



## **Norwood Young America Planning Commission**

**Tuesday, March 5, 2019**

**Norwood Young America City Council Chambers, 310 Elm St. W.**

**6:00 p.m.**

### **AGENDA**

1. Call to Order  
Pledge of Allegiance
2. Adoption of Agenda
3. Approve Minutes of February 5, 2019 meeting
4. Introductions, Presentations, and Public Comment  
(Citizens may address the Planning Commission about any non-agenda item of concern. Speakers must state their name, address, and limit their remarks to three minutes. The Planning Commission will take no official action on these items, but may refer the matter to staff for a future report or direct that the matter be scheduled for a future meeting.)
5. Public Hearings
6. New Business
  - A. Air Products and Chemicals Concept Plan
  - B. Discuss Unmanned Aircraft Systems (Drones)
  - C. Downtown Redevelopment Plan – Implementation Plan
  - D. Schedule Special Planning Commission Meeting
7. Old Business
  - A. 2040 Comprehensive Plan Review
  - B. Adult Uses Draft Ordinance
  - C. Parks & Recreation Commission Appointment
8. Miscellaneous
  - A. February Building Permit Report
9. Commissioner's Reports
10. Adjourn

### **UPCOMING MEETINGS**

March 11<sup>th</sup> City Council and Planning Commission Work Session 6:30 p.m.  
March 13<sup>th</sup> Economic Development Commission 6:00 p.m.  
March 13<sup>th</sup> Joint Meeting – City Council, PC, EDC, Parks & Recreation Commission  
& Chamber of Commerce Board 6:30 p.m.  
March 19<sup>th</sup> Parks & Recreation Commission meeting 4:45 p.m.  
March 25<sup>th</sup> City Council Work Session/EDA/Regular meeting 6:30 p.m.  
April 2<sup>nd</sup> Planning Commission meeting 6:00 p.m.

***A quorum of the City Council may be present but no official action by the Council will be taken at this meeting.***

**Jerry  
Barr**

**Mike  
Eggers**

**John  
Fahey**

**Bill  
Grundahl**

**Paul  
Hallquist**

**Craig  
Heher  
Council  
Liaison**

*Norwood Young America  
Planning Commission Minutes  
February 5, 2019*

**Present:** Commissioners Jerry Barr, Mike Eggers (left at 6:20 p.m.), John Fahey, Bill Grundahl, and Craig Heher.

**Absent:** Paul Hallquist

**Staff:** City Administrator Steve Helget and Planning Consultant Cynthia Smith Strack.

**Others:** Randy Clark

**1. Call to Order.**

The meeting was called to order by Chair Heher at 6:00 pm. All present stood for the Pledge of Allegiance.

**2. Adoption of Agenda.**

Chairperson Heher introduced the agenda.

Motion – Grundahl, seconded by Barr to approve the agenda with the requested change. The agenda was approved 5-0.

**3. Approval of Minutes from the Regular Meeting January 8, 2019.**

Heher introduced the minutes from the January 8, 2019 regular and work session meetings.

Motion – Fahey to approve the January 8, 2019 regular meeting minutes. Seconded by Eggers. With all in favor the regular meeting minutes were approved 5-0.

**4. Public Comment.**

No one spoke during the public comment agenda item.

**5. Public Hearings.**

There were no public hearings scheduled.

**6. Old Business.**

A. Discussion Auto Repair Uses.

Chairperson Heher introduced the agenda item.

Strack stated that the Planning Commission had initiated review of zoning standards pertaining to auto repair uses in various districts. At the January meeting the PC reached consensus to review draft language providing for:

1. Amend definitions of minor & major auto repair.
2. Allow minor auto repair in the RC-1 District as a conditional use.
3. Allow minor auto repair in the C-3 Downtown Districts as a conditional use.
4. Allow minor and major auto repair in the I-1 Light Industrial District as permitted uses but with the understanding a CUP is needed for any outdoor storage.
5. Allow repair of non-passenger automobiles such as semi-trucks/trailers, heavy equipment, agricultural equipment, boats, and marine equipment as conditional use in I-1 District.

Strack alluded to draft code amendment language included in the packet for review.

Strack further noted minutes from planning and Council meetings in 2009 wherein the RC-1 District was discussed and were also included in the packet as per the PC's request.

Chairperson Heher requested Strack provide the Commission with a summary of discussion at the previous City Council meeting pertaining to a conditional use permit for personal auto storage and repair of personal vehicles at 232 Main Street.

Strack noted the Council had significant discussion with the CUP applicant pertaining to differences between repair of vehicles owned by the property owner and repair of vehicles owned by others. The Council approved the CUP after adding two additional conditions. The first provides for review by the Planning Commission and City Council in the event discussion occurred about a particular item being repaired. The second condition added specifically disallowed public repair services.

Helget noted he met subsequently with the Applicant.

Randy Clark, son of the property owner at 232 Main Street East, addressed the Planning Commission. Clark expressed concern that repair of items not owned by the property owner but rather the property owner's family was not allowed under the CUP issued by the City Council for the aforementioned property. Further discussion pertaining to the meaning of personal property, vehicles owned by the property owner, and 'public' repair occurred.

Fahey noted Pro Auto's property is partially within the RC-1 District and partially within the C-3 District. Fahey opined equipment being worked on included semi-trucks and trailers. Fahey inquired as to whether or not the Commission felt proposed language was too restrictive in limiting what could be repaired. Strack noted what was occurring at this time would be considered legal non-conforming and allowed to continue until the use changed to a conforming use. Strack noted the use could not be expanded or intensified. Helget noted legal non-conforming status would also cease if the use was abandoned for greater than one year.

Helget inquired as to what would happen if Pro Auto wanted to expand the building. Strack clarified if the question was at this time under existing code. Helget confirmed. Strack noted the expansion would not be allowed as it would amount to intensification of a legal non-conforming use.

Fahey questioned whether Pro Auto was performing major or minor auto repair. Strack noted neither were allowed in the RC-1 at this time. Heher inquired as to whether what activity was occurring on the

site at this time would allowed to continue as a grandfathered use. Strack concurred.

Fahey asked whether the non-conforming rights would remain if the building was sold. Strack confirmed the legal non-conforming status ran with the property and not the property owner.

Helget asked about tow trucks accompanying minor auto repair. Heher noted that would be covered by allowing company vehicles on site. Strack opined a conditional use permit would likely specify the number of vehicles that could be stored on site at any one time as a means of curtailing potential concerns related to vehicle tow yards.

Heher inquired of Strack as to what the next step in the process should be. Strack noted auto repair is often the subject of debate due to outside storage. She suggested prior to calling for a public hearing the Commission hold a work session with the Council.

The Commission discussed potential dates for a work session. Helget will ask the City Council whether they would prefer to have discussion at a work session prior to a Council meeting or establish an independent work session date.

## **7. New Business.**

### **A. Tree/Landscaping Standards.**

Chairperson Heher introduced the agenda item.

Strack stated the Planning Commission established a goal for 2019 pertaining to tree planting requirements for new non-residential structures. She noted current landscaping standards were included in the packet along with information from the MPCA pertaining to benefits of trees and an interesting (although somewhat outdated) blog post pertaining to average canopy coverage in larger cities.

Strack stated that a particular item for the Commission to address is the number of trees required to be planted for new non-residential structures. Current standard is one tree per 1,000 square feet of structure. This standards works well for relatively smaller structures but can become somewhat over-burdensome for large structures.

Strack requested the Commission have initial discussion pertaining to the purpose of tree planting standards. For example, does the Commission wish to actively pursue preservation and reestablishment of urban forest canopy to achieve environmental benefits or does the Commission wish to remedy a potentially problematic code standard? Strack also noted the Commission could gain input from a certified urban forest professional before making a decision, a similar process was used when developing solar energy system standards.

Strack also summarized a literature review which revealed multiple approaches to tree planting standards from tree preservation, to simple calculations per square foot of disturbed area, building area, or lineal front footage.

The Commission discussed the goal of any proposed standard. Some Commissioners favored landscaping for the purpose of softening appearance of development while others favored a broader scope helping address attributes of urban tree canopies.

The Commission reached consensus to first gain input from an expert. Strack will reach out to the Minnesota DNR for a forester referral.

**B. Discussion of Adult Uses.**

Chairperson Heher introduced the agenda item.

Strack noted the City previously updated code language pertaining to adult uses. Such uses are allowed in light industrial districts. Strack noted Helget had expressed concern that adult uses could be undertaken in lots zoned I-1 which abut Highway 212.

Strack noted if the City wanted to avoid such situations the language could be adjusted to allow adult uses within the I-1 District on lots not abutting Highway 212.

Helget noted he asked the City Attorney for input and he concurred.

The Planning Commission directed Strack to bring sample code language to the March meeting.

**8. Miscellaneous.**

**A. January Building Permit Report.**

The Commission reviewed the January building permit report.

**9. Commissioner Reports.**

Grundahl inquired as to where building permit fee proceeds go. Helget noted into the City's general fund.

Barr and Fahey did not have reports to share.

Heher noted the City Council was active, including: approving an interfund agreement, approving annual appointments/assignments, approving Downtown Redevelopment Plan, entertaining discussion pertaining to establishment of a personnel committee, considering an amendment to licensing requirements for Class II ATV, approving CUP for 232 Main Street East, and accepting CUP audit findings. Heher noted the Council was very appreciative of the work undertaken by the Planning Commission to audit existing CUP/IUP.

Helget noted the Planning Commission is to hold a public hearing on the draft 2040 Comprehensive Plan update at the March meeting. The City's Comprehensive Plan Consultant will attend the meeting.

Strack noted a concept plan for a use proposed in the City's industrial park may also be presented at the March meeting. The City Council and the public would likely be invited to the meeting.

## 10. Adjourn

Motion – Grundahl, Seconded Barr to adjourn the meeting. With all in favor the meeting adjourned at 7:25 p.m.

Respectfully submitted,

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Steven Helget  
Zoning Administrator



To: Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: March 5, 2019

Re: Concept Plan – Air Products

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## **BACKGROUND**

The City Council, adjacent property owners, and the Planning Commission will hear from representatives of Air Products at the March 5<sup>th</sup> Planning Commission meeting. Air Products is a publicly traded company doing business internationally.

Air Products has been in conversation with the City of Norwood Young America in regard to purchase of two lots in Tacoma West Industrial Park. At the site, Air Products proposes to draw in, separate, and condense regular atmospheric air into liquid nitrogen, oxygen, and argon and distribute products by semi-truck to end-users.

Air Products Business Development Manager David McCarthy, Real Estate Specialist Casey Noble, and Site Project Controls Engineer Justin Pike will be attending the PC meeting to present information on the business, the use proposed, and the conceptual site plan.

Locally, Tom Goodrum from Loucks Associates will be assisting with development review on behalf of the Company.

City staff and consultants have previously met with Air Products to review the proposed development. Construction on the project is anticipated in 2019. The City Administrator, Fire Chief, Building Official, City Engineer, and I were all in attendance at a meeting with Air Products in early January.

The use is somewhat unusual in that it doesn't consist of a single principal structure and associated parking. Lot combination, conditional use permit review for outdoor storage, site plan approval, and variance consideration for structure height may be required to provide for the project. Project review requirements will be further discussed at the time a formal site plan is submitted to the City for review by the Planning Commission and City Council.

## **REQUEST**

The Planning Commission is to receive a concept plan for discussion at the March 5<sup>th</sup> meeting.





Carver County GIS, Pictometry 2017

This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

Map Date: 2/24/2019





To: Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: March 5, 2019

Re: Unmanned Aircraft Systems (Drones) Discussion

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## **BACKGROUND**

Mayor Diedrick and the City Council have consideration of local standards pertaining to unmanned aircraft systems (drones) as a 2019 goal. Further discussion of why UAS local regulation is desired and specific purpose of regulation is presumed appropriate.

Local regulation of UAS is evolving, complicated, and the subject of significant litigation. The Federal Aviation Administration largely preempts regulations pertaining to airspace use, management and efficiency, air traffic control, safety, navigational facilities, and source aircraft noise.

Among other standards, federal regulations require registration of UAS used outdoors, prohibit flight at altitude greater than 400', and prohibit flight near airports or within manned aircraft. State law prohibits certain types of operations of aircraft and requires licensing of drones used for commercial purposes.

This discussion presumes the Council's interest is in addressing concerns pertaining to privacy and nuisances and does not pertain to use of UAS in public parks and/or use of drones by City employees as a job function.

In particular, where a UAS can fly (e.g. privacy concern) is evolving and litigated. It is clear FAA owns airspace and individuals can't claim ownership. However, if drone use is a nuisance, violating state/local privacy laws, and/or being flown recklessly local laws may be enforced. Also, trespass rights apply – one can't take off/land a drone from private property without securing permission.

MnDOT Aeronautics recommends rather than telling a UAS operator they can't fly a drone in a certain area, that enforcement efforts, primarily by local law enforcement officials, focus on why flight is a problem. For example, if a complaint is about pictures, a peeping tom standard should be applied; if a complaint is about noise, the noise ordinance should be applied; if a complaint is about harassment, harassment procedures should be applied.

For background and discussion purposes please find the following attached:

1. Memo from League of Minnesota Cities pertaining to drone regulation.
2. Fact sheet from FAA pertaining to UAS regulation.
3. FAA UAS user page.
4. MnDOT UAS information for cities webpage.
5. MnDOT UAS information for law enforcement webpage.

Relatively few local laws have been implemented pertaining to operation of drones in a City, in general. The City of Chaska enacted code in 2016.

**ACTION**

Discussion pertaining to how the PC would like to approach consideration of UAS is requested. It is assumed the City Attorney will be involved in drafting any potential code language.



## INFORMATION MEMO

# Drones: Municipal Use and Regulation

*Outlines legal developments surrounding unmanned aircraft systems (UAS), or drones. Discusses how cities are using drones, how cities can legally operate drones, and other considerations for cities before flying drones. Reviews a city's authority to regulate drones and includes links to helpful Federal Aviation Administration documents and materials.*

### RELEVANT LINKS:

FAA, [Unmanned Aircraft System](https://www.faa.gov/uas/).

*Michael P. Huerta, Administrator, Federal Aviation Administration, Complainant v. Raphael Pirker, Respondent, NTSB Order No. EA-5730, November 17, 2014.*

[14 C.F.R. § 107.](#)

*See, e.g., Debbie Irmen, Perham Fire Department's new aerial flight vehicle used at Callaway train derailment, PERHAM FOCUS, April 1, 2016.*

## I. What are drones?

A “drone” is a common name for an unmanned aircraft system (UAS). A UAS is an aircraft without a human pilot on board. Instead, the pilot controls the aircraft from the ground. (<https://www.faa.gov/uas/>). A UAS can range in size, from toys that weigh a few ounces, to military units capable of carrying loads of 3,800 pounds. The Federal Aviation Administration (FAA) refers to a UAS weighing less than 55 pounds as a small UAS (or sUAS). Throughout the remainder of the memo, “drone” will be used in place of UAS or sUAS.

## II. Federal regulation

As the federal agency tasked with ensuring the safety of the airspace of the United States, the FAA has jurisdiction to regulate drones. A 2014 decision by the National Transportation Safety Board (NTSB) determined that drones are legally considered to be aircraft. This decision provided the FAA with the requisite authority to regulate drones as aircraft. However, because drones are vastly different than manned aircraft and come with much different safety concerns, the FAA has worked to develop regulations specific to drones. More broadly, regulations applying to manned aircraft do apply to drones when possible.

## III. City users of drones

### A. City employees as pilots

Cities are already finding many useful applications for drones. Already, cities in Minnesota are using drones in creative ways, such as assisting with emergencies and search-and-rescue operations. To comply with FAA guidelines, municipalities have two options. Cities may choose to either comply with Part 107, which is generally applicable for all commercial drone pilots, or to register under public operation registration.

This material is provided as general information and is not a substitute for legal advice. Consult your attorney for advice concerning specific situations.

## RELEVANT LINKS:

[FAA, Fly for Work or Business.](#)

[FAA, Becoming a Drone Pilot.](#)

[Non-Model Aircraft Registration.](#)

[FAA Registration Site.](#)

### 1. Registration under Part 107

Part 107 is a comprehensive regulation developed by the FAA to integrate non-hobby drones into the national airspace. The regulations govern pilot certification, aircraft registration, and operating requirements.

Key Part 107 regulations require that drones:

- Fly under 400 feet.
- Fly only during the day.
- Must be kept within the visual line of sight of the pilot.
- Must not be flown over people.
- Must be operated by pilots who have passed a knowledge test and are at least 16 years old.
- Weigh less than 55 pounds.

Besides the pilot certification test, essentially all other Part 107 requirements are subject to individual waivers by the FAA. In other words, if a city is interested in flying under Part 107, but would like to conduct a nighttime flight, the FAA may grant a waiver to allow such a flight. Absent a waiver, the flight would not be authorized.

### 2. Public operation registration

Cities are not required to comply with Part 107. The FAA has a separate registration process for government entities conducting public operations with drones. Under this process, a city must:

- Register online, using the non-model aircraft registration, and pay a \$5 registration fee. By going this route, the city will not have to go through paper registration, which can take up to six weeks. Once online registration is completed, the city will be given an FAA registration number.
- Send an email to [9-AJR-36-UAS@faa.gov](mailto:9-AJR-36-UAS@faa.gov) to request a username and password so that the certificate of waiver or authorization (COA) process can be completed online as well. After receiving a username and password, the city should then go online to complete the process.
- Follow the provisions set out in the COA. The COA will indicate when and where the drone can be flown, as well as any other limitations on the operation of the drone.

Part 107 includes default rules for flight operation. Cities should use the alternative registration method if the city determines its drone use would not comply with Part 107. Alternatively, as discussed above, the city could still use Part 107 for most drone flights and seek a waiver for drone activity that would fall outside of Part 107's parameters. The COA process can be complicated and requires the involvement of the city attorney.

## RELEVANT LINKS:

[FAA, Government Operations Advisory Circular.](#)

[LMCIT, Drone Insurance Coverage.](#)

[Minn. Stat. § 360.59.](#)

[Minnesota Department of Transportation, Drones.](#)

[LMC, Contract Review Service.](#)

[LMC Webinar, \*Drones in the City—How to Fly Within the Law\*, December 13, 2016.](#)

Not all flights conducted by a city will be considered public operations by the FAA. The FAA has released an advisory circular to assist entities in determining whether a given flight meets the requirements of a public operation. Best practices suggest that a city work with its city attorney to determine if a given flight meets the definition of a public operation.

### 3. State insurance requirements

Minnesota law requires that any operator of an aircraft must have liability insurance that meets certain minimum coverage levels. The insurance requirements apply equally to drones. If a city has liability insurance through the League of Minnesota Cities Insurance Trust, the city's insurance will exceed the standards required by statute. While commercial users are also required to register with the Minnesota Department of Transportation (MnDOT) and pay a registration fee, city users are not required to pay the registration fee, but must register and provide proof of insurance.

## B. Contracting for service

Cities can still obtain the benefits of drones without owning or operating their own aircrafts. Many businesses offer various drone services that could be of use to cities. Before working with any drone contractor, cities should carefully evaluate whether the contractor has the appropriate clearances to conduct the city's proposed drone operation. Specifically, cities should ensure the contractor has satisfied the FAA and MnDOT's registration requirements, as well as MnDOT's insurance requirements.

The League offers a free contract review service for its members. A League attorney will review any agreement with a drone contractor before it is signed to be sure the city's interests are protected.

## C. Practical considerations

While registration and compliance with MnDOT and FAA rules are both essential prerequisites for flying drones, cities should also be aware of other general considerations and requirements before taking flight.

### 1. Internal drone policies

Cities should consider adopting internal policies regarding drone use. Any policy should address, at a minimum, who has the authority to operate the drone. Beyond operational authority, cities should also consider when and how a drone will be used, or who will have the authority to order a drone's operation.

## RELEVANT LINKS:

[FAA, Privacy Guidelines](#)

LMC information memo,  
[Data Practices: Analyze,  
Classify, Respond.](#)

[Singer v. City of Newton](#), CV  
17-10071-WGY, 2017 WL  
4176477 (D. Mass. Sept. 21,  
2017).

A city interested in using drones should also consider the public perception of drone usage. Before getting or using a drone, the city should clearly explain to residents what it plans to do with the drone. This can help dispel potential concerns.

The city should also consider providing notice to the public to let them know when flights will occur. While not required by law, providing the public with notice of a city drone operation could help reduce the number of questions the city receives regarding a drone flying around the city.

The FAA has released privacy guidelines for drone users. Though these guidelines are not law, they do provide some good ideas for all drone users for protecting the privacy of others. Any city operating drones should consider including some of the recommendations, or related policies, in its internal drone policy.

## 2. Data practices and data retention

Drone usage will likely create government data because many drones are equipped with cameras. If a city takes photos or records videos or audio with a drone, that data is subject to the Minnesota Government Data Practices Act and the city's data retention policy. Prior to using a drone, a city should ensure that its data retention policy includes any data generated by a drone.

Any data obtained while using a drone should be destroyed only in accordance with the city's data retention policy. Relatedly, cities must consider the data practices implications of any drone footage it maintains. This should include budgeting for the costs of maintaining and securely storing the additional data a city's drone may create.

## 3. Warrant requirements

Certain uses of drones may require the city to obtain a warrant prior to the drone operation. While police use of drones certainly raises warrant concerns, a city's use outside of a criminal context could also raise warrant issues. For example, if a city uses a drone to fly over a landowner's backyard to check for code violations, a court could determine that a search requiring a warrant has occurred. However, case law regarding drones is scarce at this point.

## IV. City regulation of drones

Cities may be interested in regulating drones to ensure the safety and privacy of residents. However, a city's ability to regulate drones is a bit complicated. Cities likely have little authority to impose many regulations on drones because the FAA's authority largely pre-empts a city ordinance in this area.



## RELEVANT LINKS:

FAA, *State and Local Regulation of Unmanned Aircraft Systems (UAS) Fact Sheet*.

National League of Cities, *Cities and Drones: What Cities Need to Know About Unmanned Aerial Vehicles (UAVs)*.

National League of Cities, *Drone Ordinance Brief*.

Generally, prohibitions or restrictions on flight paths, required equipment, or knowledge tests for drone operators would likely not be within the purview of local government regulation. On the other hand, privacy concerns involving drones—such as flying close to homes to look inside—is an area local government likely has the authority to regulate.

The FAA has expressed that it is concerned with safely incorporating drones into the national airspace, but not with how a drone is used or what tools (such as a camera) may be incorporated onto a drone. As an example, the FAA has indicated a state law prohibiting drones from being used for hunting or fishing is acceptable.

It appears likely that cities have authority to regulate the takeoff and landing locations for drones via zoning ordinances. However, cities should be careful not to use this authority to effectively ban drone operations within the city. A broad prohibition is likely to be challenged. It seems unlikely a city's authority would be broad enough to enact what essentially amounts to a ban on drone operation within city limits.

The National League of Cities has developed a model ordinance for drone use that attempts to balance a city's interest in regulation with the general interest in allowing innovation in the growing drone industry.

Cities interested in regulating drones may find it helpful to look to their current ordinances to determine if any of them can be applied to drones, or could be modified to apply to drone operations. It is likely, for example, that an ordinance prohibiting voyeurism could be enforced against a drone operator who is using the drone for voyeuristic purposes.

## V. Conclusion

Drones represent a rapidly changing new technology. The law is only beginning to catch up to the present technology. The League is closely monitoring all developments in the drone arena. Cities may find it beneficial to using drones, but they must plan carefully to keep drone operations safe.

# Can Cities Regulate the Use of Drones?

## Drones

**Q** We are noticing a lot more drone activity in our city, and we sometimes get questions and complaints about drones. As a city, do we have the authority to regulate drones?

**LMC** City ordinances attempting to regulate drones are preempted by the Federal Aviation Administration (FAA). Generally, prohibitions or restrictions on flight paths, required equipment, or knowledge tests for drone operators would likely not be within the purview of local government regulation. However, there are privacy concerns with drones—such as people flying drones near homes to look inside. Cities do have authority to regulate that. For example, an invasion of privacy ordinance could likely be applied to an individual using a drone for peeping purposes.

The FAA has stated that its main purpose is to safely incorporate drones into the national airspace, but this does not include how drones are used or what tools (for example, a camera) may be attached to a drone. Cities could look to zoning to limit certain drone activity. Instead of having a “drone-free zone,” which would be an airspace restriction, cities could use their zoning authority to prohibit commercial drone operators from basing operations in residential areas. To learn more about city use and regulation of drones, see the LMC information memo at [www.lmc.org/drones](http://www.lmc.org/drones).

Answered by Research Assistant Emmanuel Emukah: [eemukah@lmc.org](mailto:eemukah@lmc.org)

## Labor Relations

**Q** What should I do if an employee requests information about canceling his or her union dues now that the Supreme Court has decided that fair share fees are not constitutional?

**LMC** The best practice is to first direct the employee back to the union. If the employee has tried that and is not satisfied with the response, tell the employee to contact the Minnesota Bureau of Mediation Services at (651) 649-5421. As a general rule, the city does not want to be in the position of interfering in the relationship between the exclusive representative (the union) and the employee because this could be construed as an unfair labor practice. If the employee insists that the city discontinue union dues deduction, and the city cannot get confirmation from the union to discontinue the dues deduction, the city should contact its city attorney and the League of Minnesota Cities for further guidance. The Supreme Court decision has left many unanswered questions, and cities



should tread carefully and seek legal advice as this area of the law plays out in the courts. For more information about union issues, see Chapter 6 of the League's *HR Reference Manual* at [www.lmc.org/laborrelations](http://www.lmc.org/laborrelations).

Answered by Human Resources Director Laura Kushner: [lkushner@lmc.org](mailto:lkushner@lmc.org)

## Contractors

**Q** Can I rely on a certificate of insurance as proof that the city has been added as an additional insured to a contractor's insurance policy?

**LMC** Whenever the city hires a contractor, it should require the contractor to have commercial general liability insurance and add the city as an “additional insured.” As an additional insured, the city has certain rights to access the contractor's insurance if the city is sued. The city should request a certificate of insurance (COI) from the contractor as evidence of the contractor's insurance. The COI should indicate if the contractor's insurance has been endorsed to add the city as an additional insured. A COI, however, does not create a contract. Even if the COI shows the city has been added as an additional insured, that is not a guarantee that the contractor's insurance company has actually endorsed the contractor's insurance policy. Most cities rely on the COI as proof that the city has been added as an additional insured. However, the best practice is to request from the contractor a copy of the actual endorsement. An endorsement is typically one or two pages and shows proof that the contractor's insurance policy has been changed to add the city as an additional insured. For more information, see pages 16-23 of the LMC information memo at [www.lmc.org/contracts](http://www.lmc.org/contracts). **LMC**

Answered by Risk Management Attorney Chris Smith: [csmith@lmc.org](mailto:csmith@lmc.org)

**Got questions for LMC?**

Send your questions to [choffacker@lmc.org](mailto:choffacker@lmc.org).

State and Local Regulation of Unmanned Aircraft Systems (UAS)  
Fact Sheet

Federal Aviation Administration  
Office of the Chief Counsel

December 17, 2015

**BACKGROUND**

Unmanned aircraft systems (UAS) are aircraft subject to regulation by the FAA to ensure safety of flight, and safety of people and property on the ground. States and local jurisdictions are increasingly exploring regulation of UAS or proceeding to enact legislation relating to UAS operations. In 2015, approximately 45 states have considered restrictions on UAS. In addition, public comments on the Federal Aviation Administration's (FAA) proposed rule, "Operation and Certification of Small Unmanned Aircraft Systems" (Docket No. FAA-2015-0150), expressed concern about the possible impact of state and local laws on UAS operations.

Incidents involving unauthorized and unsafe use of small, remote-controlled aircraft have risen dramatically. Pilot reports of interactions with suspected unmanned aircraft have increased from 238 sightings in all of 2014 to 780 through August of this year. During this past summer, the presence of multiple UAS in the vicinity of wild fires in the western U.S. prompted firefighters to ground their aircraft on several occasions.

This fact sheet is intended to provide basic information about the federal regulatory framework for use by states and localities when considering laws affecting UAS. State and local restrictions affecting UAS operations should be consistent with the extensive federal statutory and regulatory framework pertaining to control of the airspace, flight management and efficiency, air traffic control, aviation safety, navigational facilities, and the regulation of aircraft noise at its source.

Presented below are general principles of federal law as they relate to aviation safety, and examples of state and local laws that should be carefully considered prior to any legislative action to ensure that they are consistent with applicable federal safety regulations. The FAA's Office of the Chief Counsel is available for consultation on specific questions.

**WHY THE FEDERAL FRAMEWORK**

Congress has vested the FAA with authority to regulate the areas of airspace use, management and efficiency, air traffic control, safety, navigational facilities, and aircraft noise at its source. 49 U.S.C. §§ 40103, 44502, and 44701-44735. Congress has directed the FAA to "develop plans and policy for the use of the navigable airspace and assign by regulation or order the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace." 49 U.S.C. § 40103(b)(1). Congress has further directed the FAA to "prescribe air traffic regulations on the flight of aircraft (including regulations on safe altitudes)" for navigating, protecting, and identifying aircraft; protecting individuals and property on the ground; using the navigable

airspace efficiently; and preventing collision between aircraft, between aircraft and land or water vehicles, and between aircraft and airborne objects. 49 U.S.C. § 40103(b)(2).

A consistent regulatory system for aircraft and use of airspace has the broader effect of ensuring the highest level of safety for all aviation operations. To ensure the maintenance of a safe and sound air transportation system and of navigable airspace free from inconsistent restrictions, FAA has regulatory authority over matters pertaining to aviation safety.

## **REGULATING UAS OPERATIONS**

In § 333 of the FAA Modernization and Reform Act of 2012 (Public Law No. 112-95), Congress directed the Secretary to determine whether UAS operations posing the least amount of public risk and no threat to national security could safely be operated in the national airspace system (NAS) and if so, to establish requirements for the safe operation of these systems in the NAS.

On February 15, 2015, the FAA proposed a framework of regulations that would allow routine commercial use of certain small UAS in today's aviation system, while maintaining flexibility to accommodate future technological innovations. The FAA's Notice of Proposed Rulemaking offered safety rules for small UAS (under 55 pounds) conducting non-recreational or non-hobby operations. The proposed rule defines permissible hours of flight, line-of-sight observation, altitude, operator certification, optional use of visual observers, aircraft registration and marking, and operational limits.

Consistent with its statutory authority, the FAA is requiring Federal registration of UAS in order to operate a UAS. Registering UAS will help protect public safety in the air and on the ground, aid the FAA in the enforcement of safety-related requirements for the operation of UAS, and build a culture of accountability and responsibility among users operating in U.S. airspace. No state or local UAS registration law may relieve a UAS owner or operator from complying with the Federal UAS registration requirements. Because Federal registration is the exclusive means for registering UAS for purposes of operating an aircraft in navigable airspace, no state or local government may impose an additional registration requirement on the operation of UAS in navigable airspace without first obtaining FAA approval.

Substantial air safety issues are raised when state or local governments attempt to regulate the operation or flight of aircraft. If one or two municipalities enacted ordinances regulating UAS in the navigable airspace and a significant number of municipalities followed suit, fractionalized control of the navigable airspace could result. In turn, this 'patchwork quilt' of differing restrictions could severely limit the flexibility of FAA in controlling the airspace and flight patterns, and ensuring safety and an efficient air traffic flow. A navigable airspace free from inconsistent state and local restrictions is essential to the maintenance of a safe and sound air transportation system. See *Montalvo v. Spirit Airlines*, 508 F.3d 464 (9th Cir. 2007), and *French v. Pan Am Express, Inc.*, 869 F.2d 1 (1st Cir. 1989); see also *Arizona v. U.S.*, 567 U.S. \_\_\_, 132 S.Ct. 2492, 2502 (2012) ("Where Congress occupies an entire field . . . even complimentary state regulation is impermissible. Field preemption reflects a congressional decision to foreclose any

state regulation in the area, even if it is parallel to federal standards.”), and *Morales v. Trans World Airlines, Inc.*, 504 U.S. 374, 386-87 (1992).

### **EXAMPLES OF STATE AND LOCAL LAWS FOR WHICH CONSULTATION WITH THE FAA IS RECOMMENDED**

- Operational UAS restrictions on flight altitude, flight paths; operational bans; any regulation of the navigable airspace. For example – a city ordinance banning anyone from operating UAS within the city limits, within the airspace of the city, or within certain distances of landmarks. Federal courts strictly scrutinize state and local regulation of overflight. *City of Burbank v. Lockheed Air Terminal*, 411 U.S. 624 (1973); *Skysign International, Inc. v. City and County of Honolulu*, 276 F.3d 1109, 1117 (9th Cir. 2002); *American Airlines v. Town of Hempstead*, 398 F.2d 369 (2d Cir. 1968); *American Airlines v. City of Audubon Park*, 407 F.2d 1306 (6th Cir. 1969).
- Mandating equipment or training for UAS related to aviation safety such as geo-fencing would likely be preempted. Courts have found that state regulation pertaining to mandatory training and equipment requirements related to aviation safety is not consistent with the federal regulatory framework. *Med-Trans Corp. v. Benton*, 581 F. Supp. 2d 721, 740 (E.D.N.C. 2008); *Air Evac EMS, Inc. v. Robinson*, 486 F. Supp. 2d 713, 722 (M.D. Tenn. 2007).

### **EXAMPLES OF STATE AND LOCAL LAWS WITHIN STATE AND LOCAL GOVERNMENT POLICE POWER**

Laws traditionally related to state and local police power – including land use, zoning, privacy, trespass, and law enforcement operations – generally are not subject to federal regulation. *Skysign International, Inc. v. City and County of Honolulu*, 276 F.3d 1109, 1115 (9th Cir. 2002). Examples include:

- Requirement for police to obtain a warrant prior to using a UAS for surveillance.
- Specifying that UAS may not be used for voyeurism.
- Prohibitions on using UAS for hunting or fishing, or to interfere with or harass an individual who is hunting or fishing.
- Prohibitions on attaching firearms or similar weapons to UAS.

### **CONTACT INFORMATION FOR QUESTIONS**

The FAA’s Office of the Chief Counsel is available to answer questions about the principles set forth in this fact sheet and to consult with you about the intersection of federal, state, and local regulation of aviation, generally, and UAS operations, specifically. You may contact the Office of Chief Counsel in Washington, D.C. or any of the following Regional Counsels:

FAA Office of the Chief Counsel  
Regulations Division (AGC-200)  
800 Independence Ave. SW  
Washington, DC 20591  
(202) 267-3073

Central Region  
Office of the Regional Counsel  
901 Locust St., Room 506  
Kansas City, MO 64106-2641  
(816) 329-3760  
(IA, KS, MO, NE)

Great Lakes Region  
Office of the Regional Counsel  
O'Hare Lake Office Center  
2300 East Devon Ave.  
Des Plaines, IL 60018  
(847) 294-7313  
(IL, IN, MI, MN, ND, OH, SD, WI)

Northwest Mountain Region  
Office of the Regional Counsel  
1601 Lind Ave. SW  
Renton, WA 98055-4056  
(425) 227-2007  
(CO, ID, MT, OR, UT, WA, WY)

Southwest Region  
Office of the Regional Counsel, 6N-300  
10101 Hillwood Parkway Dr.  
Fort Worth, TX 76177  
(817) 222-5099  
(AR, LA, NM, OK, TX)

Alaskan Region  
Office of the Regional Counsel  
222 West 7<sup>th</sup> Ave.  
Anchorage, AK 99513  
(907) 271-5269  
(AK)

Eastern Region  
Office of the Regional Counsel  
1 Aviation Plaza, Room 561  
Jamaica, NY 11434-4848  
(718) 553-3285  
(DC, DE, MD, NJ, NY, PA, VA, WV)

New England Region  
Office of the Regional Counsel  
12 New England Executive Park  
Burlington, MA 01803  
(781) 238-7040  
(CT, ME, MA, NH, RI, VT)

Southern Region  
Office of the Regional Counsel  
1701 Columbia Ave., Suite 530  
College Park, GA 30337  
(404) 305-5200  
(AL, FL, GA, KY, MS, NC, SC, TN)

Western-Pacific Region  
Office of the Regional Counsel  
P.O. Box 92007  
Los Angeles, CA 90009  
(310) 725-7100  
(AZ, CA, HI, NV)



## APPENDIX – LIST OF AUTHORITIES

### Federal Statutes

- 49 U.S.C. §§ 40103, 44502, and 44701- 44735 (former Federal Aviation Act of 1958, as amended and recodified).
- FAA Modernization and Reform Act of 2012, Public Law No. 112-95 (Feb. 14, 2012), Subtitle B, “Unmanned Aircraft Systems.”

### Federal Regulations

- Title 14 of the Code of Federal Regulations, Chapter 1.

### The U.S. Supreme Court

- “Congress has recognized the national responsibility for regulating air commerce. Federal control is intensive and exclusive. Planes do not wander about in the sky like vagrant clouds. They move only by federal permission, subject to federal inspection, in the hands of federally certified personnel and under an intricate system of federal commands. The moment a ship taxis onto a runway it is caught up in an elaborate and detailed system of controls. It takes off only by instruction from the control tower, it travels on prescribed beams, it may be diverted from its intended landing, and it obeys signals and orders. Its privileges, rights, and protection, so far as transit is concerned, it owes to the Federal Government alone and not to any state government.” *Northwest Airlines v. State of Minnesota*, 322 U.S. 292, 303 (1944)(Jackson, R., concurring).
- “If we were to uphold the Burbank ordinance [which placed an 11 p.m. to 7 a.m. curfew on jet flights from the Burbank Airport] and a significant number of municipalities followed suit, it is obvious that fractionalized control of the timing of takeoffs and landings would severely limit the flexibility of FAA in controlling air traffic flow. The difficulties of scheduling flights to avoid congestion and the concomitant decrease in safety would be compounded.” *Burbank v. Lockheed Air Terminal Inc.*, 411 U.S. 624, 639 (1973).
- “The Federal Aviation Act requires a delicate balance between safety and efficiency, and the protection of persons on the ground ... The interdependence of these factors requires a uniform and exclusive system of federal regulation if the congressional objectives underlying the Federal Aviation Act are to be fulfilled.” *Burbank* at 638-639.
- “The paramount substantive concerns of Congress [in enacting the FAA Act] were to regulate federally all aspects of air safety ... and, once aircraft were in ‘flight,’ airspace management....” *Burbank* at 644 (Rehnquist, J. dissenting).

## U.S. Courts of Appeals

- “Air traffic must be regulated at the national level. Without uniform equipment specifications, takeoff and landing rules, and safety standards, it would be impossible to operate a national air transportation system.” *Gustafson v. City of Lake Angeles*, 76 F.3d 778, 792-793 (6th Cir. 1996)(Jones, N., concurring).
- “The purpose, history, and language of the FAA [Act] lead us to conclude that Congress intended to have a single, uniform system for regulating aviation safety. The catalytic events leading to the enactment of the FAA [Act] helped generate this intent. The FAA [Act] was drafted in response to a series of fatal air crashes between civil and military aircraft operating under separate flight rules .... In discussing the impetus for the FAA [Act], the Supreme Court has also noted that regulating the aviation industry requires a delicate balance between safety and efficiency. It is precisely because of ‘the interdependence of these factors’ that Congress enacted ‘a uniform and exclusive system of federal regulation.’” *Montalvo v. Spirit Airlines*, 508 F.3d 464, 471 (9th Cir. 2007), citing *City of Burbank v. Lockheed Air Terminal Inc.*, 411 U.S. 624, 638-39 (1973).
- “[W]hen we look to the historical impetus for the FAA, its legislative history, and the language of the [FAA] Act, it is clear that Congress intended to invest the Administrator of the Federal Aviation Administration with the authority to enact exclusive air safety standards. Moreover, the Administrator has chosen to exercise this authority by issuing such pervasive regulations that we can infer a preemptive intent to displace all state law on the subject of air safety.” *Montalvo* at 472.
- “We similarly hold that federal law occupies the entire field of aviation safety. Congress' intent to displace state law is implicit in the pervasiveness of the federal regulations, the dominance of the federal interest in this area, and the legislative goal of establishing a single, uniform system of control over air safety. This holding is fully consistent with our decision in *Skysign International, Inc. v. Honolulu*, 276 F.3d 1109 (9<sup>th</sup> Cir. 2002), where we considered whether federal law preempted state regulation of aerial advertising that was distracting and potentially dangerous to persons on the ground. In upholding the state regulations, we held that federal law has not ‘preempt[ed] altogether any state regulation purporting to reach into the navigable airspace.’ *Skysign* at 1116. While Congress may not have acted to occupy exclusively all of air commerce, it has clearly indicated its intent to be the sole regulator of aviation safety. The FAA, together with federal air safety regulations, establish complete and thorough safety standards for interstate and international air transportation that are not subject to supplementation by, or variation among, states.” *Montalvo* at 473-474.
- “[W]e remark the Supreme Court's reasoning regarding the need for uniformity [concerning] the regulation of aviation noise, see *City of Burbank v. Lockheed Air Terminal*, 411 U.S. 624 (1973), and suggest that the same rationale applies here. In *Burbank*, the Court struck down a municipal anti-noise ordinance placing a curfew on jet flights from a regional airport. Citing the ‘pervasive nature of the scheme of federal

regulation,’ the majority ruled that aircraft noise was wholly subject to federal hegemony, thereby preempting state or local enactments in the field. In our view, the pervasiveness of the federal web is as apparent in the matter of pilot qualification as in the matter of aircraft noise. If we upheld the Rhode Island statute as applied to airline pilots, ‘and a significant number of [states] followed suit, it is obvious that fractionalized control ... would severely limit the flexibility of the F.A.A ....’ [citing *Burbank*] Moreover, a patchwork of state laws in this airspace, some in conflict with each other, would create a crazyquilt effect ... The regulation of interstate flight-and flyers-must of necessity be monolithic. Its very nature permits no other conclusion. In the area of pilot fitness as in the area of aviation noise, the [FAA] Act as we read it ‘leave[s] no room for ... local controls.’ [citing *Burbank*]. *French v. Pan Am Express, Inc.*, 869 F.2d 1, 6 (1st Cir. 1989).



# Federal Aviation Administration

## Getting Started

Got a drone? Whether you're a novice drone pilot or have many years of aviation experience, rules and safety tips exist to help you fly safely in the National Airspace System. Think of these tips as a pre-flight checklist to help you fly safely.

### Drone Safety Tips

- [Register your drone \(register\\_drone/\)](#)
- Fly your drone at or below 400 feet
- Keep your drone within your line of sight
- [Be aware of FAA Airspace Restrictions](#)
- Respect privacy
- Never fly near other aircraft, especially near airports
- Never fly over groups of people, public events, or stadiums full of people
- Never fly near emergencies such as fires or hurricane recovery efforts
- Never fly under the influence of drugs or alcohol

### Operating Your Drone

The FAA rules you need to follow while flying your drone will depend on what your mission is.

- [Recreational Fliers & Modeler Community-Based Organizations](#)
- [Certificated Remote Pilots including Commercial Operators](#)
- [Government & Law Enforcement](#)

Not sure what type of a drone user you are? [We can help you! \(user\\_identification\\_tool/\)](#)

Page last modified: October 18, 2018 4:38:43 PM EDT

this page was originally published at: [https://www.faa.gov/uas/getting\\_started/index.cfm](https://www.faa.gov/uas/getting_started/index.cfm)

# MNDOT AERONAUTICS WEBSITE

## UAS Information for Communities

### Existing Local Ordinances

Several commercial drone operators have complained to MnDOT that while they want to abide by local ordinances, they can't reliably find them. If you have an ordinance, please publicize it using signs, notices on websites, and social media.

When MnDOT Aeronautics becomes aware of an ordinance we place a [link on our webpage](#). If you have an ordinance and it's not listed, please contact Tony Fernando, UAS Program Administrator, 651-234-7227, [anthony.fernando@state.mn.us](mailto:anthony.fernando@state.mn.us)

### Designing New Ordinances

It is important to realize that some forms of aviation regulation are pre-empted by state or federal regulation. Case law in this area is rapidly evolving.

In most instances, it would be preferable that local governments not attempt to regulate aircraft flight, including drone flight. Additionally, [a US District Court](#) has found that a city government cannot require drone operators to register their drone with the city. Note, however, [Singer v City of Newton](#) was decided in the District of Massachusetts, and is not binding precedent in Minnesota.

Rather than local government regulating drone activity, we recommend focusing on the problematic behavior:

- If the problem is unwanted surveillance, apply peeping tom or eavesdropping ordinances
- If the problem is noise, apply your noise ordinance

Remember, if a person is doing something in the wrong, they're not suddenly in the right because they've used a drone, even if there is not a specific ordinance related to drones.

Additionally, cities have had longstanding rights to determine where aircraft can takeoff and land through zoning processes. Drones are aircraft and can be restricted via these processes as well.

A [model ordinance has been created by the National League of Cities](#) and may be useful as reference.

After enacting your ordinance, make sure to send it to MnDOT so we can include it on our [webpage of local ordinances](#).

### Flights over community events

In almost all cases, drone flight over groups of people is not permitted by federal regulations except by waiver. If your community is having an event and you intend to

# MNDOT AERONAUTICS WEBSITE

use a drone over people, it is important to start the FAA waiver process early, as it can take several months to complete.

In planning for events (such as fairs and parades) where there may be drones flying over people, [law enforcement](#) should develop a plan for how they will respond to drones that are spotted.

## Flights over private property

Historically, landowners were assumed to own the airspace above their property ad coelum- to the top of the sky. The advent of manned aircraft made this untenable, and in a [1946 takings decision](#) the Supreme Court held that the public has a right of flight in the navigable airspace, while property owners held a property interest in the “immediate reaches of the enveloping atmosphere” around their property.

Unfortunately, neither navigable airspace nor “immediate reaches” has been subsequently defined in statute or case law.

Litigation regarding right of flight as it relates to drones is likely to become contentious and attract the attention of extremely well-funded national-scale special interest groups on all sides.

We recommend that where possible, conflicts be resolved using mechanisms that focus on why a specific drone flight is problematic. Most conflicts can be avoided from the beginning if the drone operator obtains permission from the landowner before flight.

## Assistance

MnDOT is the state-level regulatory agency for aircraft in Minnesota. We are here to help your community develop a UAS plan that preserves harmony for your community. For assistance, please contact:



[Skip to Content](#)



[511 Travel Info](#)

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## Aeronautics and Aviation

Unmanned Aircraft Systems (UAS) or Drones: Government UAS Operators



- [Aero Home](#)
- [Aviation A-Z](#)
- [Airports](#)
- [Pilots](#)
- [UAS/Drones](#)
- [Businesses](#)
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- [Events](#)
- [Publications](#)
- [Licenses/Registrations/Forms](#)
- [Contacts](#)

## Information on UAS for Law Enforcement

### Registration

There is a belief amongst certain law enforcement personnel that the use of drones by law enforcement is exempt from aviation regulations. **That belief is completely untrue, and can get your agency into a lot of trouble.** Aircraft registration is required for all government use of drones, and in most cases federal pilot licensing is required as well.

In Minnesota, governments (including law enforcement agencies) operating drones are exempt from aircraft [registration fees](#). Here's what you'll need to do to meet the Minnesota requirements:

- Register your aircraft with the FAA before registering with MnDOT. You will need the N- or F- registration number assigned by the FAA to register with MnDOT
- Go to [MnDOT's Aircraft Registration website](#) for instructions on how to register your aircraft with MnDOT

Law enforcement drone operations are subject to federal aviation regulations. Most law enforcement operations can be conducted under the small aircraft rule or a Certificate of Authorization. Contact the FAA for more details. Minnesota imposes no state-level restrictions on law enforcement drone operation.

## Receiving complaints about drones

In general, the public has a right to fly in the navigable airspace and a landowner has a property interest in the “immediate reaches of the enveloping atmosphere” (see [United States vs Causby](#) , 328 US 256 – Supreme Court 1946). However, neither “navigable airspace” nor “immediate reaches” have been defined by subsequent statutes and most case law involves manned aircraft.

When responding to a complaint about a drone, MnDOT Aeronautics recommends that rather than telling a drone operator that they have no right to fly in a specific place, law enforcement should **focus on why the drone flight is problematic**:

- If the complaint is about pictures, apply your procedures for a peeping tom
- If the complaint is about noise, apply your noise ordinance procedures
- If the complaint is about harassment, apply your harassment procedures

Additionally, careless or reckless operation of an aircraft (including a drone) is a misdemeanor in Minnesota ([360.075 Subd. 5](#)).

Make sure you obtain the drone operator’s identification and registration information

- In most cases, recreational drone users should be registered with the FAA
- In all cases, commercial drone users should be registered with both the FAA and MnDOT; many commercial drone users are additionally required to have a commercial operations license from MnDOT
- 
- 

Contact the FAA and/or MnDOT if the operator does not provide registration information. Failure to comply with MnDOT aircraft registration and commercial licensing requirements is a misdemeanor under [Minnesota Statutes](#).

## Assistance

MnDOT is the state-level regulatory agency for aircraft in Minnesota. We are here to help you with your UAS operations. For assistance, please contact:

Tony Fernando  
UAS Program Administrator  
MnDOT - Office of Aeronautics  
651-234-7227  
[anthony.fernando@state.mn.us](mailto:anthony.fernando@state.mn.us)

## Email updates

Sign up to receive updates on unmanned aircraft systems news and events in Minnesota.

[Sign up for UAS email updates](#)

## UAS contacts

MnDOT - Office of Aeronautics  
222 East Plato Boulevard  
St. Paul, MN 55107-1618

Tony Fernando  
UAS Program Administrator  
651-234-7227  
[anthony.fernando@state.mn.us](mailto:anthony.fernando@state.mn.us)

Aircraft Registration Unit  
651-234-7201  
[sandra.martinez@state.mn.us](mailto:sandra.martinez@state.mn.us)  
[jana.thompson@state.mn.us](mailto:jana.thompson@state.mn.us)

Commercial Operations  
651-234-7232  
[judy.meyers@state.mn.us](mailto:judy.meyers@state.mn.us)

## UAS resources

- [Academy of Model Aeronautics](#)
- [Know Before You Fly](#)
- [Aircraft Owners and Pilots Association](#)
- [UAS Commercial Operator Information \(PDF\)](#)
- [UAS Model Operator Information \(PDF\)](#)

## Quick links

- [Commercial operators](#)
- [Government operators](#)
- [Model aircraft operators](#)
- [Law enforcement operators](#)
- [UAS for communities](#)
- [UAS enforcement](#)
- [Local UAS ordinances](#)
- [UAS regulations and rules](#)
- [UAS around airports](#)
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*2019 Minnesota Department of Transportation  
395 John Ireland Blvd, St. Paul, MN 55155-1800  
651-296-3000 Toll-free 800-657-3774*



To: Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: March 5, 2019

Re: Downtown Redevelopment Plan – Implementation Plan

---

### **BACKGROUND**

City Administrator Helget has requested discussion of an implementation plan contained in the 2018 Downtown Redevelopment Plan be placed on the PC agenda for discussion.

The Planning Commission is tasked with assisting the City/Council with consideration of code amendments pertaining to:

1. Historic structure guidelines.
2. Signage in the downtowns.
3. Maintenance and outdoor storage standards.

The applicable implementation standards are highlighted on pages 22 and 23 of the attached plan. Design standards referenced are included on pages 34 through 53.

### **ACTION**

Discussion is kindly requested.

# City of Norwood Young America



Historic Downtown  
Norwood



Preserving History



Historic Downtown  
Young America

## Downtown Redevelopment Plan

Historic Downtown Norwood & Historic Downtown Young America

December, 2018





# Table of Contents

## Downtown Redevelopment Plan—Norwood Young America

<b>Topic</b>	<b>Page(s)</b>
Executive Summary	3-4
Planning Process	5-7
History of the Downtowns	8-12
District Boundaries	13
Historic Downtown Young America	14
Historic Downtown Norwood	15
Connectivity	16
Financial Incentives	17
Maintenance	18-19
Target Marketing-Infill	20
Tourism and Events	21
Implementation Plan	22-24
Exhibit A – Parcel Lists	25-33
Exhibit B – Design Guidelines	34-53
Exhibit C – Sample Historic Property Form	54



# Executive Summary

## Downtown Redevelopment Plan—Norwood Young America



### Vision

The vision of the city of Norwood Young America is to build upon the history of the two downtown areas, by enhancing the unique characteristics and architectural features of buildings, resulting in vibrant small town downtowns with commercial, residential and governmental uses.



### Plan Purpose

The purpose of the Downtown Redevelopment Plan is to establish the framework to accomplish the vision, identifying short and long range implementation tools.



### Planning Context

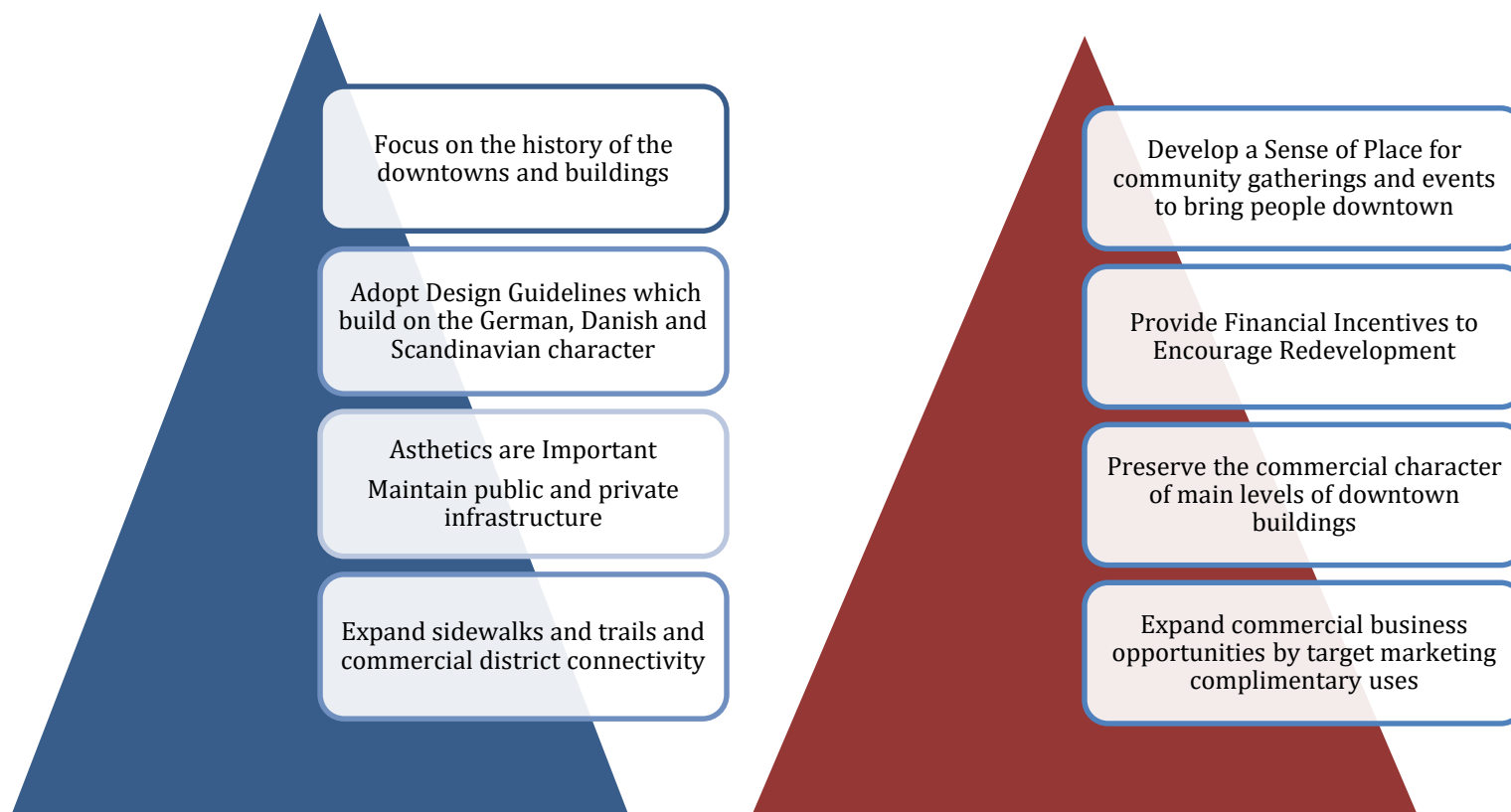
The downtown commercial districts have been identified by the City as important commercial centers for retail, services and community gathering. While the Highway 212 commercial district plays an important role in commerce, this Plan focuses on the two downtown districts. The downtowns include a mix of government uses (Historic Downtown Norwood), services, retail businesses, residential units with adjacent recreational opportunities. This Plan provides the framework for redevelopment of the downtowns within Norwood Young America. It provides the history and information on the parcels as well as establishes goals and an implementation plan for achieving the vision. Recognizing the importance of each commercial district, this Plan builds on the history of each downtown; designating the areas as “Historic Downtown Norwood” and “Historic Downtown Young America” and identifying the boundaries of each downtown.

# Executive Summary

## Downtown Redevelopment Plan—Norwood Young America



**Focus Areas.** Eight key focus areas resulted through the planning process. These are summarized below:



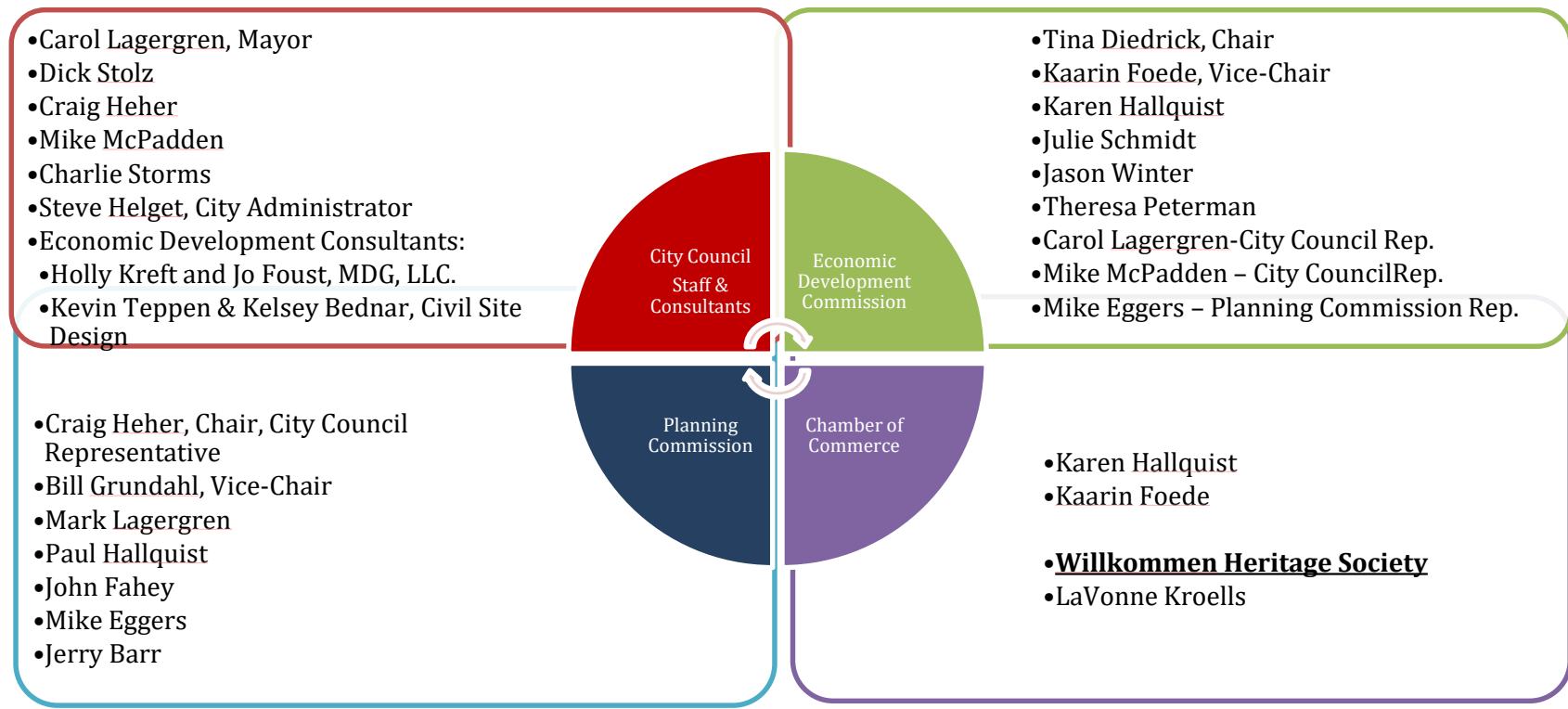
# Planning Process

## Downtown Redevelopment Plan—Norwood Young America



### Process

As a part of the planning process a group of elected and appointed officials from the City Council, Economic Development Commission, Planning Commission, Chamber of Commerce and Willkommen Heritage Society began meeting in April of 2017 to discuss the redevelopment of the downtowns. Guest speakers and consultants also attended meetings and presented information on historic districts, design guidelines and the Small Cities Development Grant Program. A grant was secured from the Carver County CDA to assist with the development of the Redevelopment Plan and Design Guidelines. Members participating in the planning sessions included:



# Planning Process

## Downtown Redevelopment Plan—Norwood Young America



**Process.** As a part of the planning process, eleven meetings were held over a 20-month period. A summary of topics discussed follows:



# Planning Process

## Downtown Redevelopment Plan—Norwood Young America

A public engagement session was held November 28<sup>th</sup>, with all downtown building and business owners invited. Approximately 20 people attended. The group consensus was:

1. Support for sharing the history of buildings with the business/property owners and encouraging redevelopment consistent with the time era in which the building was constructed
2. Support for the application for SCDP grant and tying funding to design guidelines
3. Adoption of Design Guidelines
4. Support to increase maintenance in the downtowns including weeds, unused furniture, inoperable vehicles, streetlights, municipal parking lot, covered windows, and street trees. This may include review of current ordinances and amendments to reduce timeframes for compliance
5. Support for increased events in the downtowns, including food trucks

Joint Sessions





# History

## Downtown Redevelopment Plan—Norwood Young America



### History of the Downtowns

The city of Norwood Young America had a unique beginning, two small towns in the mid 1800's with only a mile separating them. Young America was founded first, in 1856 by James Slocum Jr. and Dr. R.M. Kennedy. Slocum came to St. Paul, MN in 1855; from there he took a steamboat to Carver and then following Indian trails to what we know today as Young America. Early businesses were a saw and grist mill, general mercantile, and grain businesses.

Slocum's first choice of a name was Young America. In 1879 it was changed to Teuteberg. They later adopted the name Young America. By 1880 the population of Young America was 151.

About that time, the Milwaukee Railroad was going to install tracks near Young America. Residents didn't want to pay a bonus to have tracks laid, so the rail line moved a mile south. The original depot, built in 1872, was called Young America Station. Sensing a business opportunity Slocum and several townspeople re-established themselves near Young America Station.

As time passed Young America Station was incorporated in 1874 through special state legislation. Young America Station was renamed Norwood, after a friend and early settler of Slocum.

Slocum erected many buildings; a store, grain elevator, and the Bank of Norwood. Slocum was also involved in building the Methodist Church (Church of the Maples) in 1876. He also was the postmaster for both cities. In 1888, he relocated to Minneapolis.



Historic Downtown Young America

[Source: Carver County Historical Society]

# History

## Downtown Redevelopment Plan—Norwood Young America

On January 1, 1997 the two cities of Norwood and Young America merged into one city; Norwood Young America.

Historic Downtown Norwood contains approximately 3.61 acres of land, with a mix of residential units, public uses and commercial businesses. The 2018 assessed market value of the buildings and lots in the downtown is \$3,930,800. The buildings are primarily one and two-stories in height, with the exception of the city hall/senior housing complex on Elm Street, which is four stories high. Roof types are predominantly gable with a few flat roofs. An inventory of the parcels within Historic Downtown Norwood is included as Exhibit A. Below are photos of the historic downtown Norwood and current day downtown Norwood.

### Historic Downtown Norwood



Source: Willkommen Heritage Society



Source: Google Maps

Historic Downtown Young America contains 42 parcels consisting of approximately 9.89 acres of land. The 2018 assessed market value of the buildings and lots in the downtown is \$6,121,000. The buildings are primarily one and two-stories in height. Roof types are predominantly gable and flat roofs. An inventory of the parcels within Historic Downtown Young America is included as Exhibit A. Following are photos of the historic downtown Young America and current day downtown Young America.



# History

## Downtown Redevelopment Plan—Norwood Young America

### Historic Downtown Young America



Source: Willkommen Heritage Society



Source: Google Maps



### Goals identified:

Develop a historic walking tours

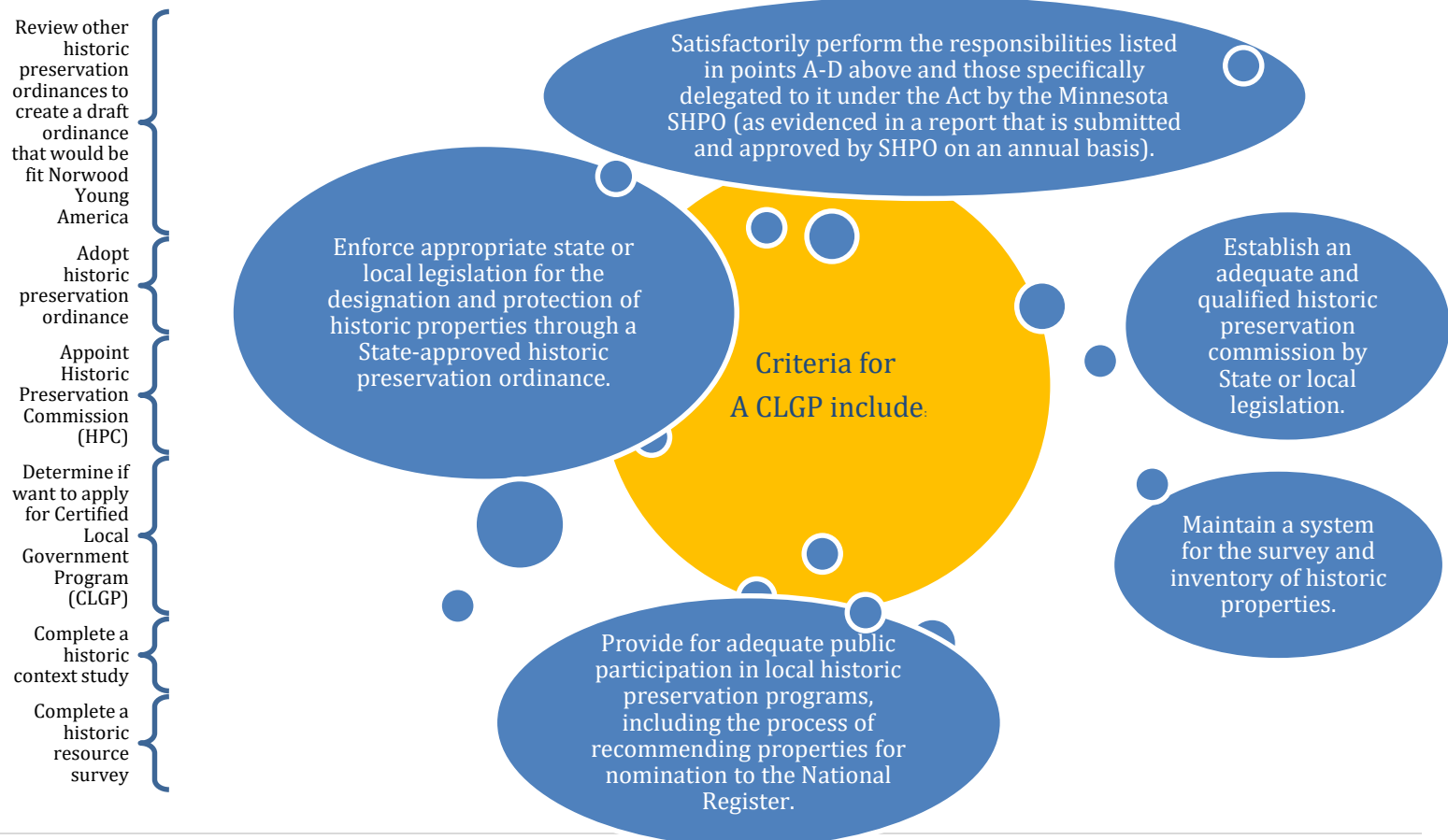
Provide building and business owners with information on the historic use(s) of buildings which could be displayed in buildings.

## Downtown Redevelopment Plan—Norwood Young America



### Historic Designations – State Historic Preservation Office (SHPO)

The Joint Committee discussed the potential creation of a Local Historic Preservation Ordinance and local designation. The committee found the information beneficial, but did not identify the development of a Local Historic Preservation Ordinance as a short-term goal. If the City were to choose to move forward with the creation of locally designated historic districts the implementation steps would be as follows:





# History

## Downtown Redevelopment Plan—Norwood Young America

Grant funds are only available to CLGP communities. Annual matching grants are available to communities for projects such as:

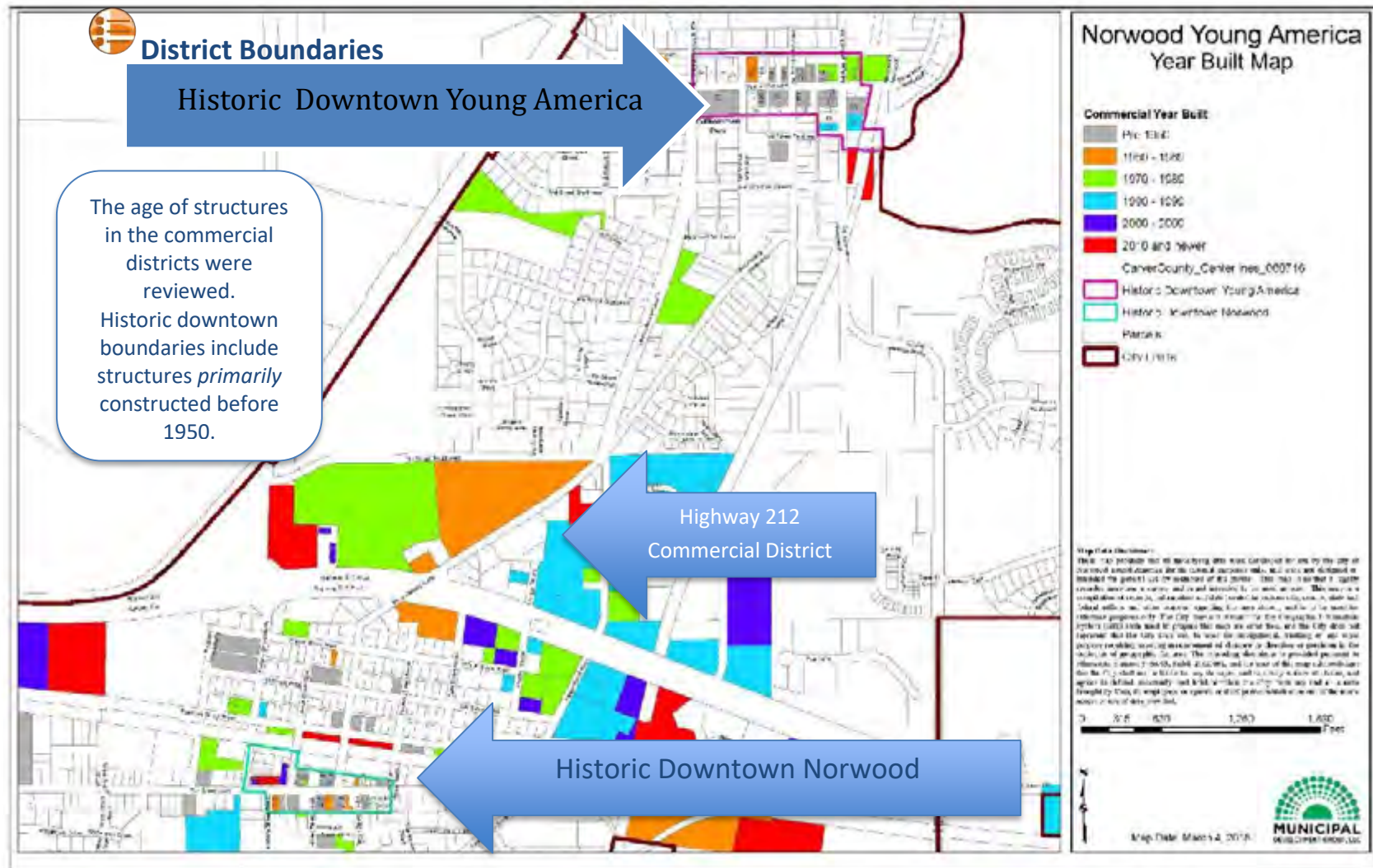
- Historic resource surveys
- Preparation of local/national designation forms
- Historic preservation plans
- Building reuse studies
- Cultural landscape inventories
- Design guidelines for property owners
- Public education

Capital (brick and mortar) projects are not eligible. For 2018 there was \$91,000 available statewide.

Tax credits are available on a State and Federal level (up to 40%) for properties that are certified historic structures: either a building listed on the National Register of Historic Places or certified as contributing to a Registered Historic District.

# District Boundaries

## Downtown Redevelopment Plan—Norwood Young America





# Historic Downtown Young America

## Downtown Redevelopment Plan—Norwood Young America



### Strengths

- Old brick buildings
- Church
- Willkommen Park
- Historic Center
- Restaurants
- Mill Building
- Grivelli House
- Wide sidewalks
- Mature trees
- Evening lighting
- Baseball field
- Old Town
- Old City Hall

### Opportunities

- Mix of commercial and residential
- Fill vacant buildings
- Redevelop and enhance older buildings
- Masonic Lodge
- Develop continuity in uses
- Develop an anchor
- Add parking
- Sidewalk improvements
- Add signage

Source: Google Earth



## Strengths

- Sidewalks
- Trees
- Harms building is on the National Register of Historic Places
- Library/Oak Grove Senior Center
- The Quilting Grounds
- The Fire Department
- Old buildings
- Service businesses
- Nice long layout of the commercial district
- Visually easier access from Highway 212
- Sports complex
- More parking options
- Looks like a downtown

## Opportunities

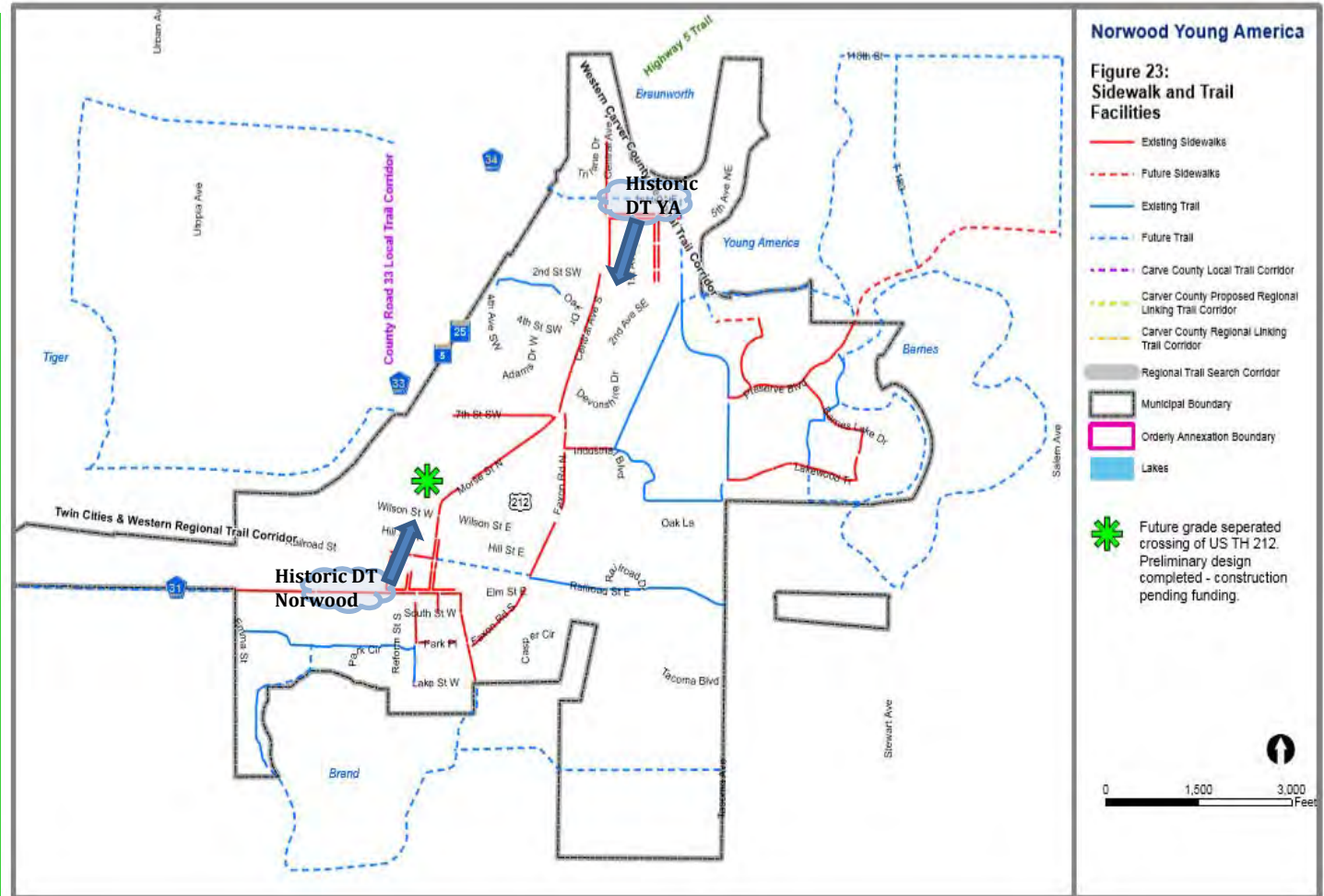
- Residential areas
- Fill vacant buildings
- Mark parking spaces
- Replace missing trees
- Add signs to unidentified/unsigned businesses
- Expand sidewalks/trails for connectivity to other areas
- Hayloft hole





Downtown districts are not only accessed by vehicular traffic, but also provide for a pedestrian experience. Providing connections to neighborhoods, schools, parks and government facilities is important. The map to the right illustrates existing sidewalk and trail connections as well as proposed future trail connections which would link the two historic downtowns.

The future Highway 212 underpass plays an important role in the connectivity of the commercial districts to schools and parks.





# Financial Incentives

## Downtown Redevelopment Plan—Norwood Young America



### Financial Incentives and Programs

In order to encourage and assist building and business owners with redevelopment projects, the committee discussed financial programs which could be offered. The following programs were identified:

**Existing financial incentives** which are available to assist with (re)development projects in the downtowns follow. These programs do not require any additional budget requirements. These include:

- MCCD and EDC loan programs. The EDC has \$135,000 in its Revolving Loan Fund, which the MCCD administers the loan process after review. The MCCD loan program has separate funding.
- Tax abatement and tax increment financing. The amount of assistance available is dependent on the size of the project and impact on the tax base.
- State programs to assist with contamination clean-up, and
- Local conventional loans and SBA loans through financial institutions.

**New programs** which could be offered and would require the City/EDC budget funds include:

- A No Interest Loan program, (i.e. \$20,000 for four loans up to \$5,000 or two \$10,000 loans).
- An interest rate reduction program with local banks. We have contacted local banks to obtain input on their interest in such a program, as well as the dollar amount they would recommend.
- Tourism mini grants, (i.e. three mini grants of \$1000 each or \$3,000).

**Grant programs** which could be pursued include:

- The Small Cities Development Grant program (could be structured with a forgivable loan)

**Fee Reduction Incentives.** The following programs would not require the City to budget funds but would result in less revenue being collected by the City; and therefore would need to be noted in the recommendation to the City Council. These may include:

- A reduction in building permit fees (i.e. a 10% reduction up to \$500 for the first five downtown permits issued: Total cost \$2,500 *(if five permits are pulled)*).
- A reduction in water and sewer rates or connection fees if they “go green”. (i.e. \$500 reduction for first 5 permits or \$2,500 *if projects occur*).



# Maintenance & Public Infrastructure

## Downtown Redevelopment Plan—Norwood Young America



### Maintenance and Public Infrastructure Improvements.

At the public engagement session, downtown business representatives also expressed a desire for the City to invest in maintenance, code enforcement and improvements to public infrastructure.

General Maintenance and Public Infrastructure items to address, which were discussed at the public engagement and joint meetings included:

- Reviewing ordinances for window sign coverage regulations to address and regulate the use of black plastic bags to cover front windows of commercial structures.
- Improving lighting in the downtown including the extension of street lights an additional block along 2<sup>nd</sup> Avenue.



In addition, two members of the Joint Committee toured the downtowns and noted several areas in which maintenance was recommended. The following page summarizes these recommended improvements.

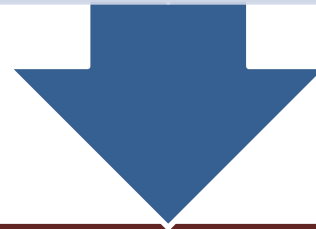


# Maintenance & Public Infrastructure

## Downtown Redevelopment Plan—Norwood Young America

### Historic Downtown Norwood (Elm Street)

Weeds, grass needs to be cut.	Bare lot next to City Wide Wood Floors, vehicles, weeds, needs to be maintained better.	Old Flower shop/Meat market building outside area needs to be cleaned up.	Pavers – need to be lifted – to match curb level.	Weeds need to be maintained around tree metal grates.	Bottom of light poles need to be touched up, repainted.	Two trees have been removed on Elm Street and area has been cemented over.	Add more garbage cans near the BB park entrance, Pour House bar.
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### Historic Downtown Young America (Main Street)

Weeds around Pavilion, weeds in sidewalks.	Missing four metal grates around various trees.	Fire Hydrants and surrounding pavers are popping up.	Pavers also sinking below curb line.	Pavers around gazebo need touch up.	Gazebo and pavilion needs painting	Yellow paint curbing needs to be touched up.	Mature trees, have no metal grates.	Former Post Office (304 Main St. E) redevelopment potential	Former Masonic Lodge (10 3rd Ave. SE) needs rehab.
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# Target Marketing to Fill Vacancies

## Downtown Redevelopment Plan—Norwood Young America



### Target Marketed to Fill Vacant Spaces

Vacant spaces within the downtowns will fluctuate as buildings are leased or sold. Currently there are five vacant buildings in each historic downtown. Building owners were contacted and offered to market their space on the City website. The Joint Committee identified a desire to have niche (or destination) businesses located in the historic downtowns. Potential businesses identified included:



# Tourism & Community Events

## Downtown Redevelopment Plan—Norwood Young America



### Tourism & Events

The Joint Committee discussed the current events hosted by the NYA Area Chamber of Commerce that bring people to the downtowns. A group or groups should be identified to explore potential new events including:

#### Current Events

- Chili Cook off
- Taste of NYA
- Stiftungsfest
- Bean Bag Tournaments



#### Potential Events

- Downtown arts fair
- Youth dance studio performances
- Local authors
- Music
- Food trucks/food
- Farmers Market
- Car cruise



# Implementation Plan

## Downtown Redevelopment Plan—Norwood Young America



### Implementation Plan

Goals identified as part of the Redevelopment Plan include both short-term and long-term projects. Short-term projects could take place in the next 2-3 years. Long-term projects may take 5-10 years to implement. The joint committee may begin work on both short-term and long-term projects, but recognizing that long-term projects will take longer to implement and may require approval from other jurisdictions. Following are action items to guide the implementation of the Downtown Redevelopment Plan. It is recommended regular meetings be held to follow-up on the status of these items and adjust as deemed appropriate by the groups.

### Short-term Projects

Category	Project	Responsible Party	Action Items
Design /Aesthetics	Adopt Design Guidelines	EDC/Planning Commission/ City Council	<ol style="list-style-type: none"><li>1. EDC and Planning Commission Recommendation to adopt the Design Guidelines, as recommended as a part of the Redevelopment Plan</li><li>2. City Council adoption of Design Guidelines</li><li>3. Education of Guidelines to building and business owners</li></ol>
Historic Designation	Inventory Buildings	Willkommen Center/City	<ol style="list-style-type: none"><li>1. Use Property Template to inventory information about buildings</li><li>2. Share information with building owners</li></ol>
Vacant Spaces	Window Displays	EDC/Chamber  Planning Commission/ City Council	<ol style="list-style-type: none"><li>1. Contact building owners (vacant and storage) about window displays</li><li>2. Work with Willkommen Center and School District to create historic window displays</li><li>3. Review current sign ordinances which regulate the percent of front commercial windows which may be covered, and address plastic window coverings in commercial store fronts.</li></ol>
Maintenance	Add Benches	Parks/Public Works	<ol style="list-style-type: none"><li>1. Inventory existing benches</li><li>2. Determine location for new benches</li><li>3. Order benches</li><li>4. Place benches in identified locations</li></ol>



# Implementation Plan

## Downtown Redevelopment Plan—Norwood Young America

### Short-term Projects

Maintenance	Add Fence or Hedge to Municipal Parking Lot	City/Public Works	<ol style="list-style-type: none"> <li>1. Determine best solution (fence or hedge)</li> <li>2. Install fence or hedges at the front perimeter of vacant parcels, as identified in the Design Guidelines to create a clearly defined street frontage and pedestrian walkway</li> </ol>
Maintenance	Review Enforcement Procedure	Planning Commission/City Council	<ol style="list-style-type: none"> <li>1. Determine if timeframe for compliance should be shortened</li> <li>2. Amend ordinance (if needed)</li> <li>3. Review outdoor storage ordinances including parking of trailers.</li> </ol>
Financial Incentives	Business Input	EDC/Chamber	<ol style="list-style-type: none"> <li>1. Host a joint meeting with the Chamber to gain greater input from businesses on financial incentives</li> <li>2. Continue to pursue a Small Cities Development Grant</li> </ol>
Tourism and Events	Downtown Arts Fair/Music	EDC/Chamber	<ol style="list-style-type: none"> <li>1. Meet with members of Arts Consortium of Carver County regarding festival in western Carver County</li> <li>2. Reach out to local artists and dance theatres about interest</li> </ol>
Connectivity	Wayfinding Signage	Parks	<ol style="list-style-type: none"> <li>1. Work with MNDOT staff on signage changes and additions</li> <li>2. Work with MNDOT to have signage installed</li> </ol>
Maintenance	Street Trees	City/Public Works	<ol style="list-style-type: none"> <li>1. Identify locations of where trees were removed</li> <li>2. Determine if trees can be replaced in those locations</li> <li>3. Have concrete removed and soil remediated</li> <li>4. Plant trees</li> </ol>
Maintenance	Maintenance/Aesthetics	EDC/City Council	<ol style="list-style-type: none"> <li>1. Identify and work with local organizations, such as Boy Scouts, National Honor Society, etc. to assist with projects in the downtown.</li> </ol>



# Implementation Plan

## Downtown Redevelopment Plan—Norwood Young America

### Long-term Projects

Category	Project	Responsible Party	Next Steps
Maintenance	Decorative Streetlights	City	<ol style="list-style-type: none"><li>1. Identify locations for additional decorative streetlights in Historic Downtown Young America</li><li>2. Obtain costs for streetlights</li><li>3. Include in subsequent year budget</li><li>4. Have lights installed</li></ol>
Connectivity	Trails/Sidewalk	City	<ol style="list-style-type: none"><li>1. Identify gaps in connectivity between existing trails and sidewalks</li><li>2. Budget for new trails or sidewalks in subsequent years</li><li>3. Research application for DNR Local Connections grant to help offset costs</li><li>4. Explore applications to the MN Department of Natural Resources (DNR) for Local Trail Connections Grants, and coordinate with the installation of the Hwy 212 underpass. See: <a href="https://www.dnr.state.mn.us/grants/recreation/trails_local.html">https://www.dnr.state.mn.us/grants/recreation/trails_local.html</a></li></ol>



# Exhibit A – Downtown Parcel Inventory

## Downtown Redevelopment Plan—Norwood Young America



### Inventory of Parcels - Historic Downtown Young America

PID	Address	Year Built	Total Valuation 2018	Acreage	Building Material	Roof Type	Stories	Owner Occupied	Tax Class	Use
58.670.0200	310 Elm Street West	2009			Brick, Block, Vinyl	Gable	4	Yes	Municipal	City Hall/Senior Housing
58.050.0620	122 Union Street North	Not Available	\$205,400	0.11	Wood	Gable	2	No	Multi-family residential	Apartments
58.050.0610	116 Union Street North	Not Available	\$134,400	0.03	Brick	Gable	2	No	Commercial/Residential	Salon and Apartment
58.050.0560	224 Elm Street West	1892	\$118,200	0.06	Brick	Gable	2	Yes	Commercial	Quilt Shop and Apartment
58.050.0570	220 Elm Street West	1973	\$170,000	0.06	Vinyl	Flat	1	Yes	Commercial/Residential	Salon and Apartments
58.050.0580	Not Available	Vacant Land	\$18,400	0.26	N/A	N/A	N/A	Yes	Vacant - Municipal	Parking Lot
58.050.0590	214 Elm Street West	Not Available	\$238,600	0.14	Brick and Block	Gable	1.5	Yes	Commercial	Accountant Office
58.050.0600	210 Elm Street West	Not Available	\$151,200	0.12	Brick, Wood, Vinyl	Gable and Flat	2	No	Commercial/Residential	Vacant and Apartments
58.050.0550	116 Morse Street N	1890	\$96,600	0.09	Wood	Gable	1	Yes	Single Family Residential	House





## Exhibit A – Downtown Parcel Inventory

### Downtown Redevelopment Plan—Norwood Young America

PID	Address	Year Built	Total Valuation 2018	Acreage	Building Material	Roof Type	Stories	Owner Occupied	Tax Class	Use
58.050.0540	110 Morse Street N	1880	\$123,900	0.07	Vinyl	Gable	2	No	Single Family Residential	Apartments
58.050.0500	124 Elm Street West	Not Available	\$55,900	0.05	Block and Wood	Gable	1.5	Yes	Commercial	Insurance Office
58.050.0490	120 Elm Street West	1890	\$99,700	0.15	Wood	Gable	2	Yes	Single Family Residential	House
58.050.0530	Not Available	Vacant Land	\$12,400	0.04	N/A	N/A	N/A	No	Vacant - Residential	Vacant Land
58.050.0510	114 Elm Street West	Not Available	\$59,100	0.02	Brick, Block, Vinyl	Gable	1.5	Yes	Commercial	Unknown
58.050.0520	110 Elm Street West	Not Available	\$250,600	0.07	Brick and Wood	Flat	2	No	Multi-family residential	Apartments
58.050.0080	115 Elm Street West	1885	\$124,900	0.17	Vinyl	Gable	2	Yes	Single Family Residential	House
58.050.0090	119 Elm Street West	1885	\$96,600	0.17	Wood	Gable	1.5	Yes	Single Family Residential	House
58.050.0100	123 Elm Street West	1890	\$128,700	0.17	Vinyl	Gable	2	No	Multi-family residential	Apartments
58.050.0110	127 Elm Street West	Not Available	\$126,500	0.17	Stucco	Gable	1.5	No	Commercial	Unknown



# Exhibit A – Downtown Parcel Inventory

## Downtown Redevelopment Plan—Norwood Young America

PID	Address	Year Built	Total Valuation 2018	Acreage	Building Material	Roof Type	Stories	Owner Occupied	Tax Class	Use
58.050.0180	211 Elm Street West	1900	\$114,900	0.07	Vinyl	Gable	2	Yes	Single Family Residential	House
58.050.0170	215 Elm Street West	Not Available	\$72,700	0.09	Brick and Wood	Flat	1	No	Commercial	Unknown
58.050.0190	219 Elm Street West	Not Available	\$225,700	0.17	Vinyl and Brick	Gable and Flat	2	No	Residential/Commercial	Apartments/Vacant
58.050.0200	221 Elm Street West	1931	\$94,100	0.11	Stucco and Brick	Gable	2	No	Commercial	Vacant – Built by Leo Molitor. Old theater.
58.050.0210	223 Elm Street West	Not Available	\$57,900	0.08	Brick	Flat	1	No	Commercial	Vacant
58.050.0220	225 Elm Street West	Not Available	\$81,800	0.1	Brick	Flat	1	No	Commercial	Dog Groomer/Vacant
58.050.0230	227 Elm Street West	1890	\$170,000	0.21	Vinyl	Gable	2	Yes	Single Family Residential	House
58.050.0290	Not Available	Vacant Land	\$23,100	0.17	N/A	N/A	N/A	No	Commercial	Gravel Parking Lot
58.050.0300	315 Elm Street West	Not Available	\$49,800	0.06	Wood and Block	Flat	1.5	No	Commercial	Vacant
58.050.0310	319 Elm Street West	Not Available	\$119,700	0.1	Brick	Flat	2	No	Commercial/Residential	Apartments/Vacant



## Exhibit A – Downtown Parcel Inventory

### Downtown Redevelopment Plan—Norwood Young America

PID	Address	Year Built	Total Valuation	Acreage	Building Material	Roof Type	Stories	Owner Occupied	Tax Class	Use
58.050.0380	321 Elm Street West	Not Available	\$117,900	0.09	Stucco and Brick	Flat	1	Yes	Industrial	Wood Flooring
58.050.0320	323 Elm Street West	Vacant Land	\$6,700	0.08	N/A	N/A	N/A	Yes	Commercial	Gravel Parking Lot
58.050.0330	325 Elm Street West	1900	\$166,900	0.1	Brick and Vinyl	Gable	2	Yes	Commercial/Residential	Bar/Apartment
58.050.0340	327 Elm Street West	1962	\$400,700	0.17	Brick	Flat	2	Yes	Municipal	Fire Station/Community Room
58.050.0350	327 Elm Street West	Vacant Land	\$17,800	0.06	N/A	N/A	N/A	Yes	Municipal	Parking Lot
<b>Total</b>			<b>\$3,930,800</b>	<b>3.61</b>						



# Exhibit A – Downtown Parcel Inventory

## Downtown Redevelopment Plan—Norwood Young America



### Inventory of Parcels - Historic Downtown Young America

PID	Address	Year Built	Total Valuation	Acreage	Building Material	Roof Type	Stories	Owner Occupied	Tax Class	Use
58.051.0270	7 1st Street NE	1951	\$117,400	0.23	Vinyl	Gable	1	No	Single family residential	House
58.051.0280	14 Main Street East	1938	\$156,400	0.23	Wood & stone	Gable	1.5	Yes	Single family residential	House
58.051.0290	10 Main Street East	1919	\$154,000	0.23	Wood	Gable	1.5	Yes	Single family residential	House
58.051.0300	24 Main Street East	1890	\$143,700	0.23	Wood	Gable	2	Yes	Single family residential	House
58.051.0310	18 Main Street East	1961	\$137,300	0.17	Wood	Gable	1	No	Single family residential	House
58.051.0320	17 1st Street NE	1981	\$149,800	0.17	Vinyl	Gable	1	Yes	Single family residential	House
58.051.0330	19 1st Street NE	1900	\$104,000	0.05	Wood & stone	Gable	1.5	Yes	Single family residential	House
58.051.0340	19 1st Street NE	Not Available	Not Available	0.05	Metal & Wood	Gable & Hoop	1	Yes	Single family residential	Storage
58.051.0350	102 Main Street East	1964	\$833,100	0.39	Brick	Flat & Gable	1	Yes	Institutional	Museum/food shelf
58.051.0360	106 Main Street East	1910	\$174,600	0.3	Vinyl	Gable	2	Yes	Single family residential	House



## Exhibit A – Downtown Parcel Inventory

### Downtown Redevelopment Plan—Norwood Young America

PID	Address	Year Built	Total Valuation	Acreage	Building Material	Roof Type	Stories	Owner Occupied	Tax Class	Use
58.051.0370	110 Main Street East	1948	\$119,500	0.13	Stucco	Flat	1	Yes	Commercial and residential	Hair Salon/Apartment
58.051.0390	114 Main Street East	1880	\$157,100	0.22	Vinyl	Gable	2	Yes	Single family residential	House
58.051.0380	118 Main Street East	Not Available	\$122,900	0.16	Vinyl and Wood	Gable	1	Yes	Commercial	Bar
58.051.0460	202 Main Street East	Not Available	\$129,000	0.18	Wood	Gable	2	No	Multi-family residential	Apartment
58.051.0440	216 Main Street East	1881	\$126,000	0.17	Brick and Wood	Gable	2	No	Commercial and residential	Vacant
58.051.0450	220 Main Street East	1940	\$65,800	0.07	Metal, Brick and Wood	Gable	1	Yes	Commercial	Plumbing business storage
58.051.0470	224 Main Street East	Not Available	\$256,700	0.14	Vinyl	Gable and Flat	2	No	Multi-family residential	Apartment
58.051.0490	228 Main Street East	Not Available	\$48,100.00	0.1	Block and vinyl	Flat	1	Yes	Commercial	Laundromat
58.051.0500	232 Main Street East	1973	\$89,200.00	0.13	Metal	Gable	1	No	Commercial	Vacant



## Exhibit A – Downtown Parcel Inventory

### Downtown Redevelopment Plan—Norwood Young America

PID	Address	Year Built	Total Valuation	Acreage	Building Material	Roof Type	Stories	Owner Occupied	Tax Class	Use
58.051.0530	304 Main Street East	1980	\$248,600	0.45	Brick	Gable	1	No	Commercial	Vacant
58.051.0570	315 Main Street East	1900	\$101,200	0.18	Wood	Gable	1.5	No	Single family residential	House
58.051.0580	10 3rd Avenue SE	1904	\$4,600	0.05	Brick	Flat	2	No	Single family residential	Vacant
58.051.0610	18 3rd Avenue SE	1865	\$343,900	0.42	Metal, Brick and Wood	Gable	2	No	Commercial	Home décor and antique store
58.051.0600	24 3rd Avenue SE	Not Available	\$188,500	0.35	Metal	Gable	1.5	Yes	Municipal	Public Works
58.076.0090	No Address	Vacant Land	\$36,600	0.46	N/A	N/A	N/A	Yes	Municipal	Public Works
58.051.0690	23 3rd Avenue SE	Not Available	\$317,800	0.23	Metal	Gable	1.5	Yes	Municipal	Fire Station
58.051.0700	19 3rd Avenue SE	1923	\$162,800	0.29	Wood	Gable	1.5	Yes	Single family residential	House
58.051.0710	15 3rd Avenue SE	1904	\$103,400	0.17	Vinyl	Gable	1.5	Yes	Single family residential	House
58.051.0720	11 3rd Avenue SE	Not Available	\$74,400	0.21	Metal and block	Gable	1	No	Industrial	Vacant



## Exhibit A – Downtown Parcel Inventory

### Downtown Redevelopment Plan—Norwood Young America

PID	Address	Year Built	Total Valuation	Acreage	Building Material	Roof Type	Stories	Owner Occupied	Tax Class	Use
58.051.0730	223 Main Street East	1910	\$212,900	0.17	Brick, block, stucco	Flat and Gable	2	Yes	Commercial/ Residential	Bar and House
58.051.0740	217 Main Street East	Not Available	\$88,500	0.08	Wood	Gable	2	No	Commercial/ Residential	Apartment and Vacant
58.051.0640	213 Main Street East	1920	\$177,700	0.12	Wood	Gable	2	No	Multi-family residential	Apartment
58.051.0650	209 Main Street East	1891	\$75,800	0.1	Wood, brick, stucco	Flat and Gable	2	No	Commercial	Vacant
58.051.0660	16 2nd Avenue SE	1896	\$153,800	0.21	Wood	Gable	2	Yes	Single family residential	House
58.051.0630	205 Main Street East	1900	\$44,300	0.05	Brick	Flat	2	Yes	Single family residential	House
58.051.0620	201 Main Street East	Not Available	\$283,400	0.18	Stucco and wood	Gable	2	No	Multi-family residential	Apartment
58.051.0790	15 2nd Avenue SE	Not Available	\$35,800	0.17	Metal	Gable	1	Yes	Industrial	Vehicle repair and storage
58.051.0800	115 Main Street East	Not Available	\$301,300	0.47	Metal	Gable	1	Yes	Industrial	Vehicle repair and storage



## Exhibit A – Downtown Parcel Inventory

### Downtown Redevelopment Plan—Norwood Young America

PID	Address	Year Built	Total Valuation	Acreage	Building Material	Roof Type	Stories	Owner Occupied	Tax Class	Use
58.051.0760	105 Main Street East	Not Available	\$240,400	0.23	Wood	Gable and Flat	2	No	Commercial/Residential	Vacant
58.051.0750	101 Main Street East	1900	\$137,300	0.23	Wood	Gable	2	Yes	Single family residential	House
58.051.0770	16 1st Avenue SE	1953	\$148,100	0.23	Vinyl	Gable	1	Yes	Single family residential	House
58.051.0810	21 Main Street East	1900	\$518,500	1.49	Wood	Gable	1.5	Yes	Municipal	Willkommen Park
<b>Total</b>			<b>\$6,121,600</b>	<b>9.89</b>						





## Exhibit B- Design Guidelines

### Downtown Redevelopment Plan—Norwood Young America



**Design Guidelines** – Exhibit B includes Design Guidelines to build on the unique character of each downtown. The Guidelines include goals, proposed architectural features and suggested color palettes. They also include recommendations for infill and the addition of fencing.

At this time, these are Design Guidelines and not requirements. It is understood that some design recommendations may not apply to all properties. It may be more suitable to have renovations consistent with the era of the building construction or previous use than the historic character of the district.

Historic Downtown Young America is recommended to incorporate a stick-built German and/or Danish architecture style.

Historic Downtown Norwood is recommended to incorporate a Scandinavian and/or Danish architectural style.





110 EAST MAIN STREET



115 EAST MAIN STREET



102 EAST MAIN STREET



118 EAST MAIN STREET



114 EAST MAIN STREET



105 EAST MAIN STREET



232 EAST MAIN STREET



220 EAST MAIN STREET



21 EAST MAIN STREET



201 EAST MAIN STREET



217 EAST MAIN STREET



223 EAST MAIN STREET

## EXISTING CONDITIONS

Historic Downtown Young America



- 1** Establish a rich and vibrant small-town downtown environment that encourages pedestrian and human activity.
- 2** Maintain an appropriate scale for downtown Young America that fits the existing character of East Main Street while including space for commerce, office, and residential uses.
- 3** Develop and create structures of similar architecture quality and style to enforce the quality and character of historic downtown Young America.
- 4** Use vegetation, street furniture lighting, and signage to create a distinct character for downtown Young America.



These goals are the foundation from which the following guidelines were established. The following guidelines should be thought of as objectives or implementation steps to achieving the goals for historic downtown Young America. These standards have been established to ensure a successful, high-quality downtown environment. The purpose of establishing Design Guidelines for Historic Downtown Young America is to ensure appropriate development and redevelopment activities occur and that the vision and goals for the downtown are achieved through appropriate architectural styles and details.

## GOALS

Historic Downtown Young America



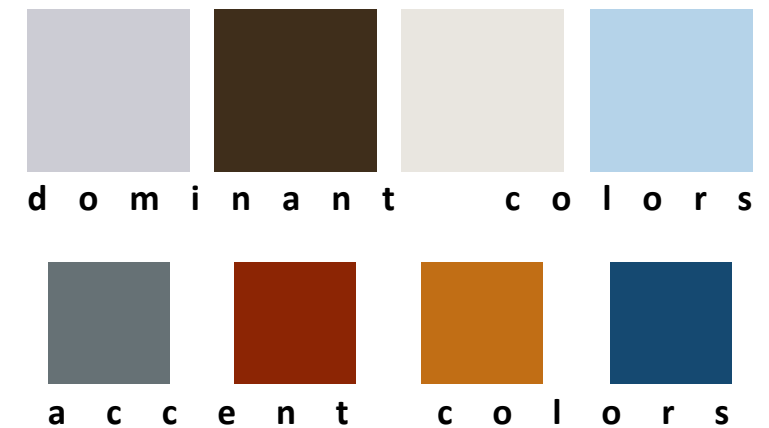
## ARCHITECTURE



Through a site site inventory and analysis several parameters were set for general character, architecture and color for the historic downtown. The images above demonstrate the architectural style, color and massing that shall dominate the downtown streetscapes. The main goal is to use common elements (i.e. color) throughout downtown to unit the users and create a more uniform frontage. The following Guidelines shall apply to the historic downtown Young America.

Rich colors with muted tones should be used on structures throughout the historic downtown. Dominant colors on structures should be muted rich tones. For example, chocolate brown, burgundy, slate blue, and taupe. Non-dominant colors could be more diverse, but should not be more than 20-percent of a buildingfront. Primary colors may be used as accents provided they are consistent with and do not exceed 20-percent of the facade.

## COLOR



## ARCHITECTURAL ELEMENTS

Historic Downtown Young America



## ARCHITECTURE - ELEMENTS & CHARACTERISTICS

The sketch and pictures identify the appropriate style of architecture for the historic downtown of Young America. The downtown architecture should create a special and unique environment and should feel different than the surrounding environment.



The sketch and example pictures demonstrate a mix of architecture styles, including a neo-traditional structure as well as a stick-built traditional Danish structure. All images include the following characteristics that unite them and make them appropriate for Downtown:

- High percentage of glass at the street level makes them inviting and adds an element of transparency.
- Architectural details including the parapets, cornices, window casings and sashes, and roof lines all have clean lines.
- Clearly identified structures and signage affixed to the facade of the structure is recommended all buildings in the Downtown District.



## ARCHITECTURAL ELEMENTS

Historic Downtown Young America



## ARCHITECTURE

Objective: To create an environment with an architectural palette that is cohesive and unique to historic downtown Young America.

Individual storefronts and separation between structures (perceived or literal) should dominate the downtown. Mixed-use structures, when stacked, are appropriate for the downtown provided the scales does not exceed two and a half stories.

The stick-build German and/or Danish architectural style shall dominate the downtown. Neo-traditional structures are appropriate provided color and scale matches the downtown character. If architectural styles of adjacent structures are different, common elements such as window style or color should be used to help create a more cohesive street frontage.

Buildings and structures shall have a distinct and varying roof line to encourage interest and variety. Structures shall have a district entry to clearly delineate the entrance users.

The first level of all structures shall have a transparent facade that is interesting and inviting.

Four-sided architecture is recommended particularly for structures with double frontage (i.e. corner lot), or visibility from major thoroughfares.



## ARCHITECTURAL ELEMENTS

Historic Downtown Young America



# MATERIALS

It is the objective of the City to use high-quality materials that are warm, welcoming and sturdy throughout the Downtown District. High-quality traditional materials for structures (wood, brick, stucco, hardie, stone, etc.) are recommended for all structures.

The following material breakdown is recommended for all structures:

Street Level (Calculation includes parapet and false fronts for single-story structures):

Fenestration/Windows:	60% Minimum
Wood/Brick/Stone/Hardie:	35% Minimum
EIFS/Aluminum/Other:	5% Maximum

2nd Level (Calculation includes parapets and false fronts):

Fenestration/Windows:	40% Minimum
Wood/Brick/Stone/Hardie:	50% Minimum
EIFS/Aluminum/Other:	10% Maximum

The residential scale should be compatible with the scale and massing of adjacent commercial and/or office uses. All residential areas are open to discussion for material breakdown recommendations.

Clearly marked, welcoming entrances shall be recommended for all retail and office space in the Downtown District. All doors shall have a minimum of 50% of their area transparent (i.e. glass).



## ARCHITECTURAL ELEMENTS



## SCALE & MASSING

Architectural style and quality will directly influence scale and massing because style and height restrictions will naturally control the size and location of a structure. Additional parameters as set forth below shall also guide development in Downtown.

There should be no more than half ( ½ ) story difference between structures on the street to create some visual consistency.

Parapets and false fronts may be used to achieve greater consistency along the street frontage.

Parapets and false fronts will be included in materials calculations on the façade. These areas must include architectural detail, and/or fenestration to add visual interest to a façade.

Building space can be literal or perceived. (See Image) Buildings may be connected, but the illusion of spacing must be created to eliminate the appearance of a strip mall or connected multi-use structures.

Architectural detailing and fenestration should be used to reduce large expanses of walls without interest.

Buildings shall be a minimum of 15-feet wide but should be no larger than 40-feet wide; each user must have a minimum of 15-feet of frontage at the street-level.

Structures shall be no taller than 2.5 stories (35-feet maximum), where the half story is attributed to a parapet, false front, or roof pitch.



The above images represent the existing and appropriate scale and massing for the historic downtown of Young America. Parapets, false fronts and facade treatment help to break up the mass of structures and to create a quaint downtown feel.

## ARCHITECTURAL ELEMENTS



## SIGNAGE

A sign package should be created that allows each user the creativity to clearly define their space, but to do so in a manner that creates a visually appealing street frontage. Clear communication, as well as an aesthetic that caters to the small-town flavor shall be recommended in all sign packages.

All proposed signage should meet the current sign ordinance. In addition to these recommendations, the following standards shall be applied to signs within the Downtown District.

Clean, elegant signage with small town character. Materials and scale should reflect the materials and scale of each user.

Supplemental signs are acceptable in this District, including sandwich boards and projecting signs.

Wall signage (i.e. signage affixed to the structure and flush with the façade) is recommended to ensure visibility of each user.

The following recommendations shall apply to the signage package for each user:

- **Area:** The total signage package shall not exceed 15-percent of the total façade area. This area includes the primary wall sign, supplemental signs including sandwich boards, projecting signs, and window signage.
- **Sign Materials:** Primary material should be wood. EIFS may also be included but will be calculated against materials recommendations. Other materials include metals such as aluminum or wrought iron.
- **Lighting:** All signs within the Downtown District must have secondary lighting. Internal lighting is not acceptable. This includes neon signs which are also not permitted. Backlit signs are appropriate provided they meet lighting standards set forth in the City's zoning code. Light pollution should be reduced when possible and energy reducing light fixtures used when possible.

Users should consider the scale and size of the sign package, and should develop a package that is complimentary to the user and the overall City character. A full signage package should be submitted for review during initial submittal of each project. This package will be reviewed by the Planning Commission or other design review commissions as identified by the City.



## ARCHITECTURAL ELEMENTS

Historic Downtown Young America



## OFF-STREET PARKING INFILL

Off-street parking lot areas and vacant parcels shall be reduced and infilled wherever possible. Off-street parking lot widths shall be encouraged to reduce drive aisles to one per parking lot with two parking stall aisles on either side. Wherever an off-street parking lot or vacant parcel of land is to remain, permanent ornamental fencing and/or vertical landscaping shall be implemented at the front perimeter to create a clearly defined street frontage and pedestrian walkway in the downtown district.



Downtown Young America currently has implemented on-street parking and minimized off-street parking lots in the downtown district that are visible to the central street frontage. There are no current vacant parcels of land and/or off-street parking lots that must be reduced or infilled. These design guidelines shall serve as future development instructions for the downtown district.





**122 NORTH UNION STREET**



**314 ELM STREET WEST**



**315 ELM STREET WEST**



**224 ELM STREET WEST**



**224 ELM STREET WEST**



**219 ELM STREET WEST**



**VACANT PARKING LOT ELM STREET W.**



**325 ELM STREET WEST**



**221 ELM STREET WEST**



**215 ELM STREET WEST**



**110 ELM STREET WEST**



**210 ELM STREET WEST**

## EXISTING CONDITIONS

Historic Downtown Norwood



- 1** Establish a rich and vibrant small-town downtown environment that encourages pedestrian and human activity.
- 2** Maintain an appropriate scale for downtown Norwood that fits the existing character of Elm Street West while including space for commerce, office, and residential uses.
- 3** Develop and create structures of similar architecture quality and style to enforce the quality and character of historic downtown Norwood.
- 4** Use vegetation, street furniture lighting, and signage to create a distinct character for downtown Norwood.



These goals are the foundation from which the following guidelines were established. The following guidelines should be thought of as objectives or implementation steps to achieving the goals for historic downtown Young America. These standards have been established to ensure a successful, high-quality downtown environment. The purpose of establishing Design Guidelines for Historic Downtown Norwood is to ensure appropriate development and redevelopment activities occur and that the vision and goals for the downtown are achieved through appropriate architectural styles and details.

## GOALS



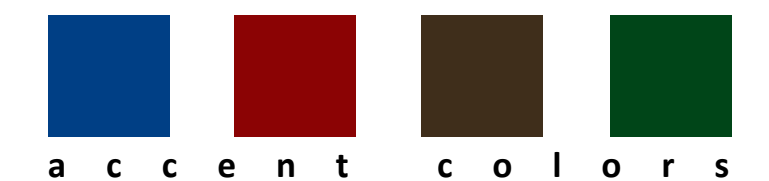
## ARCHITECTURE



Through a site site inventory and analysis several parameters were set for general character, architecture and color for the historic downtown. The images above demonstrate the architectural style, color and massing that shall dominate the downtown streetscapes. The main goal is to use common elements (i.e. color) throughout downtown to unit the users and create a more uniform frontage. The following Guidelines shall apply to the Historic Downtown Norwood.

Rich colors with muted tones should be used on structures throughout the historic downtown. Dominant colors on structures should be muted rich tones. For example, light blue, beige, light grey, and chestnut. Non-dominant colors could be more diverse, but should not be more than 20-percent of a buildingfront. Primary colors may be used as accents provided they are consistent with and do not exceed 20-percent of the facade.

## COLOR



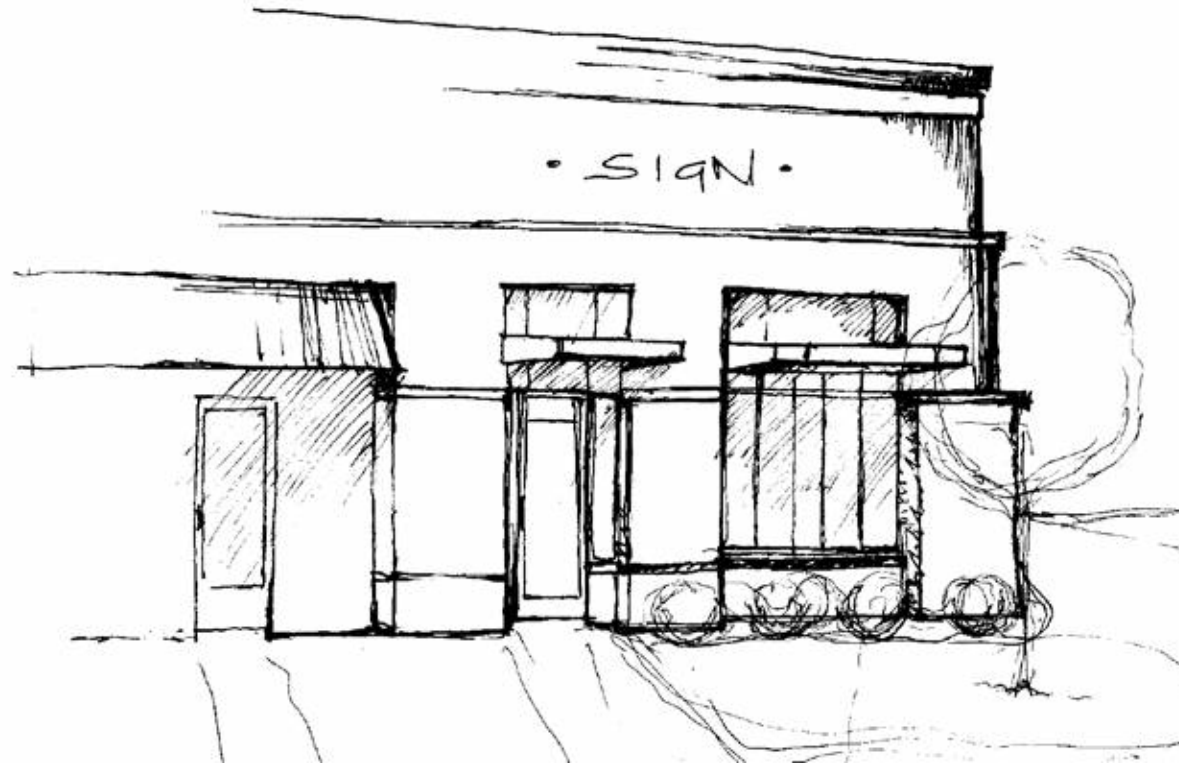
## ARCHITECTURAL ELEMENTS

Historic Downtown Norwood



## ARCHITECTURE - ELEMENTS & CHARACTERISTICS

The sketch and pictures identify the appropriate style of architecture for the historic downtown of Norwood. The downtown architecture should create a special and unique environment and should feel different than the surrounding environment.



The sketch and example pictures demonstrate a mix of architecture styles, including a neo-traditional structure as well as a stick-built traditional structure. All images include the following characteristics that unite them and make them appropriate for Downtown:

- High percentage of glass at the street level makes them inviting and adds an element of transparency.
- Architectural details including the parapets, cornices, window casings and sashes, and roof lines all have clean lines.
- Clearly identified structures and signage affixed to the facade of the structure is recommended all buildings in the Downtown District.



## ARCHITECTURAL ELEMENTS

Historic Downtown Norwood



## ARCHITECTURE

Objective: To create an environment with an architectural palette that is cohesive and unique to historic downtown Norwood.

Individual storefronts and separation between structures (perceived or literal) should dominate the downtown. Mixed-use structures, when stacked, are appropriate for the downtown provided the scales does not exceed two and a half stories.

The stick-build Scandinavian and/or Danish architectural style shall dominate the downtown. Neo-traditional structures are appropriate provided color and scale matches the downtown character. If architectural styles of adjacent structures are different, common elements such as window style or color should be used to help create a more cohesive street frontage.

Buildings and structures shall have a distinct and varying roof line to encourage interest and variety. Structures shall have a district entry to clearly delineate the entrance users.

The first level of all structures shall have a transparent facade that is interesting and inviting.

Four-sided architecture is recommended particularly for structures with double frontage (i.e. corner lot), or visibility from major thoroughfares.



## ARCHITECTURAL ELEMENTS

Historic Downtown Norwood



## MATERIALS

It is the objective of the City to use high-quality materials that are warm, welcoming and sturdy throughout the Downtown District. High-quality traditional materials for structures (wood, brick, stucco, hardie, stone, etc.) are recommended for all structures.

The following material breakdown is recommended for all structures:

Street Level (Calculation includes parapet and false fronts for single-story structures):

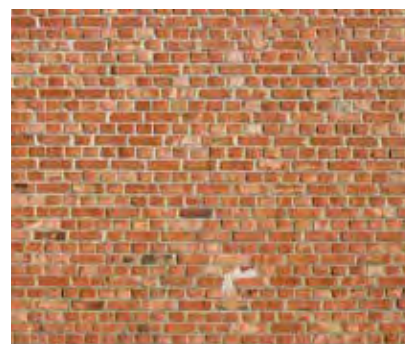
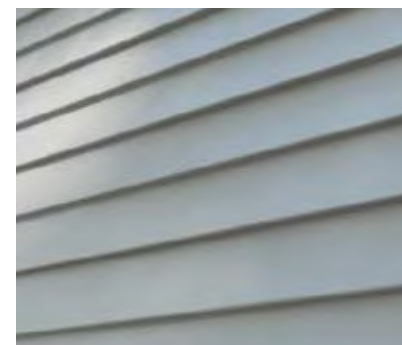
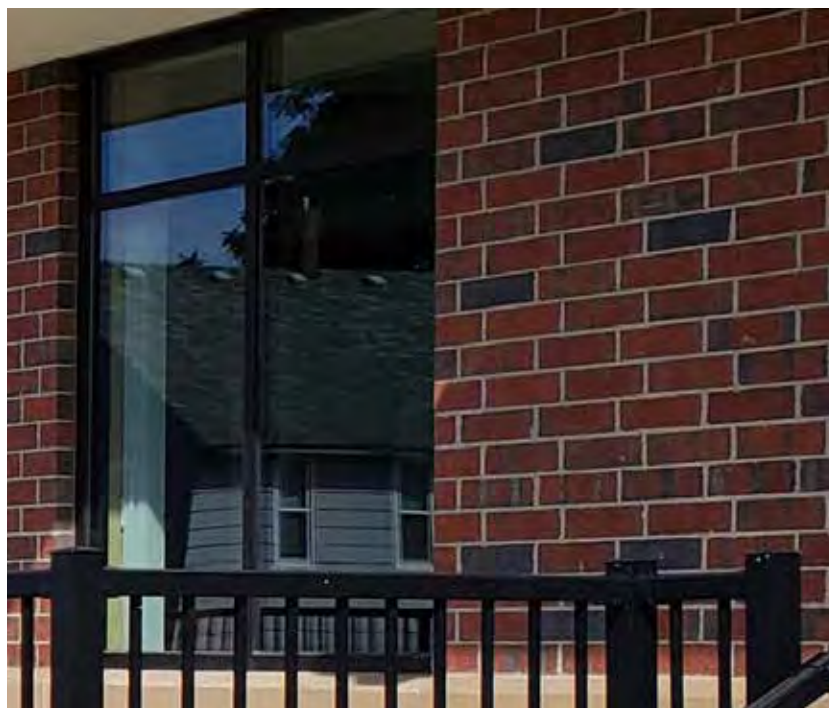
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Wood/Brick/Stone/Hardie:	35% Minimum
EIFS/Aluminum/Other:	5% Maximum

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Fenestration/Windows:	40% Minimum
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The residential scale should be compatible with the scale and massing of adjacent commercial and/or office uses. All residential areas are open to discussion for material breakdown recommendations.

Clearly marked, welcoming entrances shall be recommended for all retail and office space in the Downtown District. All doors shall have a minimum of 50% of their area transparent (i.e. glass).



## ARCHITECTURAL ELEMENTS

## SCALE & MASSING

Architectural style and quality will directly influence scale and massing because style and height restrictions will naturally control the size and location of a structure. Additional parameters as set forth below shall also guide development in Downtown.

There should be no more than half (  $\frac{1}{2}$  ) story difference between structures on the street to create some visual consistency.

Parapets and false fronts may be used to achieve greater consistency along the street frontage.

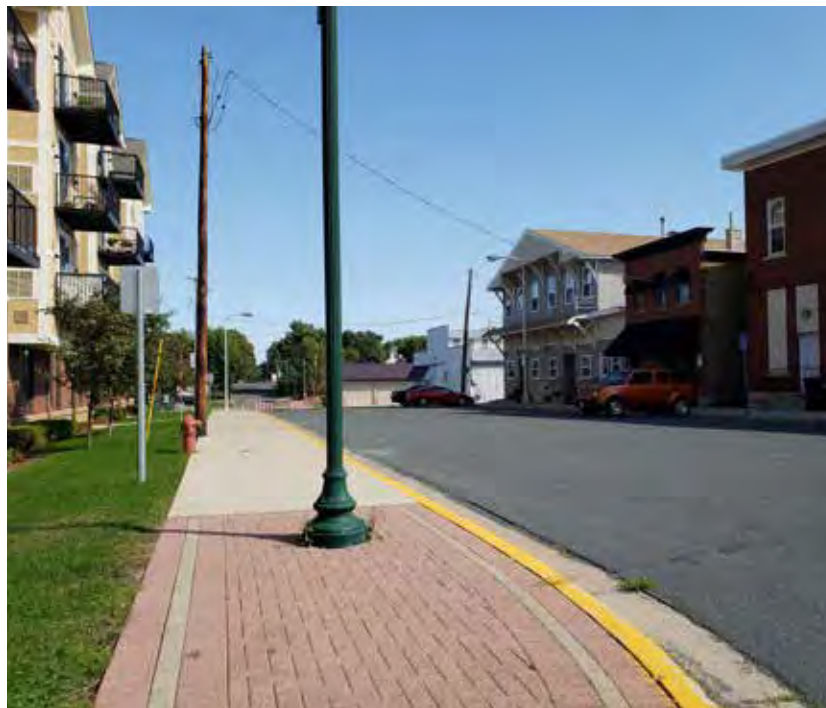
Parapets and false fronts will be included in materials calculations on the façade. These areas must include architectural detail, and/or fenestration to add visual interest to a façade.

Building space can be literal or perceived. (See Image) Buildings may be connected, but the illusion of spacing must be created to eliminate the appearance of a strip mall or connected multi-use structures.

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Structures shall be no taller than 2.5 stories (35-feet maximum), where the half story is attributed to a parapet, false front, or roof pitch.



The above images represent the existing and appropriate scale and massing for the historic downtown of Norwood. Parapets, false fronts and facade treatment help to break up the mass of structures and to create a quaint downtown feel.



## SIGNAGE

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All proposed signage should meet the current sign ordinance. In addition to these recommendations, the following standards shall be applied to signs within the Downtown of Norwood.

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Users should consider the scale and size of the sign package, and should develop a package that is complimentary to the user and the overall City character. A full signage package should be submitted for review during initial submittal of each project. This package will be reviewed by the Planning Commission or other design review commissions as identified by the City.



## ARCHITECTURAL ELEMENTS

Historic Downtown Norwood



## OFF-STREET PARKING INFILL

Off-street parking lot areas and vacant parcels shall be reduced and infilled wherever possible. Off-street parking lot widths shall be encouraged to reduce drive aisles to one per parking lot with two parking stall aisles on either side. Wherever an off-street parking lot or vacant parcel of land is to remain, permanent ornamental fencing and/or vertical landscaping shall be implemented at the front perimeter to create a clearly defined street frontage and pedestrian walkway in the downtown district.



The off-street parking lot and vacant parcel of land shown above demonstrate examples of land that may be infilled or implemented with permanent ornamental fencing and/or vertical landscaping at the street frontage perimeters to clearly define appropriate setbacks for the downtown district.





## IMPLEMENTATION OF DESIGN GUIDELINES

The implementation of these standards is critical to the overall success of these Guidelines. As stated previously, these standards are Guidelines and are meant to help future builders and developers understand the goals and aspirations with respect to design in the community. The City is committed to creating an identity and strong sense of place through design. The City does not want to limit creativity or unique development that might have a place in the community, which is why these Guidelines are designed to be general and broad, therefore creating opportunities for great design.

Although creativity and individuality is encouraged, these Guidelines must be enforced as a minimum standard throughout each District. The images and sketches throughout the document visually represent the character for the community. These images are not literal interpretations of the Historic Downtowns of Norwood and Young America, but they do suggest the direction of future design for the community.

Implementation of these Guidelines will occur in several ways and will affect a builder and developer at a variety of different times throughout the planning and design process. First and foremost, zoning and land use plays a role in these Guidelines and it is the responsibility of the developer or builder to understand how these regulations and the Guidelines work together.



## IMPLEMENTATION

*Historic Downtown of Norwood & Young America*



## Exhibit C – Sample Historic Property Form

### Downtown Redevelopment Plan—Norwood Young America



## Property History Form

Address: \_\_\_\_\_

Insert picture of  
historic structure

Date of Photo: \_\_\_\_\_

Historic Use (s)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Previous Owner(s)

\_\_\_\_\_  
\_\_\_\_\_

Insert current  
picture of structure

Date of Photo: \_\_\_\_\_

Current Use (s)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Current Owner(s)

\_\_\_\_\_  
\_\_\_\_\_

Other Information (such as unique history,  
years modified, etc.): \_\_\_\_\_





TO: Planning Commission

FROM: Steven Helget, City Administrator

DATE: March 5, 2019

SUBJECT: Schedule Special Planning Commission Meeting

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Requested is the Planning Commission schedule a special meeting for the purpose of holding a public hearing on the 2040 Comprehensive Plan update and to consider recommending adoption to the City Council.

**Suggested Motion:**

**Motion to schedule a special Planning Commission meeting for 6:00 p.m., March 12, 2019 for the purpose of holding a public hearing on the 2040 Comprehensive Plan update.**



To: Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

From: Cynthia Smith Strack, Municipal Development Group, Inc.

Date: March 5, 2019

Re: 2040 Comprehensive Plan Review

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**BACKGROUND**

The Planning Commission is to review the draft 2040 Comprehensive Plan Update. Senior Associate Planner Stephanie Falkers from SRF Consulting Group is the consultant leading the update. Ms. Falkers will be present at the March 7<sup>th</sup> Planning Commission meeting. Commissioner Grundahl service on the Comp Plan update steering committee.

Following is a link to the 2040 Update:

[https://srfconsultinggroup-my.sharepoint.com/:f/q/personal/sfalkers\\_srfconsulting\\_com/Euyv2yQ7of5Et49nJH9i5xsBOZiTz0suej1ie67DZe9Tkg?e=6vp79R](https://srfconsultinggroup-my.sharepoint.com/:f/q/personal/sfalkers_srfconsulting_com/Euyv2yQ7of5Et49nJH9i5xsBOZiTz0suej1ie67DZe9Tkg?e=6vp79R)

**ACTION**

Input on the 2040 plan is requested.

February 27, 2019

Steve Helget, City Administrator  
310 Elm St W  
P.O. Box 59  
Norwood Young America, MN 55368

SUBJECT: Norwood Young America 2040 Comprehensive Plan  
MnDOT Review #CPA19-009  
City of Norwood Young America, Carver County

Dear Mr. Helget:

MnDOT has reviewed the draft 2040 update of the Norwood Comprehensive Plan submitted 2/7/19 and offers the following comments:

***Traffic***

The traffic volumes shown on page 68 in Table 19 for US 212 and MN 5 are from 2014 and 2015. Traffic volume information for these highways is also available for the years 2016 and 2017 via this link: <http://mndotgis.dot.state.mn.us/tfa/Map>. This more recent traffic volume data could be incorporated into Table 19 to provide a more current picture of traffic in the 2015-2016 timeframe.

Regarding the Future Roadway Concept on Figure 20 presented on page 79: It appears that the section of MN 5/25 where both highways run concurrently is shown as being realigned to the west as a new A Minor Arterial connection (dark blue dashed line). MnDOT anticipates that with the future roundabout at the intersection of MN 5 and CSAH 33, the north/south portion of MN 5/25 north of US 212 will remain as an A-Minor Arterial, as shown on Figure 14. However, there are no future MnDOT projects planned to create such a new alignment for MN 5/25. MnDOT suggests that the future roadway concept for this segment of MN 5/25 could be shown in Figure 20 as a green dashed line and labeled as a future major collector. This would also apply to the light blue dashed line that continues south at Railroad Street.

Please direct questions regarding traffic to Matt Engstrom of MnDOT's Metro District Engineering Section at 651-234-7724 or [Matthew.Engstrom@state.mn.us](mailto:Matthew.Engstrom@state.mn.us).

***Bicycle and Pedestrian Facilities***

MnDOT suggests that the plan clearly identify the location of the planned pedestrian underpass under US 212. Currently, the plan says the underpass will be "near Morse Street." MnDOT recommends that the description of the underpass location reflects the currently proposed location, which is between Reform and Morse Streets.

Please direct questions regarding bicycle and pedestrian facilities to Cameron Muhic of MnDOT's Metro District Planning Section at 651-234-7797 or [Cameron.Muhic@state.mn.us](mailto:Cameron.Muhic@state.mn.us).

### ***Review Submittal Options***

MnDOT's goal is to review proposed development plans and documents within 30 days of receipt. Electronic file submittals are typically processed more rapidly. There are four submittal options:

1. Email documents and plans in .pdf format to [metrodevreviews.dot@state.mn.us](mailto:metrodevreviews.dot@state.mn.us). Attachments may not exceed 20 megabytes per email. If multiple emails are necessary, number each message.
2. Upload .pdf file(s) to MnDOT's external shared internet workspace site at: <https://mft.dot.state.mn.us>. Contact MnDOT Planning development review staff at [metrodevreviews.dot@state.mn.us](mailto:metrodevreviews.dot@state.mn.us) for access instructions and send an email listing the file name(s) after the documents have been uploaded.
3. Mail, courier, or hand deliver documents and plans in .pdf format on a CD-ROM compact disc to:  
MnDOT – Metro District Planning Section  
Development Reviews Coordinator  
1500 West County Road B-2  
Roseville, MN 55113
4. Submit printed documents via U.S. Mail, courier, or hand delivery to the address above. Include one set of full size plans.

You are welcome to contact me with questions at 651-234-7795.

Sincerely,



Digitally signed by David Elvin  
DN: cn=David Elvin  
Date: 2019.02.27 14:09:17  
-06'00'

David Elvin, AICP  
Senior Planner

### **Copy via E-Mail:**

Diane Langenbach, Area Engineer  
Matt Engstrom, Engineering  
Jeff Rones, Design  
Shane Rowbotham, Design  
Doug Nelson, Right of Way  
Jennifer Matti, Surveys  
Buck Craig, Permits  
Hailu Shekur, Water Resources  
Almin Ramic, Traffic Engineering  
Carl Jensen, Transit Advantages  
Mike Nelson, Surveys  
Cameron Muhic, Multi-Modal  
Russell Owen, Metropolitan Council  
Stephanie Falkers, SRF Consulting



To: Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: March 5, 2019

Re: Code Amendment: Adult Uses as Conditional Use in I-1 Light Industrial District.

---

**BACKGROUND**

The Code currently allows adult uses I-1 Light Industrial District (Section 1230.12, Subd. 4(C)) under CUP. Several I-1 lots abut Highway 212. City Administrator Helget notes concerns have been expressed pertaining to adult uses being developed on lots abutting Highway 212.

At the February meeting the Commission directed Strack to draft a code amendment for said conditional uses to be allowed only on lots not abutting Highway 212. The City Attorney approved of the PC conceptual amendment.

Please find attached sample code amendment language for consideration.

**ACTION**

Discussion is kindly requested. The Commission may call for a public hearing on the amendment if in order.



**CITY OF NORWOOD YOUNG AMERICA  
ORDINANCE NO. [REDACTED]**

**AN ORDINANCE AMENDING CHAPTER 12 OF THE CITY CODE BY  
AMENDING SECTION 1230.12, SUBD. 4(C) REGULATING ADULT USES  
AS CONDITIONAL USES IN THE I-1 LIGHT INDUSTRIAL DISTRICT.**

- I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS:**
- II. SECTION 1230.12, SUBD. 4 RELATING TO CONDITIONAL USES IN THE I-1 LIGHT INDUSTRIAL DISTRICT SHALL BE AMENDED AS FOLLOWS:**

Subd. 4 Conditional Uses. The following uses are permitted, subject to the provisions of Section 1210.06:

*Principal Uses:*

- A. Antennas, Satellite Dishes, Communication, and Radio Towers;
- B. Vocational and Technical Schools;
- C. Adult Uses **providing they are located on lots which do not abut Highway 212.**

*Accessory Uses:*

- A. Freight and Yard Equipment;
- B. Outdoor Auto, Truck, Recreational Vehicle, and Equipment Sales and Display;
- C. Outdoor Storage;
- D. Barbed-wire Fencing.

- III. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.**

Adopted by the City of Norwood Young America on the \_\_\_\_ day of \_\_\_\_\_, 2019.

Attest:

\_\_\_\_\_  
Tina Diedrick, Mayor

\_\_\_\_\_  
Kelly Hayes, City Clerk

Adopted:

Published:



To: Chairperson Heher  
Members of the Planning Commission  
Administrator Helget

From: Cynthia Smith Strack, Municipal Development Group, Inc.

Date: March 5, 2019

Re: Parks & Rec Committee Liaison

---

**BACKGROUND**

Commissioner Hallquist is unable to attend scheduled Park & Rec Committee meetings due to meeting time. A new liaison to the Park & Rec Committee is sought.

**ACTION**

Appoint liaison.



**BUILDING PERMIT REPORT - FEBRUARY****PLAN CHECK**

<b>PERMIT #</b>	<b>NAME</b>	<b>ADDRESS</b>	<b>PURPOSE</b>	<b>DATE</b>	<b>PERMIT FEE</b>	<b>FEE</b>	<b>SURCHARGE</b>	<b>VALUE</b>
2019001	Kraig Becker	925 Meadows Blvd	Solar Panels	1/24/2019	\$199.45	\$129.64	\$5.00	\$9,300.00
2019002	Jamie Manning	950 Meadows Blvd	Finish Basement	1/4/2019	\$367.25	\$199.71	\$9.50	\$16,200.00
2019003	Jeremy Bosquez	820 Fox Court	Fireplace	1/3/2019	\$60.00	\$0.00	\$1.00	\$0.00
2019004	Luke Mutcher	223 Wilson St W	Furnace	1/7/2019	\$60.00	\$0.00	\$1.00	\$0.00
2019005	Marie Nolan	119 Hill St W	Furnace	1/10/2019	\$60.00	\$0.00	\$1.00	\$0.00
2019006	Loren Engelstad	811 Martingale Dr	Furnace/AC	1/14/2019	\$120.00	\$0.00	\$2.00	\$0.00
2019007	Old National	800 Faxon Rd	2 wall signs	2/4/2019	\$137.85	\$0.00	\$3.00	\$5,600.00
2019008	Nick Sartell	118 1st Ave SE	Rewindow	1/29/2019	\$60.00	\$0.00	\$1.00	\$0.00
2019009	Ronald Tellers	414 Adams Dr W	Patio Door	1/31/2019	\$60.00	\$0.00	\$1.00	\$0.00
2019010	Barry Bowden	132 Casper St	Remodel	2/1/2019	\$199.45	\$129.64	\$5.00	\$10,000.00
2019011	NYA Apartments	404 Central Ave S	Water heater	2/4/2019	\$91.65	\$0.00	\$1.50	\$2,800.00
2019012	NYA Apartments	402 Central Ave S	Water heater	2/4/2019	\$91.65	\$0.00	\$1.50	\$2,800.00
2019013	Larry Flewelling	305 Trilane Circle	Furnace	2/21/2019	\$60.00	\$0.00	\$1.00	\$0.00
2019014	Dave Schrupp	409 Colonial Circle	Water heater	2/22/2019	\$15.00	\$0.00	\$1.00	\$0.00
2019015	Joe Stilp	596 Preserve Blvd	Furnace	2/25/2019	\$60.00	\$0.00	\$1.00	\$0.00
2019016	Brian Wachholz	765 Quail Road	Furnace/AC	2/25/2019	\$120.00	\$0.00	\$2.00	\$0.00