform the duties of the licensed occupation as prescribed by Minnesota Statutes, section 364.03, subd. 3;
- (c) Does not have the legal authority to be employed in the United States;
- (d) Is not of good moral character or repute;
- (e) Knowingly falsifies or misrepresents information on the license application;
- (f) Owes taxes or assessments to the State, County, School District or City that are due and delinquent;
- (g) Is not the real party in interest in the business to be licensed; or
- (h) Has had a license for body art revoked or denied by the City or another governmental body within three (3) years before the application date.

Subd. 3. No license shall be issued to a corporation or other organization if such applicant has any manager, proprietor, or agent in charge of the business to be licensed:

- (a) Who is a minor at the time the application if filed;
- (b) Who has been convicted of any crime directly related to the occupation licensed as prescribed by Minnesota Statutes, section 364.03, subd. 2, and who has not shown competent evidence of sufficient rehabilitation and present fitness to perform the duties of the licensed occupation as prescribed by Minnesota Statutes, section 364.03, subd. 3;
- (c) Does not have the legal authority to be employed in the United States;
- (d) Is not of good moral character or repute;
- (e) Knowingly falsifies or misrepresents information on the license application;
- (f) Owes taxes or assessments to the State, County, School District or City that are due and delinquent;
- (g) Is not the real party in interest in the business to be licensed; or
- (h) Has had a license for body art revoked or denied by the City or another governmental body within three (3) years before the application date. (Amended, Bill No. 2013-15)

630.14. - Locations ineligible for a license.

The following locations shall be ineligible for a license under this Section.

Subdivision 1. Taxes due on property. No license shall be granted or renewed for operation on any property on which taxes, assessments, or other financial claims of the State, County, School District, or City are past due, delinquent, or unpaid. In the event a suit has been commenced under Minnesota Statutes, Chapter 278, questioning the amount or validity of taxes, the City Council may on application waive strict compliance with this provision; no waiver may be granted, however, for taxes or any portion thereof which remain unpaid for a period exceeding one (1) year after becoming due.

Subd. 2. Improper zoning. No license shall be granted if the property is not properly zoned for body art establishments unless the business is a legal, nonconforming use.

Subd. 3. Premises licensed for alcoholic beverages. No license shall be granted or renewed if the premises is licensed for the furnishing of alcoholic beverages or is licensed as a sexually-oriented business. (Added, Bill No. 2013-15)

630.15. - General license requirements.

Subdivision 1. General licensing requirements are as follows:

- (a) **Minors.** No person shall tattoo any person under the age of 18. No person shall pierce, brand or paint any person under the age of 18 except in the presence of, and with the written permission of, the parent or legal guardian of such minor.
- (b) **Prohibition on license transfer.** The license granted is for the person and the premises named on the approved license application. No transfer of a license shall be permitted from place-to-place or from person-to-person without first complying with the requirements of an original application, except in the case in which an existing noncorporate licensee is incorporated and incorporation does not affect the ownership, control, and interest of the existing licensed establishment.
- (c) **Hours of operation.** A licensee shall not be open for business for tattooing before 7:00 a.m. nor after 11:00 p.m.
- (d) **Licensed premises.** The body art establishment license is only effective for the compact and contiguous space specified in the approved license application. If the licensed premises is enlarged, altered, or extended, the licensee shall inform the Issuing Authority.
- (e) **Effect of license suspension or revocation.** No person shall solicit business or offer to perform body art procedures while under license suspension or revocation by the City.
- (f) **Maintenance of order.** The licensee shall be responsible for the conduct of the business being operated and shall at all times maintain conditions of order.
- (g) **Employee lists.** The licensee shall provide to the Issuing Authority a list of employees who perform body art procedures at the licensed establishment and shall verify that each employee has received a copy of Section 630.
- (h) **Liability insurance.** All licensees of establishments shall have at all times a valid certificate of insurance issued by an insurance company licensed to do business in the State of Minnesota indicating that the licensee has current coverage of \$1,000,000.00 for professional liability in the practice of body art.

Such insurance shall be kept in force during the term of the license and shall provide for notification to the City prior to termination or cancellation. A certificate of insurance shall be filed with the City.

Subd. 2. Renewal of license or registration. An application for the renewal of an existing license or registration shall be made at least 30 days prior to the expiration date of the license or registration and shall be made in such form as the Issuing Authority requires. Within a reasonable period after the completion of the renewal license or registration verification process, the Issuing Authority shall accept or deny the license or registration application in accordance with this Section. If the application is denied, the Issuing Authority shall notify the applicant of the determination in writing and by regular mail to the address provided on the application form. The notice shall inform the applicant of the right, within 20 days after receipt of the notice by the applicant, to request an appeal of the Issuing Authority's denial to the City Council. If an appeal to the City Council is timely received by the Issuing Authority, the hearing before the City Council shall take place within a reasonable period of receipt of the appeal by the Issuing Authority. (Amended, Bill No. 2013-15)

630.17. - Standards for health and safety.

Subdivision 1. No person shall perform body art procedures in the City without complying with the following regulations:

(a) Clients.

- (1) Minors. No person shall tattoo any person under the age of 18. Additionally, no person shall pierce a minor without written permission from a custodial parent given in person at the body art establishment. Nipple and genital piercing is prohibited on minors regardless of parental consent.
- (2) Client identification. Technicians shall require proof of age prior to performing procedures on any client. Proof of age is established by one (1) of the following:
 - (A) A valid driver's license or identification card issued by the State of Minnesota, or other state, and including the photograph and date of birth of the person;
 - (B) A valid military identification card issued by the United States Department of Defense;
 - (C) A valid passport;
 - (D) A resident alien card; or
 - (E) A tribal identification card.
- (3) Release form. Before performing a body art procedure, the client must sign and date a release form detailing if the client has any of the following conditions:
 - (A) Diabetes;
 - (B) A history of hemophilia;
 - (C) A history of skin diseases, skin lesions, or skin sensitivities to soap, disinfectants, etc.;
 - (D) A history of allergies to metals;
 - (E) A history of epilepsy, seizures, fainting or narcolepsy;
 - (F) A condition where the client takes medications, such as anticoagulants, that thin the blood and/or interferes with blood clotting; or
 - (G) Any other information that would aid the technician in body art procedure process evaluation.
- (4) Consent form. Before performing a body art procedure, the client must sign and date a consent form. The consent form shall disclose:
 - (A) That any tattoo should be considered permanent; it may only be removed with a surgical procedure; and any effective removal may leave scarring; or
 - (B) That any piercing may leave scarring.
- (5) Client record management. The body art establishment operator shall maintain proper records for each client. The records of the procedure shall be kept for two (2) years and shall be available for inspection by the Health Authority and Issuing Authority. The records shall include the following:
 - (A) The date of the procedure.
 - (B) Record of information on picture identification showing name, age, and current address of the client.
 - (C) Copy of the release form signed and dated by the client.
 - (D) The nature of the body art procedure performed.
 - (E) The name and license number of the technician performing the procedure.
 - (F) A copy of the consent form to perform the body art procedure on a minor with required signatures as defined in (a)(1) above, if applicable.

(b) Technician information. The following information shall be kept on file for three (3) years on the premises and available for inspection by the Health Authority and Issuing Authority for each technician, guest artist or apprentice:

- (1) Full name;
- (2) Home address;
- (3) Home phone number;
- (4) Date of birth;
- (5) Identification photo;
- (6) Exact duties; and

- (7) Proof of a registration from the Issuing Authority, guest artist registration or current apprenticeship registration.
- (c) Establishment information. The following information shall be kept on file for three (3) years on the premises and available for inspection by the Health Authority and Issuing Authority:
- (1) A description of all body art procedures performed.
 - (2) An inventory of instruments, body jewelry, sharps, and inks or pigments used for all procedures including the names of manufacturers, serial and lot numbers. Invoices or orders shall satisfy this requirement.
 - (3) Copies of spore tests conducted on the sterilizer.
 - (4) A copy of this Section shall be available at all times on premises.
- (d) Under the influence. No technician shall perform body art procedures while under the influence of alcohol, controlled substances as defined in Minnesota Statutes, Section 152.01, subd. 4, or hazardous substances as defined in the rules adopted under Minnesota Statutes, Chapter 182.
- (e) Aftercare. Upon completion of the body art procedure, technicians shall provide each client with verbal and printed instructions on recommended care of the body art during the healing process. The printed instructions must advise the client of the difference between normal skin or tissue irritation and infection and to consult a health care professional upon indication of infection of the skin or tissue.
- (f) Notification. Operators and technicians shall notify the Health Authority immediately of any reports they receive of a potential bloodborne pathogen transmission.
- (g) Industry self-survey and training responsibility. Every licensee of a body art establishment shall arrange for and maintain a program of sanitation self-inspection conducted by the owner, operator, technician, or apprentice and approved by the Health Authority. The self-inspection program shall include written policies, appropriate forms for logging self-inspections, and evidence that routine self-inspection of all aspects of the body art establishment takes place. A description of the body art establishment self-inspection program shall be available for review.
- (h) Facilities.
- (1) Plans. Any new or remodeled establishment shall submit to the Health Authority a to-scale establishment plan in sufficient detail to ascertain compliance with conditions in this Section.
 - (2) Procedure areas. There shall be no less than 45 square feet of floor space for each procedure area. The procedure area(s) must be separated from the bathroom, retail sales area, hair salon area, or any other area that may cause potential contamination of work surfaces. For clients requesting privacy, dividers, curtains, or partitions at a minimum shall separate multiple procedure areas.
 - (3) Handsinks. Each establishment shall have a readily accessible handsink that is not in a public restroom and is equipped with:
 - (A) Hot and cold running water under pressure;
 - (B) No touch faucet controls such as wrist or foot operated;
 - (C) Liquid hand soap;
 - (D) Single use paper towels or a mechanical hand dryer or blower;
 - (E) A nonporous washable garbage receptacle with a foot-operated lid or without a lid and a removable liner; and
 - (F) A sign reminding technicians to properly wash their hands.
 - (4) Bathrooms. Every establishment shall have at least one available bathroom equipped with a toilet and a hand lavatory. The hand lavatory shall be supplied with:
 - (A) Hot and cold running water under pressure;
 - (B) Liquid hand soap;
 - (C) Single use paper towels or mechanical hand drier/blower;
 - (D) A garbage can;
 - (E) A door that closes; and
 - (F) Adequate ventilation.
 - (5) Lighting. The establishment shall have an artificial light source equivalent to 20 foot-candles at three (3) feet above the floor. At least 100 foot-candles of light shall be provided at the level where body art procedures are performed, where sterilization takes place, and where instruments and sharps are assembled.

- (6) Procedure surfaces. All procedure surfaces shall be smooth, nonabsorbent and easily cleanable. Procedure surfaces shall be sanitized after each client.
- (7) Ceilings. All ceilings shall be in good condition.
- (8) Walls and floors. All walls and floors shall be maintained in good repair free of open holes or cracks and washable. Floors of procedure areas shall not be carpeted.
- (9) Facilities maintenance. All facilities shall be maintained in good working order and in good condition.
- (10) Clean facilities. All facilities shall be maintained in a clean and sanitary condition.
- (11) Facilities use. No establishment shall be used or occupied for living or sleeping quarters.
- (12) Animals. Only service animals may be allowed in the establishment. No animals shall be allowed in the procedure area(s).
- (13) Pest control. Effective measures shall be taken by the operator to prevent entrance, breeding, and harborage of insects, vermin, and rodents in the establishment.
- (i) Equipment and instruments.
 - (1) Sterile jewelry and instruments. All jewelry used as part of a piercing procedure shall be sterilized before use. All reusable instruments shall be thoroughly washed to remove all organic matter, rinsed, and sterilized before and after use. All needles shall be single use needles and sterilized before use. All sterilization shall be conducted using steam heat or chemical vapor. Steam heat and chemical vapor sterilization units shall be operated according to the manufacturer's specifications and the sterilizer operations shall be recorded in a written log that includes at a minimum the following information:
 - (A) Date of sterilizer operation;
 - (B) Name of the person operating the sterilizer;
 - (C) Contents or items sterilized; and
 - (D) Run temperature, pressure and duration in minutes.
 - (2) Spore testing. At least once a month, but not to exceed 30 days between tests, a spore test shall be conducted on the sterilizer to ensure that it is working properly. If a positive spore test result is received, the sterilizer cannot be used until a negative result is obtained. This may result in ceasing operation until the situation is corrected.
 - (3) Jewelry. Jewelry must be made of surgical implant grade stainless steel, solid 14k or 18k white or yellow gold, niobium, titanium or platinum, and/or a dense low-porosity plastic. Jewelry must be free of nicks, scratches or irregular surfaces and must be properly sterilized prior to use. Use of jewelry that is constructed of wood, bone, or other porous material is prohibited.
 - (4) Inks, dyes, and pigments. All inks, dyes, and other pigments shall be specifically manufactured for tattoo procedures. The mixing of approved inks, dyes, or pigments, or their dilution with distilled water or alcohol is acceptable.
 - (5) Single use ink cups. Immediately before applying a tattoo, the quantity of the dye used shall be transferred from the dye bottle and placed into single use paper or plastic cups. Upon completion of the tattoo, these single use cups and their contents shall be discarded.
 - (6) Procedure surfaces and sanitization. All tables, chairs, furniture or other procedure surfaces that may be exposed to blood or body fluids during the tattooing or piercing procedure shall be constructed of stainless steel, or other suitable material that will allow complete sanitization, and shall be sanitized between uses with a liquid chemical germicide.
 - (7) Single use towels. Single use towels or wipes shall be provided to the client. These towels shall be dispensed in a manner that precludes contamination and disposed of in a cleanable garbage container with a liner.
 - (8) Storage of bandages. All bandages and surgical dressings used shall be sterile or bulk-packaged clean and stored in a clean, closed nonporous container.
 - (9) Equipment and instrument maintenance. All equipment and instruments shall be maintained in a good working order and in a clean and sanitary condition.
 - (10) Supply storage. All instruments and supplies shall be stored clean and dry in covered containers stored up off the floor.
 - (11) Single-use disposable barriers or a chemical germicide must be used on all equipment that cannot be sterilized as

part of the procedure as required under this section, including but not limited to, spray bottles, procedure light fixture handles, and tattoo machines.

(j) Skin preparation.

- (1) Whenever it is necessary to shave the skin, a new disposable razor must be used for each client.
- (2) The skin area subject to a body art procedure must be thoroughly cleaned with soap and water, rinsed thoroughly, and swabbed with an antiseptic solution. Only single use towels or wipes shall be used in the skin cleaning process.
- (3) No body art procedure shall be performed on any area of the skin where there is an evident infection, irritation, or open wound.

(k) Hand washing and hygiene.

- (1) Each technician shall scrub his or her hands and wrists thoroughly using soap, warm water and a nail brush for 20 seconds before and after performing a body art procedure.
- (2) Technicians with skin infections of the hand or open sores visible or in a location that may come in contact with the client shall not perform body art procedures.
- (3) The technician must wash his or her hands after contact with the client receiving the procedure or after contact with potentially contaminated articles.
- (4) Technicians shall wear clean clothing and use a disposable barrier such as a lap cloth when performing body art procedures.
- (5) For each client, single use disposable barriers shall be provided on all equipment used as part of the procedure that cannot be sterilized according to (i)(1) above. Examples may include, but not limited to spray bottles, procedure light fixture handles, and tattoo machines.
- (6) Technicians shall not smoke, eat, or drink while performing body art procedures.
- (7) Technicians shall not allow clients to leave the procedure area without first covering the tattooed area with a bandage or other clean covering.

(l) Glove use.

- (1) Single use gloves of adequate size and quality as to preserve dexterity shall be used for touching clients, for handling sterile instruments, or for handling blood or body fluids.
- (2) Gloves must be changed if:
 - (A) They become damaged;
 - (B) They come in contact with any non-clean surface or objects; or
 - (C) They come in contact with a third person.
- (3) At a minimum, gloves shall be discarded after the completion of a procedure on a client.
- (4) Hands and wrists must be washed before putting on a clean pair of gloves and after removing a pair of gloves.
- (5) Gloves shall not be reused.
- (6) Nonlatex gloves must be used with clients or employees who request them or when petroleum products are used.

(m) Proper handling and disposal of needles, other sharp instruments, blood, other body fluids, and contaminated products.

- (1) Contaminated waste that may release liquid blood or body fluids when compressed or that may release dried blood or body fluids when handled, must be placed in an approved "red" bag that is marked with the international biohazard symbol. It must be disposed of by a licensed waste hauler at an approved site, or at a minimum, in accordance with the requirements contained in 29 CFR Part 1910.1030, Occupational Exposure to Bloodborne Pathogens.
- (2) Contaminated waste that does not release liquid blood or body fluids when compressed or handled may be placed in a covered receptacle and disposed of through normal, approved disposal methods.
- (3) Sharps ready for disposal shall be disposed of in an approved sharps container.
- (4) Storage of contaminated waste on-site shall not exceed the period specified by 29 CFR Part 1910.1030, Occupational Exposure to Bloodborne Pathogens.
- (5) Maintain proof of proper disposal service at the establishment in the form of invoices or bills for three (3) years.
(Amended, Bill No. 2013-15)

630.18. - Inspection and plan review.

Subdivision 1. Inspection required. The Health Authority shall inspect each body art establishment:

- (a) Before a license is issued for a new establishment;
- (b) As part of a construction or remodeling plan review;
- (c) As part of a complaint investigation; or
- (d) At least once a year for a routine inspection.

Subd. 2. Construction inspections. The body art establishment shall be constructed in conformance with the approved plans. No building permit for a body art establishment or remodeling or alteration permit for such establishment may be issued until such plans have the approval of the Health Authority and the City of Richfield. The Health Authority shall inspect the body art establishment as frequently as necessary during the construction to ensure that the construction occurs in conformance with this Section. The Health Authority and the City of Richfield shall conduct a final construction inspection prior to the start of operations and issuance of a license.

Subd. 3. Access to premises and records. The operator of the body art establishment shall, upon request of the Health Authority or Issuing Authority, and after proper identification, permit access to all parts of the establishment at any reasonable time, for the purpose of inspection. The operator shall allow review of any records necessary for the Health Authority or Issuing Authority to ascertain compliance to this Section.

Subd. 4. Interference with the health authority. No person shall interfere with or hinder the Health Authority in the performance of its duties, or refuse to permit the Health Authority to make such inspections.

Subd. 5. Removal and correction of violations. Operator(s) or technician(s) shall correct or remove each violation upon receipt of an inspection report giving notification of one (1) or more violations of this Section in a reasonable length of time as determined by the Health Authority. The length of time for the correction or removal of each such violation shall be noted on the inspection report. Failure to remove or correct each violation within the time period noted on the inspection report shall constitute a separate violation of this Section. The Health Authority or the City of Richfield may issue orders to halt construction or remodeling, or to take corrective measures to ensure compliance with this Section.

Subd. 6. Grounds for emergency closure.

- (a) **Single violations.** If any of the following conditions exist, the operator(s) or technician(s) may be ordered to discontinue all operations of the body art establishment. Body art establishments shall only reopen with permission from the Health Authority and the City of Richfield.
 - (1) Failure to possess a license or registration required by this Section;
 - (2) Evidence of a sewage backup in an area of the establishment where body art activities are conducted;
 - (3) Lack of potable, plumbed, hot or cold water to the extent that hand washing, or toilet facilities are not operational;
 - (4) Lack of electricity or gas service to the extent that hand washing, lighting, or toilet facilities are not operational;
 - (5) Significant damage to the body art establishment due to tornado, fire, flood, or other disasters;
 - (6) Evidence of an infestation of rodents or other vermin;
 - (7) Evidence of contamination, filthy conditions, untrained staff or poor personal hygiene;
 - (8) Any time a public health nuisance exists;
 - (9) Using instruments or jewelry that are not sterile;
 - (10) Failure to maintain required records;
 - (11) Failure to use gloves as required;
 - (12) Failure to properly dispose of sharps, blood or body fluids, or blood or body fluid contaminated items;
 - (13) Failure to report complaints of potential bloodborne pathogen transmission to the Health Authority;
 - (14) Evidence of violations of subsection 630.01, subd. 4; or
 - (15) Evidence of a positive spore test on the sterilizer or an inoperable sterilizer. (Added, Bill No. 2013-15)

630.19. - Penalties and sanctions.

Subdivision 1. Suspension or revocation. The City Council may revoke or suspend a license if the licensee submitted false information or omitted material information in the license process required. The City Council may also suspend or revoke a license for the violation of any provision or condition of this section or any other local law governing the same activity during the license period or any criminal law during the license period which adversely affects on the ability to honestly, safely, or lawfully conduct a body art establishment.

Subd. 2. Notice. A revocation or suspension shall be preceded by written notice to the licensee and a hearing before the City Council. The notice shall give at least eight (8) days' notice of the time and place of the hearing and shall state the nature of the charges against the licensee. The notice shall be mailed to the licensee at the most recent address listed on the application.

Subd. 3. Criminal penalties. A violation of this Section shall be a misdemeanor or gross misdemeanor as defined under Minnesota law. (Amended, Bill No. 2013-15)

630.21. - Issuance of temporary body art event license.

Subdivision 1. The Issuing Authority may issue a temporary body art event license, provided that the following license requirements are met:

- (a) Duration of event. The event is no longer than four (4) continuous days.
- (b) Number of events. The same person or organization has had no more than four (4) body art events in the same calendar year.
- (c) Security measures. The Director of Public Safety or designee has approved the security measures for the event.
- (d) Health inspection. The Health Authority has reviewed the health and sanitation measures for the event and has inspected each vendor space for the event.
- (e) Liability insurance. Liability insurance coverage of \$1,000,000.00 has been obtained to cover the event or in the alternative each vendor has procured insurance to cover the vendor's operations at the event for professional liability in the practice of body art.
- (f) A certificate of insurance shall be filed with the City.
- (g) The licensee must comply with the requirements at subsection 630.15(a), (c), (f), and subsection 630.17, subdivision 1.

Subd. 2. Temporary application. The temporary license application shall request the following information:

- (a) The applicant's name and current address.
- (b) The applicant's current employer.
- (c) The applicant's addresses for the previous five (5) years.
- (d) The applicant's date of birth, home telephone number, weight, height, color of eyes, and color of hair.
- (e) Whether the applicant has ever used or been known by a name other than the applicant's name, and if so, the name or names and information concerning dates and places where used.
- (f) The location where the event will be conducted.
- (g) The number of body art booths that will be operational at the event.
- (h) The names and addresses of persons in charge of the event.
- (i) A list of names of body art technicians who will be working the event.

Subd. 3. Background investigation. The Issuing Authority shall verify the information supplied on the temporary license application and shall investigate the background, including the current background of the applicant. Within seven (7) days of receipt of a complete application, the Issuing Authority shall grant or deny the application. An applicant who is denied a license shall have a right to appeal to the City Council. (Amended, Bill No. 2013-15)

630.23. - Severability .

If any subsection, subdivision, paragraph, or clause of this Section is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Section. (Added, Bill No. 2013-15)

AGENDA SECTION:	PROPOSED ORDINANCES
AGENDA ITEM #	10.



STAFF REPORT NO. 191
CITY COUNCIL MEETING
10/23/2018

REPORT PREPARED BY: Matt Brillhart, Associate Planner

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director
10/16/2018

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager
10/16/2018

ITEM FOR COUNCIL CONSIDERATION:

Consideration of the adoption of a resolution and approval of a zoning ordinance amending the Comprehensive Plan and Zoning designations for the property at 7301 Penn Avenue and adoption of a resolution removing a stipulation placed upon the property by the City Council in 1995.

EXECUTIVE SUMMARY:

The commercial property at 7301 Penn Avenue, currently home to the Drapery Place business, is designated as Low Density Residential in the Comprehensive Plan, and zoned Single Family Residential (R). The property owner is requesting to change that designation to Neighborhood Commercial, and to rezone the property to Neighborhood Business (C-1).

Comprehensive Plan and Zoning Designations

As part of a citywide zoning evaluation prepared for the Comprehensive Plan update, this property was among several commercial properties identified for reclassification to commercial designations. The draft 2040 Comprehensive Plan proposes redesignating this property from Low Density Residential to Neighborhood Commercial. Following adoption of the Comprehensive Plan this November, staff would then begin work on a citywide zoning update to bring zoning designations into conformance with the Comprehensive Plan. The property is currently on the market for sale or lease, and the current residential zoning designation has been a hindrance to attracting a potential buyer or lessee. While the property owner could wait for the property to be rezoned as part of this citywide update, that process is not anticipated to be complete for 6-12 months. The property owner has submitted applications to redesignate and rezone 7301 Penn Avenue now. Given that the property is already planned to be redesignated and rezoned to Neighborhood Commercial, staff recommends approval of changing those designations at this time.

Removal of 1995 "sublet stipulation"

When the Drapery Place moved to this this location in 1995, the following stipulation was placed on the property: "That any sublet of the 7301 Penn Avenue building require the approval of the City Council." Similar to the zoning issue, this sublet stipulation could also be a hindrance to finding a new business use and/or buyer for the property. The property owner has requested that this

stipulation be removed at this time. By removing this stipulation, general retail/service uses similar to Drapery Place could open without further Council approval. Any substantial change in use or conditionally permitted use (e.g. restaurant) would still require Council approval. Staff recommends approval of a resolution removing this stipulation from the property.

RECOMMENDED ACTION:

By motion:

1. **Adopt a resolution amending the Comprehensive Plan designation of 7301 Penn Avenue S from Low Density Residential to Neighborhood Commercial.**
2. **Approve an ordinance rezoning 7301 Penn Avenue S from Single Family Residential (R) to Neighborhood Business (C-1).**
3. **Adopt a resolution removing the 1995 "sublet stipulation" from the property at 7301 Penn Avenue S.**

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- The 1997-2007 Comprehensive Plan designated the property as Single Family Residential-High Density. Zoning of the property remained C-1 at that time.
- The 2008 (current) Comp Plan designation is Low Density Residential.
- In 2010, the property was rezoned from C-1 to R, in order to conform with the Comprehensive Plan, as required by Minnesota Statutes.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- See Executive Summary

C. CRITICAL TIMING ISSUES:

- A complete application was received and the "60-day clock" started on August 27, 2018. The Council must make a decision, or extend the deadline by an additional 60 days, by October 26, 2018.

D. FINANCIAL IMPACT:

- None

E. LEGAL CONSIDERATION:

- A public hearing was held before the Planning Commission on September 24, 2018. Notice of the public hearing was mailed to properties within 500 feet of the subject property and published in the Sun Current Newspaper. No members of the public spoke at the hearing.
- The Planning Commission recommended approval of the proposed Comp Plan amendment, rezoning, and resolution (7-0).

ALTERNATIVE RECOMMENDATION(S):

- None

PRINCIPAL PARTIES EXPECTED AT MEETING:

Keith Glanzer, property owner

ATTACHMENTS:

Description	Type
❑ Resolution - Comp Plan Amendment	Resolution Letter
❑ Ordinance	Ordinance
❑ Resolution - Remove 1995 sublet stipulation	Resolution Letter
❑ Zoning Maps & Aerial Photo	Backup Material

RESOLUTION NO.

**RESOLUTION AMENDING THE CITY'S COMPREHENSIVE PLAN
CHANGING THE DESIGNATION OF 7301 PENN AVENUE S
TO "NEIGHBORHOOD COMMERCIAL"**

WHEREAS, 7301 Penn Avenue S ("subject property") has been used for commercial purposes since its construction in 1988, and specifically by the 'Drapery Place' business since 1995; and

WHEREAS, the City's Comprehensive Plan provides a Guide Plan establishing particular planning needs for specific segments of the City; and

WHEREAS, the 2030 Comprehensive Plan designates the subject property as "Low Density Residential"; and

WHEREAS, the draft Comprehensive Plan update, Richfield 2040, designates the subject property as "Neighborhood Commercial"; and

WHEREAS, the City has reviewed the Comprehensive Plan classification and determined that it would be appropriate to designate the subject property as "Neighborhood Commercial" at this time; and

WHEREAS, the Planning Commission conducted a public hearing and recommended approval of amending the Comprehensive Plan at its September 24, 2018 meeting; and

WHEREAS, the City Council considered the amendment to the Comprehensive Plan on October 23, 2018; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Richfield, Minnesota that the City's Comprehensive Plan is hereby amended to designate 7301 Penn Avenue S as "Neighborhood Commercial" contingent upon the following:

1. The revision is submitted to and approved by the Metropolitan Council.

Adopted by the City Council of the City of Richfield, Minnesota this 23rd day of October, 2018.

Pat Elliott, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk

ORDINANCE NO. _____

**AN ORDINANCE RELATING TO ZONING;
AMENDING APPENDIX I TO THE RICHFIELD CITY CODE
BY REZONING PROPERTY AT 7301 PENN AVENUE S
AS NEIGHBORHOOD BUSINESS (C-1)**

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1. Section 2, of Appendix I of the Richfield Zoning Code is amended by adding new Paragraph (18) as follows:

(18) M-11 (SE corner, 73rd and Penn). The West 1/2 of that part of the North 10 rods of the South 40 rods of the West 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 33, Township 28, Range 24, lying between the West line of Oliver Ave S and the East line of Penn Ave S

Sec. 2. This ordinance is effective in accordance with Section 3.09 of the Richfield City Charter.

Passed by the City Council of the City of Richfield, Minnesota this 23rd day of October, 2018.

Pat Elliott, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk

RESOLUTION NO.

**RESOLUTION AMENDING A PREVIOUSLY APPROVED
CITY COUNCIL DETERMINATION REGARDING PROPERTY AT
7301 PENN AVENUE S**

WHEREAS, the property at 7301 Penn Avenue S (“subject property”) has been used for commercial purposes since its construction in 1988, and specifically by the *Drapery Place* business since 1995; and

WHEREAS, on March 27, 1995, the City Council made a determination that a drapery service business is a permitted use in the C-1 Neighborhood Business District, and included a stipulation “That any sublet of the 7301 Penn Avenue building require the approval of the City Council” (herein “sublet stipulation”); and

WHEREAS, the owner of the subject property has requested that this stipulation be removed, as the property is currently being marketed for sale or for lease, and the sublet stipulation is a hindrance to finding a new user and/or buyer; and

WHEREAS, removal of the sublet stipulation would allow the property to be sold or leased to any similar retail/service use without Council approval; and

WHEREAS, any substantial change in use or a conditionally permitted use will require City Council approval of a site plan amendment or conditional use permit; and

WHEREAS, the Planning Commission conducted a public hearing and recommended approval of removing the sublet stipulation at its September 24, 2018 meeting; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Richfield, Minnesota that the sublet stipulation from the March 27, 1995 City Council decision is hereby removed, contingent upon the following:

1. Site landscaping shall be reestablished in accordance with previously approved plans, within one year of approval of this resolution.

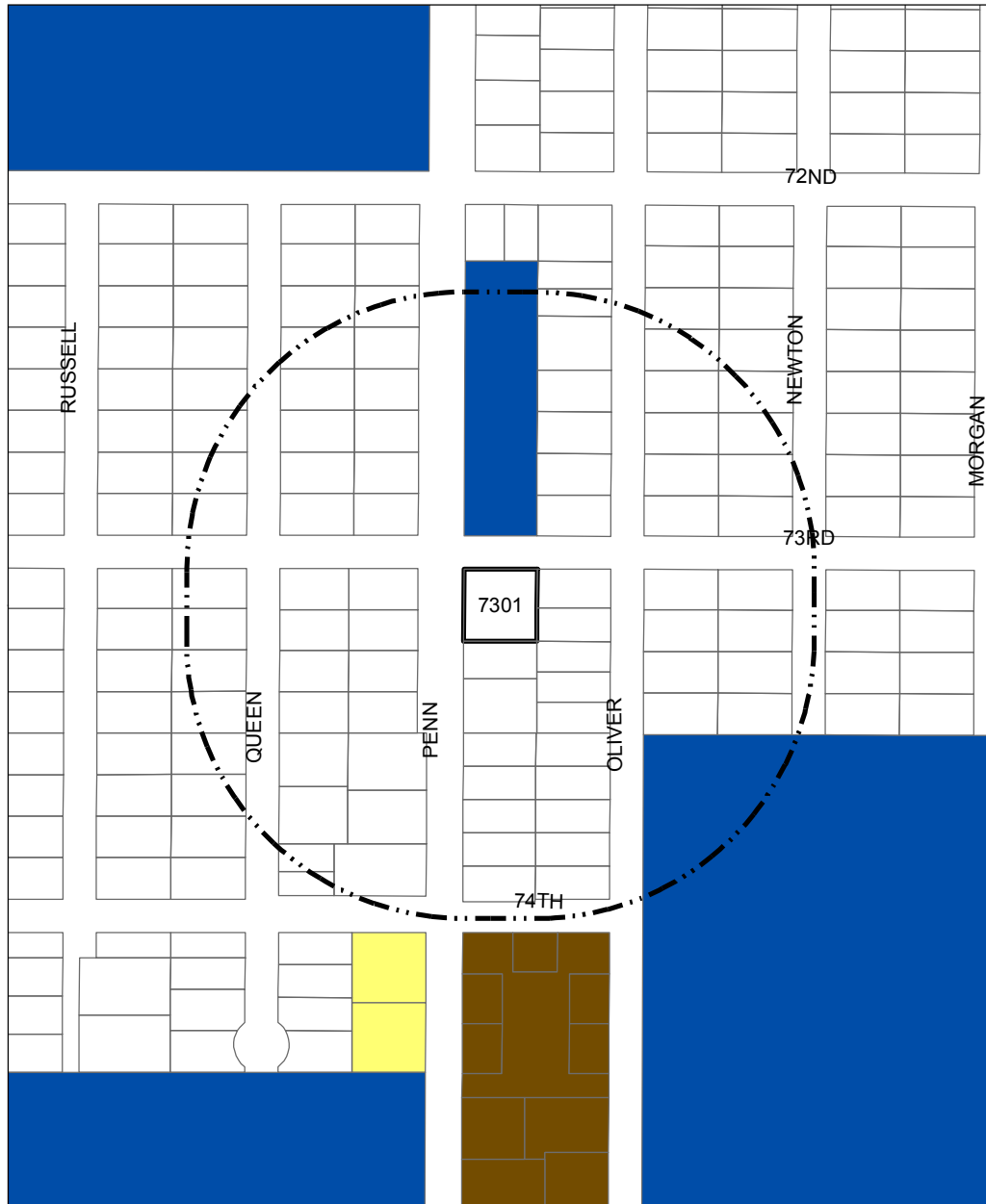
Adopted by the City Council of the City of Richfield, Minnesota this 23rd day of October, 2018.

Pat Elliott, Mayor

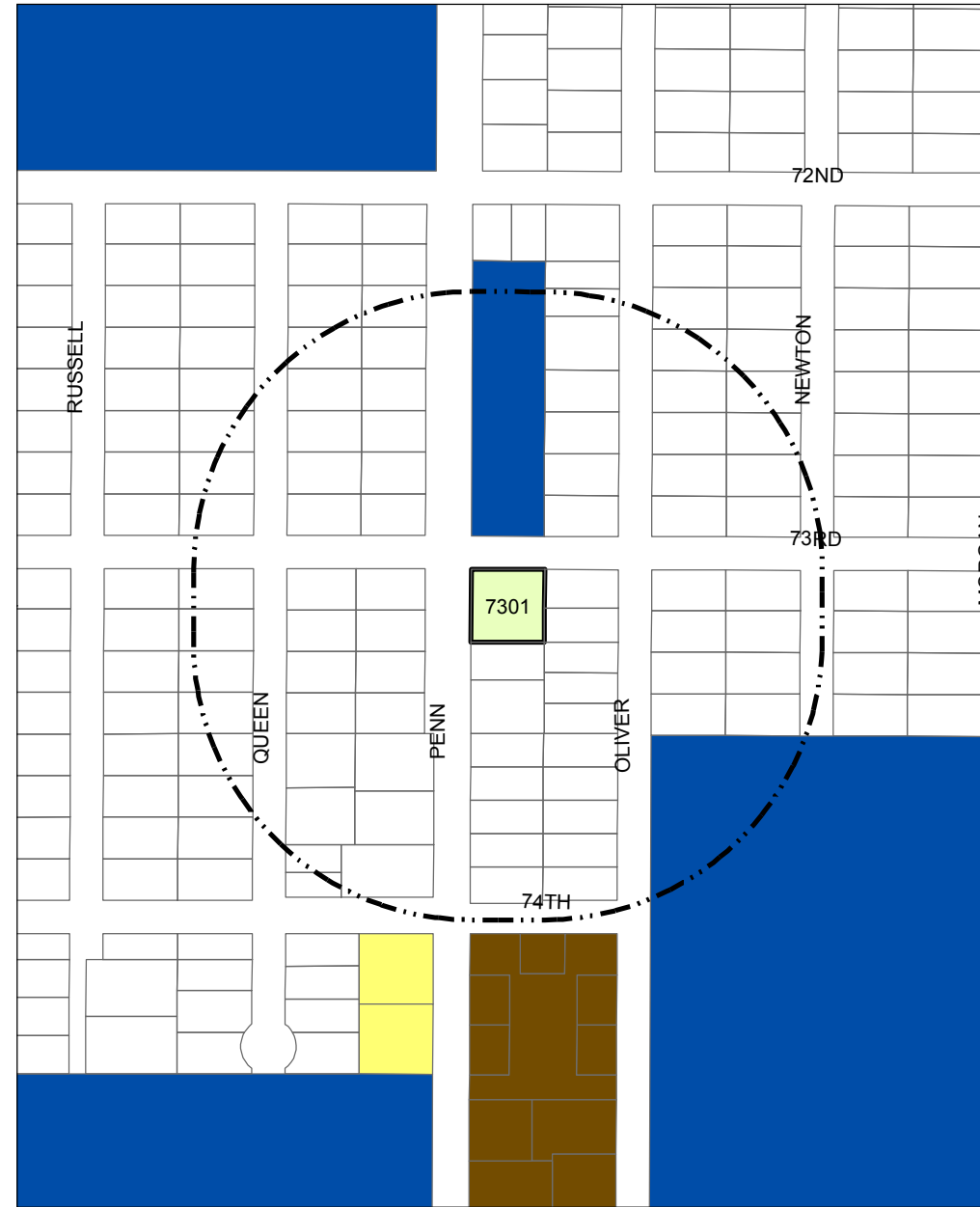
ATTEST:

Elizabeth VanHoose, City Clerk

7301 Penn Ave S - Comp Plan Amendment



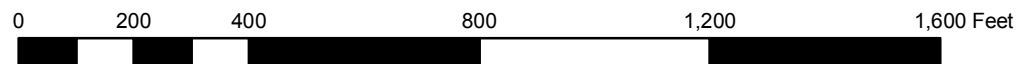
Current



Proposed

Comp Plan Designation

- 500' mailed notice boundary
- Regional Commercial
- Regional Commercial/Office
- Comm Commercial
- Comm Commercial/Office
- Neighborhood Commercial
- Office
- High Density Res
- High Density Res/Office
- Medium-High Density Res
- Medium Density Res
- Low Density Res
- Mixed Use
- Park
- Public
- Quasi-Public
- School/QP
- Church / QP
- ROW

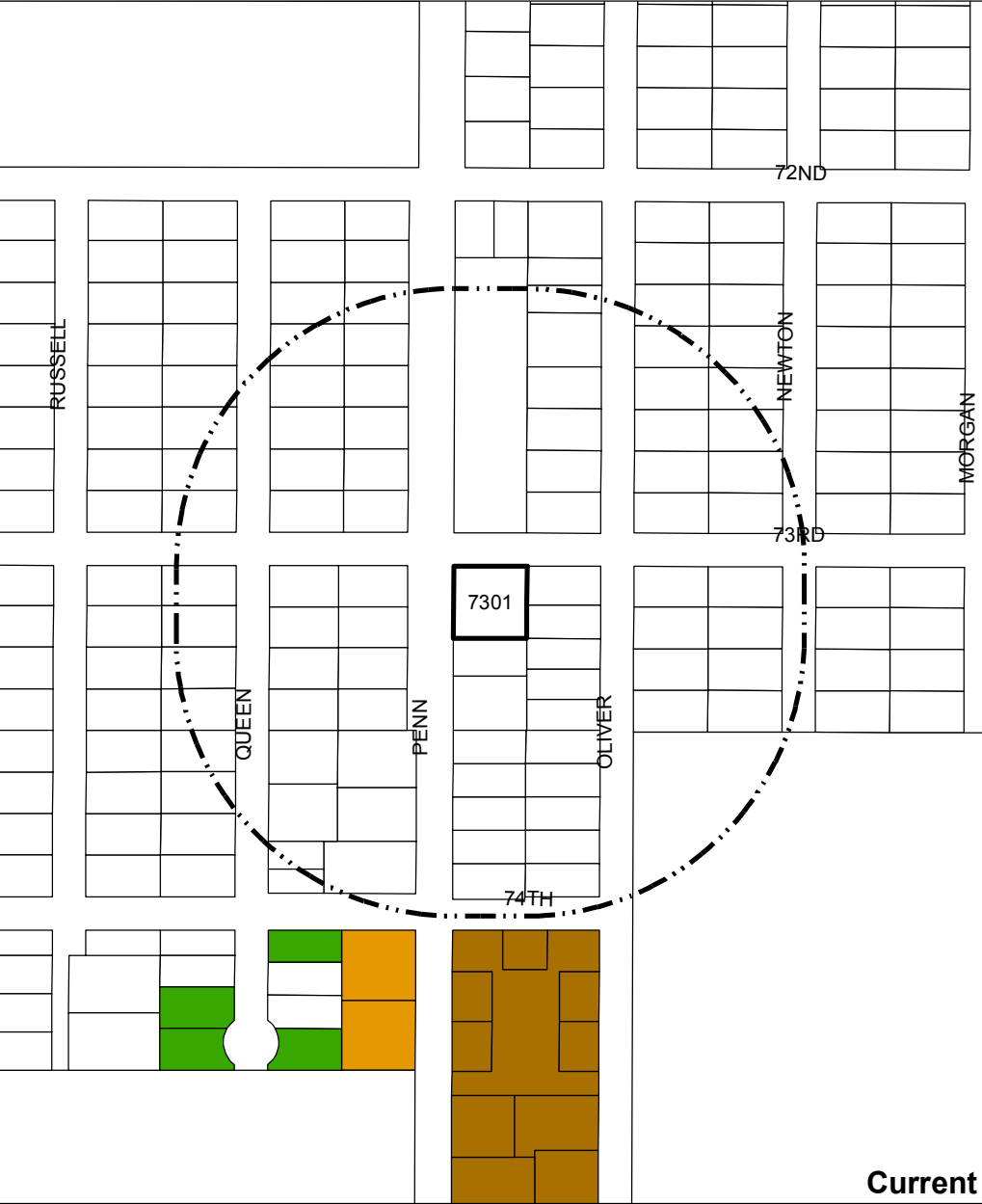


7301 Penn Ave S - Rezone from R to C-1

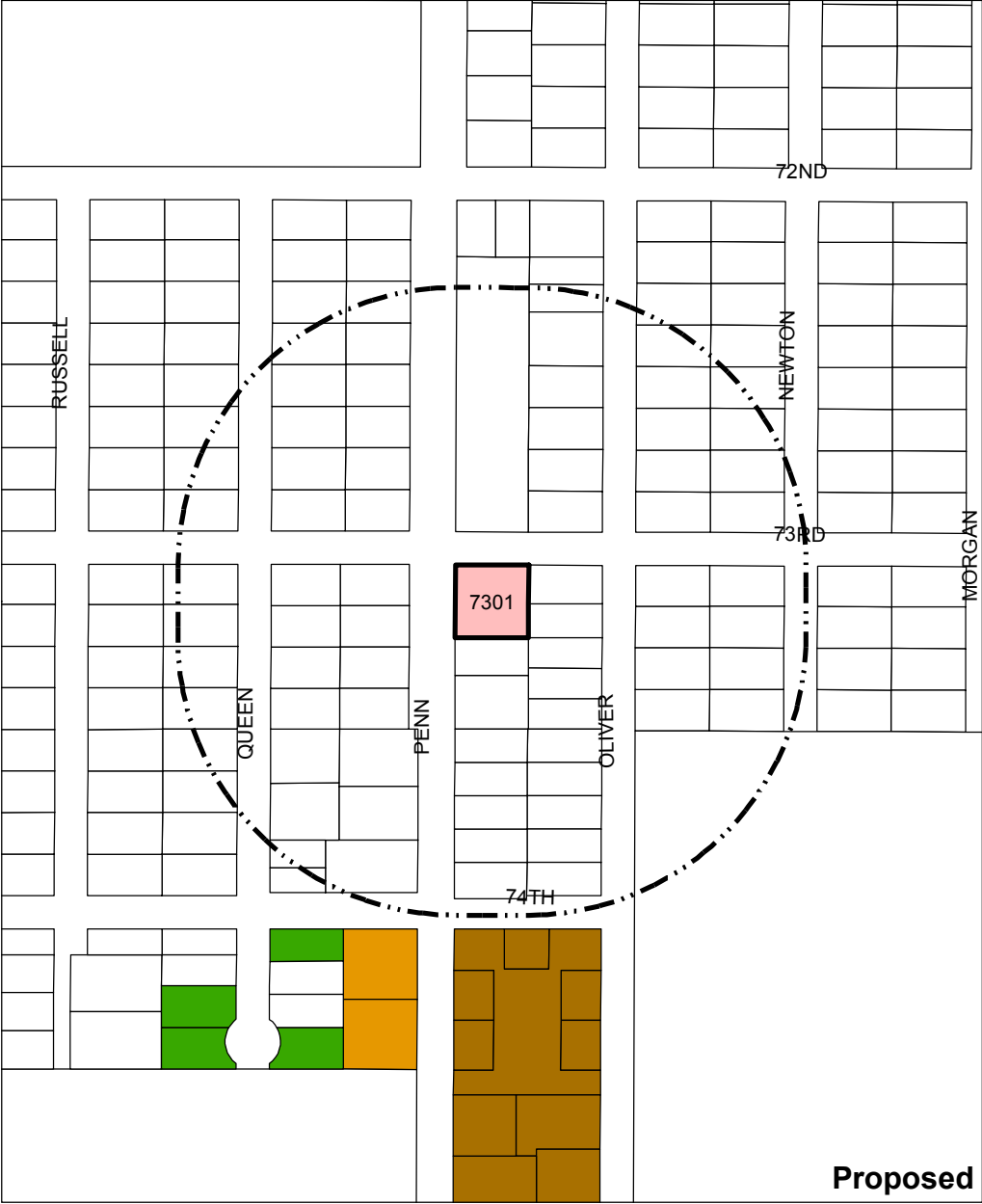


Zoning Designation

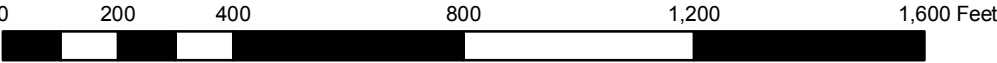
- 500' mailed notice boundary
- Park (Zoning District is R)
- R Single-Family
- R-1 Low-Density Single-Family
- MR-1 Two-Family
- PMR Planned Multi-Family
- MR-2 Multi-Family
- MR-2/CAC Multi-Fam + Cedar Overlay
- MR-3 High-Density Multi-Family
- SO Service Office
- C-1 Community Commercial
- C-2 General Commercial
- PC-2 Planned General Commercial
- I Industrial
- MU-N Mixed Use-Neighborhood
- MU-C Mixed Use-Community
- MU-C/CAC Mixed Use + Cedar Overlay
- MU-C/PAC Mixed Use + Penn Overlay
- MU-R Mixed Use-Regional
- PMU Planned Mixed Use



Current



Proposed



7301 PENN AVE S & SURROUNDING PROPERTIES – AERIAL PHOTO (2015)



7301 PENN AVE S – Google Street View (2016)





STAFF REPORT NO. 192
CITY COUNCIL MEETING
10/23/2018

REPORT PREPARED BY: Jared Voto, Executive Aide/Analyst

DEPARTMENT DIRECTOR REVIEW: Steven L. Devich, City Manager
10/11/2018

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich, City Manager
10/17/2018

ITEM FOR COUNCIL CONSIDERATION:

Consideration of the City Council's approval of the Mayor's appointment of a Housing and Redevelopment Authority (HRA) Commissioner.

EXECUTIVE SUMMARY:

On December 13, 2011, the City Council established by resolution that the public's interest is best served by having a composition of two appointed Council Members and three Mayor-appointed citizens serve on the Housing and Redevelopment Authority (HRA).

Mary Supple was appointed to a five-year HRA term, as a Mayor-appointed citizen, on November 12, 2013. She currently serves as the Chair of the HRA and is seeking reappointment. Her term expires on November 12, 2018.

RECOMMENDED ACTION:

By motion: Approve the Mayor's appointment of Mary Supple as an HRA Commissioner for a five year term commencing November 12, 2018 and expiring November 12, 2023.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- City Council Resolution No. 10586 was approved December 13, 2011, regarding appointments to the Housing and Redevelopment Authority board of commissioners; establishing composition of the board and term limits on non-elected members.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- Under State law, the Mayor appoints HRA Commissioners, subject to approval of the City Council.

C. CRITICAL TIMING ISSUES:

- To ensure a quorum at future meetings, the City Council should appoint an HRA Commissioner at tonight's meeting.
- If the City Council does not confirm the Mayor's appointment, a quorum may not be present at future HRA meetings.

D. FINANCIAL IMPACT:

- This designation is at no additional cost to the City.

E. LEGAL CONSIDERATION:

- None

ALTERNATIVE RECOMMENDATION(S):

- The Council may decide not to approve the Mayor's appointment or defer the appointment to a future City Council meeting.

PRINCIPAL PARTIES EXPECTED AT MEETING:

None