

City of Ramsey
Agenda
Planning Commission Work Session
Thursday, October 28, 2021
5:30 pm
Lake Itasca Room, 7550 Sunwood Drive NW

- 1. Call to Order**
- 2. Topics for Discussion**
 1. Review Ordinance Amending Digital Display Billboard Regulations
 2. Consider Ordinance #21-18 Allowing Accessory Dwelling Units on Single-Family Residential Properties
 3. Consider Ordinance #21-15 Creating Additional Requirements for Driveways and Parking Pads
 4. Discuss Ordinance #21-20 Home Occupation Revisions
- 3. Commission/Staff Input**
- 4. Adjournment**

Special Planning Commission

2. 1.

Meeting Date: 10/28/2021

By: Chloe McGuire Brigl, Community
Development

Information

Title:

Review Ordinance Amending Digital Display Billboard Regulations

Purpose/Background:

The City Council has directed Staff to move forward with amending the City Code to allow for digital display billboards along Highway 10, with the intention of leasing City-owned land to a private sign developer in order to provide visibility to businesses who may not be on Highway 10 to the numerous cars driving along Highway 10 daily. Additionally, the private company will build and lease the sign, with a discount for Ramsey businesses, and the City will make funds off the lease.

The purpose of this case is to review the proposed changes to the Sign Code. The Economic Development Authority will be working on the land lease with the company independently from this case, and the City Council will have final approval over both items.

Notification:

No notification provided for this meeting. A public hearing notice is required for this ordinance, to be held with City Council.

Observations/Alternatives:

Summary

The City Council has directed Staff to update the City Code in order to allow for digital display billboards along Highway 10. The City is planning to lease 7443 Highway 10, a currently vacant site just west of the existing monument sign, to a private company for a large digital display sign. In creating these regulations, Staff attempted to be as clear as possible, limiting the number of signs to 3 throughout the City, and covering items that other Cities include in their ordinances. The findings, purpose, and intent of the Code section is important as it sets the tone for the section and can be taken into consideration when reviewing applications (to ensure they meet the intent of the district).

This is a longer section of Code, which appears to be industry standard. Staff attempted to cut superfluous regulations where possible, but based on the significant amount of code surrounding billboards, this appears to be the required items to protect the City, drivers, and residents, while allowing businesses extra visibility on Highway 10.

Feedback Requested

- Does the Planning Commission want to limit signs to be a principal use (no building required), an accessory use (accessory to a primary building)?
 - Note: As currently written, digital billboard signs are only allowed as a primary and principal use, and can't be placed upon any site that has a building.
- All Cities appear to limit the duration of each slide, with 8 seconds appearing to be the industry standard and average. Does this timeframe appear to be sufficient?
 - Note: The existing sign code for dynamic displays (currently allowed signs are significantly smaller

than these) allows for changes every 3 seconds, with no transitions or motion videos. Since these signs are larger than currently allowed, the more restrictive regulation would prevail.

- The City allows larger than average signs under Section 117-519 (c), which notes that in the Armstrong Boulevard Interchange Overlay District, signs are allowed to be 50 feet tall and 150 sq ft total. Signs are held to a higher architectural standard here, requiring an architectural base. Should the City remove the additional allowances for signs in this overlay to reduce the number of signs?
 - Note: The Planning Commission has previously expressed concerns over "forests of signs" in the City. The proposed digital display billboards allow for visibility on Highway 10 without individual signs for each business.
- Should the City place stricter standards on Conditional Use Permits for oversized signage in the COR and along Highway 10 and direct businesses/applicants towards the digital display billboards?
 - Note: This would consolidate signage onto these central signs while maintaining the downtown feel in the COR.
- Does the distance between signs seem sufficient?
 - Note: Staff is attempting to limit the number of signs along Highway 10, but provide sufficient distance between signs so that drivers would not see more than one sign at once along the Highway 10 corridor, to reduce distraction. Under the proposed code, 3 signs would be permitted, one at each end, and one in the center.

Attachments

Attached to this case is the entirety of the Sign Code (Division 8) with proposed changes, and the new section as a standalone document. Please note the highlighted sections indicating areas where Staff would like direct feedback from the Planning Commission. Also attached to this case is a list of items to consider which notes relevant regulations from other cities in the area.

Funding Source:

Staff is handling this case as part of regular duties. One of the City's Planning Consultants, WSB, helped draft the ordinance for the City.

Recommendation:

Based on discussion. The Ordinance does need to move to City Council after this agenda to keep on track with the schedule for the billboard company.

Action:

Based on discussion.

Attachments

Proposed Billboard Overlay (Allowed Sites)

Items to Consider and Research

Entire Sign Code with Proposed Changes

Proposed New Section: Digital Billboards

Form Review

Inbox

Bruce Westby

Form Started By: Chloe McGuire Brigl

Final Approval Date: 10/22/2021

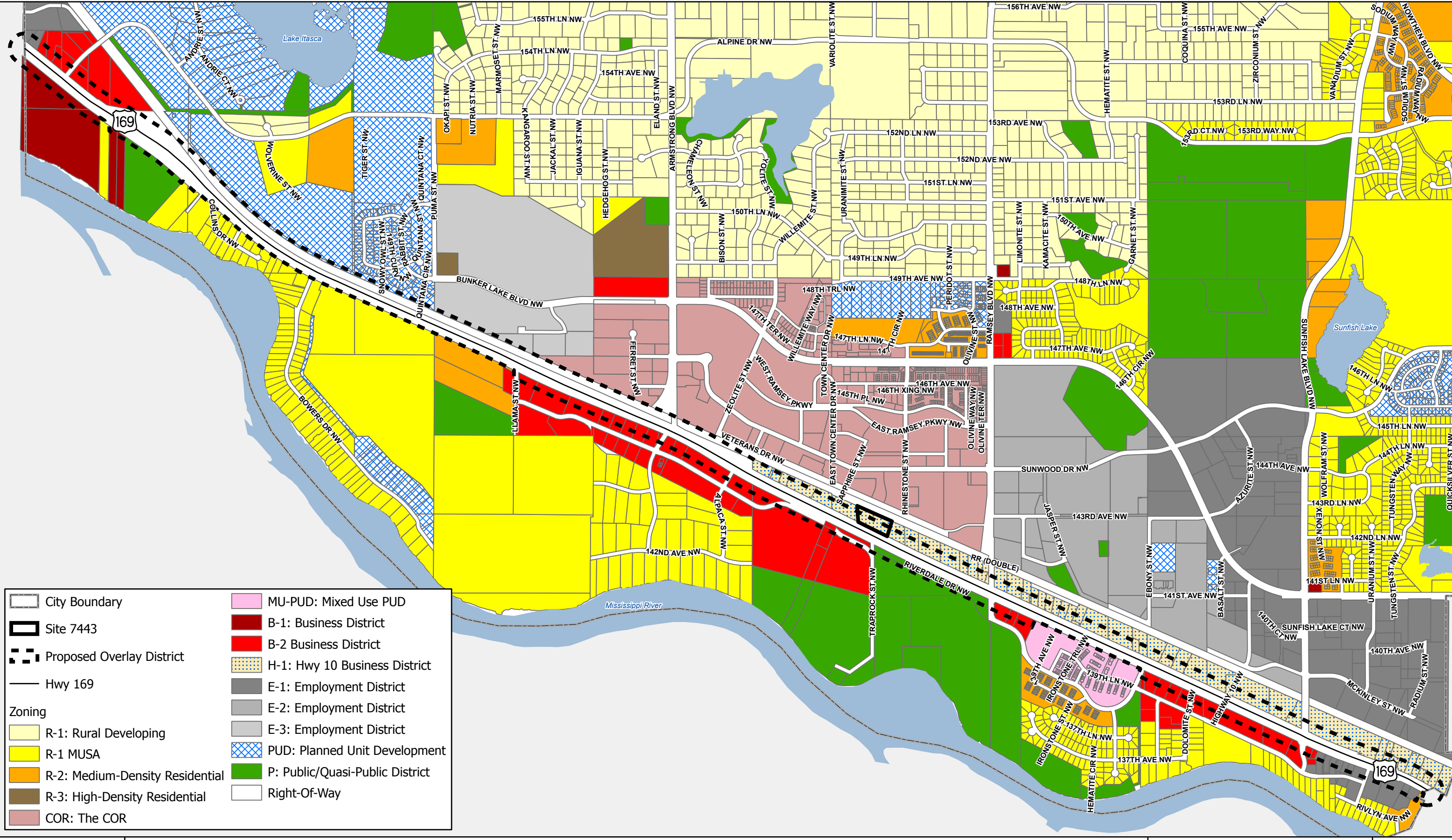
Reviewed By

Brian McCann

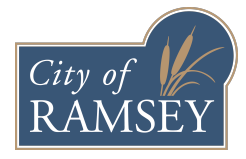
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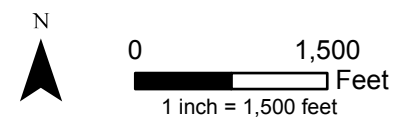
Started On: 10/22/2021 08:48 AM



	City Boundary		MU-PUD: Mixed Use PUD
	Site 7443		B-1: Business District
	Proposed Overlay District		B-2 Business District
	Hwy 169		H-1: Hwy 10 Business District
Zoning			E-1: Employment District
	R-1: Rural Developing		E-2: Employment District
	R-1 MUSA		E-3: Employment District
	R-2: Medium-Density Residential		PUD: Planned Unit Development
	R-3: High-Density Residential		P: Public/Quasi-Public District
	COR: The COR		Right-Of-Way



Project Location Map
Billboard Project
Ramsey, MN



Items to consider:

1. Timing of display change
 - a. Current code allows dynamic display signs to change every 3 seconds
 - b. IDigital suggests billboard dynamic display signs to change every 7 seconds
 - c. Champlin allows billboard dynamic display signs to change every 8 seconds
 - d. Inver Grove Heights allows billboards to change every 8 seconds
 - e. Shoreview allows billboards to change every 8 seconds
 - f. Plymouth allows dynamic display billboards to change every 8 seconds
 - g. Blaine allows billboard dynamic display signs to change every 8 seconds
 - h. Coon Rapids allows billboard dynamic display signs to change every 60 seconds
 - i. Rogers allows billboard dynamic display signs to change every 10 seconds
 - j. Brooklyn Park allows billboards that change messages every 60 seconds
 - k. Albertville allows billboard dynamic display signs to change every 8 seconds
 - l. St. Michael does not allow billboards but allows dynamic signs to change every 10 seconds
 - m. Maple Grove allows dynamic signs to change every 60 seconds
 - n. Lakeville (does not allow billboards) but allows digital display within the Freeway Corridor to change every 24 hours
 - o. Oakdale allows dynamic display signs to change every 30 seconds
2. Overlay district location or rezone
 - a. Central site with desired location is located at 7443 Highway 10 NW.
 - b. Highway 10 is approximately 7 miles within Ramsey
 - c. 250ft overlay would accomplish desired site location without calling out specific lots or limiting to City owned land
 - d. 3 permitted total within overlay could be accomplished with separation distance (utilize GIS to determine best fit sites and provide separation distance).

DIVISION 8. SIGNS

Subdivision I. In General

Sec. 117-457. Purpose.

The purpose of this division is to protect and promote the general welfare, health, safety and order within the city through the establishment of a comprehensive and impartial series of standards, regulations and procedures governing the erection, use and/or display of devices, signs or symbols serving as a visual communicative media to persons situated within or upon public rights-of-way or properties. The provisions of this division are intended to encourage creativity, a reasonable degree of freedom of choice, an opportunity for effective communication and a sense of concern for the visual amenities on the part of those designing and displaying communicative media for the types regulated by this division, while at the same time assuring that the public health and welfare is not endangered.

(Code 1978, § 9.12.01; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-458. Substitution clause.

The owner of any sign that is otherwise allowed by this division may substitute noncommercial speech in lieu of any other commercial speech or noncommercial speech. The owner of any sign that is otherwise allowed by this division may substitute commercial speech in lieu of any other commercial speech or noncommercial speech. This substitution of copy may be made without any additional approval or permitting. The purpose of this division is to prevent any inadvertent favoring of commercial speech over noncommercial speech, favoring of noncommercial speech over commercial speech, favoring any particular commercial speech over any other commercial speech, or favoring of any particular noncommercial speech over any other noncommercial speech. This division prevails over any more specific provision to the contrary.

Sec. 117-459. Variations.

Request for variations from the provisions of this division shall be processed by the applicant applying to the zoning administrator for a conditional use permit, which conditional use permit procedure shall be as prescribed in section 117-50.

(Code 1978, § 9.12.24; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-460. Conflict.

If any portion of this division is found to be in conflict with any other provision of any zoning, building, fire, safety or health ordinance of the city, the provision that establishes the higher standard shall prevail.

(Code 1978, § 9.12.25; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-461. Violations.

- (a) When, in the opinion of the zoning administrator, a violation of this Code exists, the zoning administrator shall issue a written order to either the owner of the sign, or the owner of the property, or tenant leasing the property, on which the sign is placed. The order shall specify those sections of this Code involved, describe the violation and shall direct that the violation be corrected within five days from the date of the order, unless otherwise specified by the zoning administrator. If the violation is not corrected, the violation will be penalized through the administrative citation or removal, whichever is appropriate.
- (b) If the zoning administrator or building official finds that a sign is abandoned or is structurally, or electrically defective, or in any way endangers the public, the zoning administrator or building official shall issue a written order to the owner of the sign and occupant of the premises stating the nature of the violation and requiring repair or removal of the sign within 60 days of the date of the order.

(Code 1978, § 9.12.21; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-462. Removal of signs by the zoning administrator.

- (a) The zoning administrator may cause the removal of any illegal sign, any sign remaining after a business permanently closes, or any sign not properly maintained in cases of emergency, or after failure to timely comply with written orders for removal or repair. After removal or demolition of the sign, a notice shall be mailed to the sign owner and owner of the property where the sign was located stating the nature of the work and the date on which it was performed and demanding payment of the costs as certified by the zoning administrator together with an additional 50 percent for inspection and incidental costs.
- (b) If the amount specified in the notice is not paid within 30 days after mailing of the notice, it shall become a lien against the parcel where the sign was located and shall be certified as an assessment against the property together with ten percent interest for collection in the same manner as the real estate taxes.
- (c) The owner of the parcel upon which the sign is located shall be presumed to be the owner of all signs thereon unless facts to the contrary are brought to the attention of the zoning administrator.
- (d) In case of emergency, the zoning administrator or building official may cause the immediate removal of a dangerous or defective sign without notice. Signs removed in this manner must present a hazard to the public safety as defined in the state building code.

(Code 1978, § 9.12.22; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-463. General restrictions.

- (a) *Address sign.* One address sign shall be required per main building in all districts.
- (b) *Bench sign.* Bench signs shall be permitted only at bus stops.
- (c) *Ground sign.* A ground sign shall not project higher than 25 feet as measured from base of sign or grade of the nearest adjacent roadway, whichever is lower. Any ground sign within 50 feet of any intersection of street right-of-way lines and/or driveway entrances shall have a minimum vertical clearance of 12 feet above the centerline of the pavement unless it can be shown that it can comply with subsections (e)(2)a and b of this section.

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- (d) *Canopies or marquees.* Canopies and marquees shall be considered to be an integral part of the structure to which they are an accessory. Signs may be attached to a canopy or marquee, but such structures shall not be considered as part of the wall area and thus shall not warrant additional sign area.
- (e) *Location.*
- (1) No sign other than governmental signs shall be erected or temporarily placed within any street or public right-of-way or upon any public easement.
 - (2) A permit for a sign to be located within 50 feet of any street or highway regulatory or warning sign, or any traffic sign or signal, or of any crossroad or crosswalk, will not be issued unless:
 - a. The sign will not interfere with the ability of drivers and pedestrians to see any street or highway sign, or any traffic sign or signal, or any crossroad or crosswalk; and
 - b. The sign will not distract drivers nor offer any confusion to any street or highway, sign, or any traffic sign or signal.
 - (3) A sign shall not be located so as to extend over any lot line or within 15 feet of any point of vehicular access from a parcel to a public roadway.
- (f) *Dynamic display and illumination.*
- (1) Based on findings conducted by scientific studies, the city finds that dynamic displays should be allowed on signs with appropriate regulation in order to minimize their proliferation and their potential threats to public safety.
 - (2) Regulations. Dynamic displays on signs are subject to the following conditions:
 - a. Size. On-premise signs may include dynamic displays. Dynamic display signs shall not exceed the size allowed by this chapter. Dynamic displays are not in addition to the size allowed for static signs.
 - b. Frequency of display change. A dynamic display may not change more often than once every three seconds, and no part of the display may include flashing or scrolling text. The images display must be static, and the transition from one display to another must be instantaneous without special effects. The dynamic display shall not be allowed to project full-motion video. Subtle transition animations shall be allowed.
 - c. Brightness. No sign may be brighter than is necessary for clear and adequate visibility, or that it interferes with the effectiveness of a traffic sign or signal, or that it distracts a driver from motor vehicle operation.
 - d. Troubleshooting. Dynamic displays must be designed and equipped to freeze the device in one position if a malfunction occurs. The display must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the dynamic display when notified by the city that it is not complying with the standards of this section.
- (g) *Institutional and recreational identification sign.* One wall and/or ground sign shall be permitted to identify the civic, philanthropic, educational, public or religious organization or recreational use occupying the parcel. There shall not be more than one ground sign for each parcel. The gross surface area of a ground sign shall not exceed 100 square feet for each exposed face nor exceed an aggregate gross surface area of 200 square feet. Such facilities having more than one point of entrance or street frontage may erect secondary identification signs not to exceed 50 square feet for each exposed face at the additional entrance points or street frontages.
- (h) *Institutional attraction boards.* There shall not be more than one institutional attraction board for each principal building and it may be either wall or ground type or constructed as a part of the institutional

identification sign. The gross surface area of an attraction board shall not exceed 50 square feet for each exposed face nor exceed an aggregate gross surface area of 100 square feet. An attraction board shall not be located so as to extend over any lot line or within 15 feet of any point of vehicular access from any parcel to a public roadway. Attraction boards shall not exceed 15 feet in height as measured from the base of the sign or building to which the sign is to be affixed or the grade of the nearest adjacent roadway, whichever is higher.

- (i) *Pennants.* The use of pennants is permitted in any commercial district provided the pennants are securely anchored and maintained in good repair, including replacement or removal when weather damage is evident. The zoning administrator, or his designee, shall have the authority to identify and notify property owners and/or occupants of the parcel on which the pennants have been determined to be in violation of this Code. Failure to remove or replace the pennants within ten days of notification shall be sufficient cause for the zoning administrator or his designee to remove said pennants. The property owner shall be billed for all costs incurred by the city in administering this subdivision.
- (j) *Banners.* The use of banners is permitted in any commercial district as permanent wall signage provided the banner is securely anchored and maintained in good repair, including replacement or removal when weather damage is evident. The square footage dedicated to banners is limited to 50 percent of the total square footage allowance for wall signs. Facilities choosing to utilize wall banners in addition to other permanent wall signage shall be required to obtain a separate sign permit for the maximum square footage allowed for banners and payment of the permanent sign fee.
- (k) *Flags.* The display of flags shall be permitted in all districts. However, the total square footage area of any flags used as advertising copy or as attention getting devices for commercial purposes shall be considered as permanent signage and counted towards the total allowable sign area permitted by this section for the parcel on which the flag is displayed. Flag height is restricted to 25 feet.
- (l) *Directional signs.* Directional or instructional signs are restricted to on-site direction and instruction, with the exception of governmental signs, temporary real estate signs and public event signs, and shall not exceed four square feet in size. Such signs shall only provide direction or instruction to guide persons to facilities intended to serve the public.
- (m) *Maintenance.*
 - (1) The surface and structure of all signs must be kept refinished as necessary to prevent the sign surface from becoming unkempt in appearance. The zoning administrator shall use the following guidelines to determine if the sign is unkempt: evidence of rust, peeling paint, structural damage, message damage, and/or weathering.
 - (2) When any sign for which a permit is required is removed, the zoning administrator shall be notified and the entire sign and its components shall be removed.
 - (3) The permit owner shall be responsible for all of the requirements of this section, including the liability for expense of removal and maintenance incurred by the city.
- (n) *Sign content.* No sign shall contain obscene images or statements in violation of Minn. Stats. § 617.241.

(Code 1978, § 9.12.03; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008; Ord. No. 12-20, § 1, 11-27-2012)

Sec. XXX-XXX. Off-Premises Digital Billboard Signs

(a) Findings, purpose, and intent. The city council finds it necessary for the promotion and preservation of the health, safety, welfare, and aesthetics of the community that the construction, location, size, conspicuity, brightness, legibility, operational characteristics, and maintenance of off-premises digital billboard signs be

controlled. Off-premises digital billboard signs have a direct and substantial impact on traffic safety, pedestrian safety, community aesthetics and property values. The city council recognizes that signs provide a guide to the physical environment and as such serve an important function in the community and economy. With respect to off-premises digital billboard signs, the city council finds that they are highly visible from long distances and at very wide viewing angles both day and night and are designed to catch the eye of persons in their vicinity and hold it for extended periods of time. If left uncontrolled, off-premises digital billboard signs, including video display signs, constitute a serious traffic safety threat. The city council intends by this subsection to establish a legal framework for off-premises digital billboard sign regulation in the city. The regulations promulgated in this subsection are intended to facilitate an easy and agreeable communication between people while protecting and promoting the public health, safety, welfare and aesthetics of the community. It is not the purpose or intent of this subsection to prefer or favor commercial messages or speech over noncommercial messages or speech or to discriminate between types of noncommercial speech or the viewpoints represented therein. Rather, the purpose of the off-premises digital billboard sign regulations promulgated in this subsection is:

(1) To eliminate potential hazards to motorists and pedestrians using the public streets, sidewalks, and rights of way;

(2) To safeguard and enhance property values;

(3) To control nuisances;

(4) To preserve and improve the appearance of the city through adherence to aesthetic principles, in order to create a community that is attractive to residents and to nonresidents who come to live, visit, work, or trade;

(5) To eliminate excessive and confusing sign displays;

(6) To encourage signs which by their design are integrated with and harmonious to the surrounding environment and the buildings and sites they occupy;

(7) To maintain the character of the mainstreet core downtown but allow local businesses the opportunity to reach a wider audience by advertising along Highway 10 and

(7) To promote the public health, safety, and general welfare.

(b) Location of off-premises digital billboard signs. Notwithstanding anything to the contrary contained within this Code, off-premises digital billboard signs may be located only within the off-premises digital billboard sign overlay district. Off-premises digital billboard signs are prohibited in all zoning districts of the city other than the off-premises digital billboard sign overlay district. Off-premises digital billboard signs located in the off-premises digital billboard sign overlay district must comply with all Code requirements for permitted off-premises digital billboard signs.

(1) Permitted districts. The off-premises digital billboard sign overlay district shall commence along Highway 10 within two hundred fifty feet (250') of the Highway 10 centerline within the Ramsey city limits. Off-premises digital billboard signs are not allowed in any residential zoning district.

(2) Number of off-premises digital billboard signs. A total of three off-premises digital billboard signs shall be permitted within the entirety of the off-premises digital billboard sign overlay district.

(3) Separation distance between off-premises digital billboard signs. Off-premises digital billboard signs shall have a separation distance of 2 miles between each site in which they are located.

(4) Site restrictions. Off-premises digital billboard signs shall not be placed upon any property upon which a building already exists.

(5) Size. Off-premises digital billboard signs shall not exceed 700 square feet in surface area per sign surface.

(6) Number of surfaces. Off-premises digital billboard signs shall not contain more than two sign surfaces. Said sign surfaces shall face in opposite directions with an interior angle not to exceed 45 degrees.

(7) Height. Off-premises digital billboard signs shall not exceed 50 feet in height as measured from the established grade of the site upon which the off-premises signs and digital billboards is located.

(c) Off-premises digital billboard sign overlay district performance standards: The off-premises digital billboard sign overlay district is hereby established as a separate zoning district within the city. Within the off-premises digital billboard sign overlay district, off-premises digital billboard signs are permitted subject to the following conditions:

(1) No off-premises digital billboard signs shall be erected that, by reason of position, shape, movement, or color, interferes with the proper functioning of a traffic signal or which constitutes a traffic hazard.

(2) Off-premises digital billboard signs shall meet all required principal structure setbacks of the underlying zoning district.

(3) Off-premises digital billboard signs must have an architecturally enhanced base.

(4) Off-premises digital billboard signs must have minimum display duration of eight seconds. Such display shall contain static messages only; change from one static message to another shall be instantaneous without any special effects, through dissolve or fade transitions, or with the use of another subtle transition technique that does not have the appearance of moving text or images.

(5) Off-premises digital billboard signs must be rectangular in shape and all messages must be contained within the off-premises digital billboard frame.

(6) All off-premises digital billboard signs shall have ambient light monitors installed as part of the off-premises digital billboard sign and shall, at all times, allow such monitors to automatically adjust the brightness level of the electronic sign based on light conditions.

(7) Off-premises digital billboard signs shall meet the following brightness standards:

a. Off-premises digital billboard signs shall not exceed 7,500 nits (candelas per square meter) between the hours of civil sunrise and civil sunset and shall not exceed 500 nits (candelas per square meter) between the hours of civil sunset and civil sunrise as measured from the face of the sign. The light level shall not exceed 0.3-foot candles above ambient light as measured from a pre-set distance depending on sign size. Measuring distance shall be determined using the following equation: the square root of the message center sign area multiplied by 100. Example: 12 square foot sign $\sqrt{(12 \times 100)} = 34.6$ feet measuring distance.

(8) Off-premises digital billboard signs shall have a fully functional monitoring off switch system that shuts the dynamic display off-premises sign off when the display deteriorates, in any fashion, five percent or greater until the dynamic display sign has been repaired to its fully functional factory specifications.

(9) Off-premises billboard signs must be part of the state of Minnesota's public safety alert system.

(10) Applicants for an off-premises digital billboard signs permit shall enter into an agreement with the city to provide the city no less than 20 hours (provided in 9,000 eight-second spots) per month per dynamic display off-premises sign face in the city for community and public service messages at such times as shall be reasonably determined by the city. This agreement must be approved by the city council before a permit for the construction or conversion of an off-premises signs and digital billboard may be issued by the building official.

Sec. 117-464. Prohibited signs.

- (a) "A" frame or sandwich board signs. "A" frame or sandwich board signs are prohibited.
- (b) Advertising device signs. Advertising device signs are prohibited except as provided for in section 117-465.

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- (c) *Whirling devices, searchlights, streamers, balloons and other gas-filled figures.* Whirling devices, searchlights, streamers, balloons, and other gas filled figures, are prohibited except as a temporary sign as provided for in section 117-465.
 - (d) *Flashing or scrolling signs, devices or lights.* Flashing signs, devices, or lights are not permitted in any district except as provided for in section 117-463(f).
 - (e) *Portable signs.* Portable signs are prohibited except as temporary signs as provided for in section 117-465.
 - (f) *Projecting signs.* No projecting sign shall be permitted in any district.
 - (g) *Roof signs.* Roof signs are prohibited in any zoning district.
 - (h) *Signs on parked vehicles.* Signs painted or mounted on or attached to vehicles, trailers or equipment where the apparent primary purpose of the vehicle or equipment is to display said sign are prohibited. However, this is not in any way intended to prohibit signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle, trailer and/or any other type of mobile equipment.
 - (i) *Signs on trees and utility poles.* Signs which are attached or otherwise affixed to trees or other vegetation or utility poles are prohibited.
 - (j) *Signs painted on walls.* Signs painted on an exterior wall, fascia, parapet or a chimney of a building or on a fence are prohibited.
 - (k) *Signs which imitate traffic control devices.* Signs which imitate, interfere with, obstruct the view of, or can be confused with any authorized traffic control sign, signal, or other device are prohibited.

(Code 1978, § 9.12.04; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008; Ord. No. 12-20, § 1, 11-27-2012)

Sec. 117-465. Temporary signs.

- (a) Temporary signs are defined as signs which are erected or displayed for a limited period of time and not affixed to a state building code approved structure. A sign is considered temporary if it is not intended to remain on the property permanently and has not received a permanent sign permit and/or is not intended to be constructed per the state building code.
 - (1) *Duration.* Temporary signs shall be permitted for up to six weeks per year per parcel, or per business on multitenant business parcels. The six-week limit may be extended up to four weeks if there have been no sign violations in the past year by the entity who erects the sign.
 - (2) *Location.* Temporary signs must be located fully on private property, with the permission of the property owner. The city will remove any signs in the public right-of-way, or erected without permission from the property owner.
 - (3) *Number.* All properties are limited to two temporary signs per parcel. In locations where there are multiple businesses on one parcel (a multitenant facility), three signs are permitted.
 - (4) *Size.* Temporary signs shall be limited to 50 square feet in size.
 - (5) *Permits and fees.* All temporary signs shall be required to obtain a temporary sign permit. The temporary sign permit application shall specify the exact times and dates the temporary sign is to be erected, the size of the sign, the location of the sign, contact information, and other information deemed necessary by the zoning administrator to determine that the temporary sign is erected within applicable code. The temporary sign permit shall be clearly displayed on the temporary sign. The fee

for the temporary sign permit shall be established by ordinance as part of the rates and charges. The fee shall only be collected for the first permit per parcel or per business in a multi-tenant facility. The provisions of this division apply to all temporary signs, and appropriate penalties for violations will be assessed, as outlined in section 117-461.

- a. *Exemptions from temporary sign Permit.* Signs less than 15 square feet in size and all temporary signs in residential districts (R-1 Residential, R-2 Residential, R-3 Residential) are exempt from temporary sign permitting requirements.
- (6) *Dynamic display.* Temporary signs may consist of dynamic display, provided all standards of section 117-463(f) are complied with.
- (b) Balloons, gas filled figures, streamers, whirling devices and revolving searchlights or any such attention-getting device that is not specifically a sign may be permitted up to four weeks per year, for one week at a time.

(Code 1978, § 9.12.05; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008; Ord. No. 10-11, § 2, 7-27-2010; Ord. No. 12-20, § 1, 11-27-2012)

Secs. 117-466. Other temporary signs.

- (a) *Real estate signs.* One temporary real estate sign constructed of durable materials located on the premises is permitted for sale or lease of building or vacant lot for each street frontage.
- (b) *Construction signs.* One temporary construction sign constructed of durable materials located on the premises is permitted on each street frontage of a development under construction.

(Ord. No. 12-20, § 1, 11-27-2012)

Secs. 117-467. Unified development signs.

- (a) *General provisions.* A unified development is a development that consists of multiple parcels of similar zoning district and bound by major roadways consisting of arterial or collector designation or higher. Signs for multi-tenant commercial and employment developments may be erected to include off-premise copy under the following conditions:
 - (1) The sign must identify the development at the top of the sign and may include provisions for individual users within the development.
 - (2) The sign must be located within 500 feet of the development and may not be separated from the development by an arterial road.
 - (3) The sign must not exceed 250 square feet per face (500 square feet aggregate) and 30 feet in height.
 - (4) The sign may include dynamic display not to exceed 100 square feet per face (200 square feet aggregate).
 - (5) The sign will not be included in the total signage permitted for the property in which it is located.
 - (6) The general location of area identification signs for commercial and employment districts must be approved by the planning commission as part of a master sign plan approved as part of site plan approval.

(Ord. No. 12-20, § 1, 11-27-2012)

Secs. 117-468—117-483. Reserved.

Subdivision II. Permit

Sec. 117-484. Required; exemptions.

- (a) All permanent signs shall obtain a permit prior to installation. This permit is reviewed by the zoning administrator and the building official, or their assigns, for conformance with the regulations described herein. Temporary signs shall obtain a permit in accordance with section 117-465.
- (b) Exemptions. The exemptions permitted by this section shall apply only to the requirement of a permit and fee and shall not be construed as relieving the installer of the sign, or the owner of the property upon which the sign is located, from conforming with the other provisions of this division.
 - (1) A window sign not exceeding 30 percent of the window area.
 - (2) Holiday decorations temporarily displayed on traditionally accepted civic, patriotic, or religious holidays.
 - (3) On-premises address or nameplate identification signs having a sign area of four square feet or less.
 - (4) Memorial plaques or tablets, grave markers, statutory, or other remembrances of persons or events that are noncommercial in nature.
 - (5) Interior signs which are fully located within the interior of any building or stadium, or within an enclosed lobby or court of any building, or in the lobby or entrance of any theater which are intended solely for information relating to the interior operation of the building in which they are located.
 - (6) Pennants.
 - (7) Noncommercial speech signs, as exempted in the Minnesota Statutes.

(Code 1978, §§ 9.12.14, 9.12.16; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008; Ord. No. 10-11, § 2, 7-27-2010)

State law reference(s)—Exemptions for noncommercial signs, Minn. Stats. § 211B.045.

Sec. 117-485. Application.

Application for permits shall be made upon forms provided by the zoning administrator and shall state or have attached thereto the following information:

- (1) The names, addresses, and telephone numbers of the applicant, the owner of the parcel on which the sign is to be erected or affixed, the owner of the sign, and the person to be erecting or affixing the sign.
- (2) Type of sign.
- (3) Type of construction materials to be used.
- (4) Location of building, structure or parcel to which, or upon which, the sign is to be attached or erected.
- (5) Position of the sign or other advertising structures in relation to the nearest buildings, structures, public streets, rights-of-way and property lines, along with location and square footage areas for all existing signs on the same premises. The drawing showing such position shall be prepared "to scale."

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- (6) Blueprint or ink drawing of the plans and specifications, and method of construction or attachment to the building or in the ground, including all dimensions, locating all light sources, wattage, type and color of lights and details of any light shields or shades.
 - (7) Copy of stress sheets and calculations, showing the structure is designated for dead load and wind velocity in the amount required by this division and all other ordinances of the city, if required by the zoning administrator or building official. The zoning administrator or building official may require additional information concerning safety.
 - (8) An agreement with the city which would authorize and direct the city to remove the sign and sign structure, at the expense of the applicant, where maintenance is required and the maintenance is not furnished, but only after a notice of 60 days specifying the maintenance required by the city.

(Code 1978, § 9.12.17; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008;)

Sec. 117-486. Administration.

The zoning administrator shall process applications for permits. The building official is empowered, upon presentation of proper credentials, to enter or inspect any building, structure, or parcel in the city for the purpose of inspection of a sign and its structural and electrical connections to ensure compliance with all applicable codes and ordinances.

(Code 1978, § 9.12.20; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-487. Permit issuance or denial.

- (a) The zoning administrator shall issue a permit for the erection, alteration, or relocation of a sign within 14 days of receipt of a completed application and nonrefundable application fee provided that the sign complies with all applicable laws and regulations of the city.
- (b) When a permit is denied, written notice shall be provided to the applicant along with a brief statement of the reasons for denial. The zoning administrator or building official may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application.

(Code 1978, § 9.12.18; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-488. Permit fees.

The permit fee for permanent and temporary signs shall be as provided by ordinance.

(Code 1978, § 9.12.15; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

State law reference(s)—Fees, Minn. Stats. § 462.353, subds. 4, 4a.

Sec. 117-489. Fee refunds and permit expiration; commencing work without permit.

- (a) If an issued permit is withdrawn by the applicant within 90 days of issuance, and if no inspections have been made and no work authorized by the permit has been performed, 50 percent of the permit fee may be refunded to the applicant.
- (b) A permit issued by the zoning administrator becomes null and void if work is suspended or abandoned or not completed within six months of issuance, but may be reinstated with an additional payment of one-half of the original fee.

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- (c) Any sign installed or placed on any parcel prior to receipt of a permit, the specified permit fee shall be doubled. However, the payment of the doubled fee shall not relieve any person of any other requirement or penalties prescribed in this section.

(Code 1978, § 9.12.19; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Secs. 117-490—117-516. Reserved.

Subdivision III. District Regulations

Sec. 117-517. District regulations.

In addition to those signs permitted or required in all districts as described in sections 117-463 and 117-465, the following signs are permitted in each specific district and shall be regulated as to size, location and character according to the requirements herein set forth.

(Code 1978, § 9.12.06; Ord. No. 94-02, 2-28-1994; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-518. Residential type districts.

- (a) *Area identification signs.* One sign per vehicular access to a development, not to exceed 32 square feet in area is permitted.
- (b) *Temporary signs.* Temporary signs are permitted in accordance with section 117-465.
- (c) *Home occupation signs.* Home occupations signs may be permitted in accordance with section 117-351.

(Code 1978, § 9.12.07; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-519. Business type districts.

- (a) *Business use signs.*
- (1) *Wall, canopy or marquee sign.* Total sign area may not exceed 15 percent of the front building facade. Businesses in multitenant buildings shall be allowed the proportionate share of the total wall sign area. The total wall signage permitted may be distributed on any other building facade. Sign height shall not exceed the top of the parapet wall or, if no parapet wall, sign height shall not exceed the height of the eaves. A wall, canopy or marquee sign may be located on the outermost wall of any principal building but shall not project more than 16 inches from the wall to which the sign is to be affixed. The gross surface area of a wall, canopy or marquee sign may be increased by ten percent if such wall sign:
- a. Consists only of individual, outlined alphabetic, numeric and/or symbolic characters without background except that provided by the building surface to which the sign is to be affixed; and
 - b. Illumination, if any, is achieved through shielded illumination, shielded silhouette lighting, or shielded spot lighting but not any lighting where the light source is visible or exposed on the face or sides of the characters.
- (2) *Ground sign.* There shall not be more than one ground sign for each parcel or per road frontage on parcels with more than one road frontage, not to exceed an aggregate of two ground signs. The gross surface area of a ground sign shall not exceed 100 square feet for each exposed face nor exceed an

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- aggregate gross surface area of 200 square feet. For parcels qualifying for two ground signs, the second ground sign shall not exceed 50 square feet for each exposed face nor exceed an aggregate gross surface area of 100 square feet and may not exceed 12.5 feet in height as measure in section 117-463(c) of this section.
- (3) *Service bay identification signs.* Service bay identification signs providing direction or instruction to persons using the facility and containing no advertising material of any kind shall be subject to the following:
- a. All service bay identification signs shall be wall signs.
 - b. There shall not be more than one service bay identification sign for each service bay located on the parcel.
 - c. A service bay identification sign may be located on the outermost wall of any principal building adjacent to a service bay entrance.
 - d. A service bay identification sign shall not project higher than the parapet line of the wall to which the sign is to be affixed.
- (4) *Fuel pump island identification sign.* Fuel pump island identification signs indicating the type of service offered; the price of gasoline; and other relevant information, within reason, pertaining to the facility; or direction to persons using the facility shall be subject to the following: The gross surface area of a service island identification sign shall be counted against the maximum allowable sign area for the subject parcel.
- (5) *Menu board.* Menu board for drive-up or walk-up lane of a drive-in business are allowed up to a maximum of 50 square feet of total signage. Menu boards are allowed a message on one side only and cannot contain an advertising message.
- (6) *Directional signs.*
- a. Directional or instructional signs are permitted in accordance with section 117-463(l).
 - b. Parking lot directional signs designating parking area entrances and exits are limited to one sign for each entrance and/or exit and shall not exceed four square feet for each exposed face. Parking lot directional signs shall not project higher than five feet in height, as measured from the established grade of the parking area to which such signs are accessory.
 - c. Parking lot instructional signs designating the conditions of use or identifying parking areas shall not exceed eight square feet and shall not project higher than ten feet in height for wall signs and seven feet in height for ground signs, as measured from the established grade of the parking area to which such signs are accessory.
 - d. Window signs are restricted to 30 percent of the area of the window in which the sign is to be displayed.
- (b) *Shopping center signs.* In accordance with section 117-54, the developer shall submit a sign plan for approval, drawn to scale with elevations, at the time application is made for site plan approval. The sign plan shall include but not be limited to the following information: number of signs, type of signs, sign sizes, type of construction materials, sign messages, and proposed sign locations.
- (c) Permitted freestanding signs under previous section 117-519(a) (business use signs), and located within the Armstrong Boulevard Interchange Overlay District as defined by this section, shall be allowed to a height of not more than 50 feet and an area of not greater than 150 square feet. Signs permitted under this section shall have a monument style base constructed of materials that are consistent with the principal building to a minimum height of six feet.

(Code 1978, § 9.12.08; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008; Ord. No. 10-11, § 2, 7-27-2010; Ord. No. 13-15, § 2, 8-27-2013)

Sec. 117-520. E-1 and E-2 Employment Districts.

- (a) *Wall, canopy or marquee sign.* Total sign area may not exceed 15 percent of the front building facade. Sign height shall not exceed the top of the parapet wall or, if no parapet wall, sign height shall not exceed the height of the eaves. A wall, canopy or marquee sign may be located on the outermost wall of any principal building but shall not project more than 16 inches from the wall to which the sign is to be affixed. Where a principal building is devoted to two or more permitted uses, the operator of each such use may install a wall sign upon his proportionate share of the building wall to which the sign is to be affixed. The maximum gross surface area of each such wall sign shall be determined by calculating the proportionate share of the area of the building wall, including doors and windows to which the sign is to be affixed and applying such proportion to the total permitted wall sign aggregate gross surface area for the building. The gross surface area of a wall sign may be increased by ten percent if such wall sign:
- (1) Consists only of individual, outlined alphabetic, numeric, and/or symbolic characters without background except provided by the building surface to which the sign is to be affixed; and
 - (2) Any illumination, if any, is achieved through shielded illumination, shielded silhouette lighting, or shielded spot lighting but not any lighting where the light source is visible or exposed on the face or sides of the characters.
- (b) *Ground signs.* There shall not be more than one ground sign for each parcel or per road frontage on parcels with more than one road frontage, not to exceed an aggregate of two ground signs. The gross surface area of a ground sign shall not exceed 100 square feet for each exposed face nor exceed an aggregate gross surface area of 200 square feet. For parcels qualifying for two ground signs, the second ground sign shall not exceed 50 square feet for each exposed face nor exceed an aggregate gross surface area of 100 square feet and may not exceed 12.5 feet in height as measured in section 117-463(c) of this section.
- (c) *Directional signs.*
- (1) Directional or instructional signs are permitted in accordance with section 117-463(l).
 - (2) Parking lot directional signs designating parking area entrances and exits are limited to one sign for each entrance and/or exit and shall not exceed four square feet for each exposed face. Parking lot directional signs shall not project higher than five feet in height, as measured from the established grade of the parking area to which such signs are accessory.
 - (3) Parking lot instructional signs designating the conditions of use or identification of parking areas shall not exceed eight square feet and shall not project higher than ten feet in height for wall signs and seven feet in height for ground signs, as measured from the established grade of the parking area to which such signs are accessory.
- (d) *Window signs.* Window signs shall not exceed 30 percent of the area of the window in which the sign is proposed to be displayed.

(Code 1978, § 9.12.09; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008; Ord. No. 17-01, § 2, 1-10-2017)

Sec. 117-521. Business and industrial park signs.

- (a) *Park identification signs.* Industrial or business park signs shall be permitted to contain the following information: the name and address of the park, the management or the developer thereof, and the names of

the individual businesses located within said park. Park identification signs shall contain no advertising material of any kind, and shall be subject to the following:

- (1) All industrial and business park signs shall be ground or wall signs.
 - (2) There shall not be more than one industrial or business park sign for each point of vehicular access to an office or industrial park.
 - (3) The gross surface area of an industrial or business park sign shall not exceed 100 square feet in gross surface area for each exposed face nor exceed an aggregate gross surface area of 200 square feet.
 - (4) A ground industrial or business park sign shall not project higher than ten feet, as measured from base of sign or grade of the nearest adjacent roadway, whichever is higher.
- (b) *Park member identification signs.*
- (1) There shall not be more than one wall sign for each principal building or tenant or use within a building, except where the building abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.
 - (2) There shall not be more than one ground sign for each principal building.
 - (3) The gross surface area of a wall sign shall not exceed 15 percent of the occupant's proportionate share of the building wall to which the sign is to be affixed. A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed.
 - (4) The gross surface area of a ground sign shall not exceed 100 square feet for each exposed face nor exceed an aggregate gross surface area of 200 square feet.
 - (5) A ground sign shall not project higher than ten feet, as measured from base of sign or grade of the nearest adjacent roadway, whichever is higher.

(Code 1978, § 9.12.10; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Sec. 117-522. Construction specifications.

- (a) All signs permitted by this division in excess of 16 square feet shall be painted, lettered, or faced to the workmanship standards and best commercial practices of companies normally engaged in the business of providing commercial signs, using materials designed and marketed specifically for use on outdoor signs.
- (b) In addition to complying with the provisions of this division, all signs shall be constructed in accordance with the applicable provisions of the 1991 Edition of the Uniform Sign Code and State Electrical Code and as subsequently amended.
- (c) All signs shall be located in such a way that they maintain horizontal and vertical clearance of all electrical power lines and communication lines.
- (d) All signs and their supporting structures shall maintain clearance and non-interference with all surface and underground facilities and conduits for water, sewage, gas, electricity, or communications equipment or lines. In addition, the placement of all signs and their supporting structures shall not interfere with natural or artificial drainage or surface or underground water.
- (e) All signs, except those attached flat against the wall of a building, shall be constructed to withstand minimum wind loads as follows:
 - (1) Solid signs: 30 pounds per square foot per face of the sign.

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- (2) Open signs: 36 pounds per square foot of the total face area of the letters and other sign surfaces, or ten pounds per square foot of the gross surface area of the sign, whichever is greater.

(Code 1978, § 9.12.12; Ord. No. 94-02, 2-28-1994; Ord. No. 03-31, 9-15-2003; Ord. No. 08-07, § 2, 2-12-2008; Ord. No. 08-25, § 2, 8-12-2008)

Secs. 117-523—117-554. Reserved.

DIVISION 8. SIGNS

Sec. XXX-XXX. Off-Premises Digital Billboard Signs

(a) *Findings, purpose, and intent.* The city council finds it necessary for the promotion and preservation of the health, safety, welfare, and aesthetics of the community that the construction, location, size, conspicuity, brightness, legibility, operational characteristics, and maintenance of off-premises digital billboard signs be controlled. Off-premises digital billboard signs have a direct and substantial impact on traffic safety, pedestrian safety, community aesthetics and property values. The city council recognizes that signs provide a guide to the physical environment and as such serve an important function in the community and economy. With respect to off-premises digital billboard signs, the city council finds that they are highly visible from long distances and at very wide viewing angles both day and night and are designed to catch the eye of persons in their vicinity and hold it for extended periods of time. If left uncontrolled, off-premises digital billboard signs, including video display signs, constitute a serious traffic safety threat. The city council intends by this subsection to establish a legal framework for off-premises digital billboard sign regulation in the city. The regulations promulgated in this subsection are intended to facilitate an easy and agreeable communication between people while protecting and promoting the public health, safety, welfare and aesthetics of the community. It is not the purpose or intent of this subsection to prefer or favor commercial messages or speech over noncommercial messages or speech or to discriminate between types of noncommercial speech or the viewpoints represented therein. Rather, the purpose of the off-premises digital billboard sign regulations promulgated in this subsection is:

- (1) To eliminate potential hazards to motorists and pedestrians using the public streets, sidewalks, and rights of way;
- (2) To safeguard and enhance property values;
- (3) To control nuisances;
- (4) To preserve and improve the appearance of the city through adherence to aesthetic principles, in order to create a community that is attractive to residents and to nonresidents who come to live, visit, work, or trade;
- (5) To eliminate excessive and confusing sign displays;
- (6) To encourage signs which by their design are integrated with and harmonious to the surrounding environment and the buildings and sites they occupy;
- (7) To maintain the character of the mainstreet core downtown but allow local businesses the opportunity to reach a wider audience by advertising along Highway 10 and
- (7) To promote the public health, safety, and general welfare.

(b) *Location of off-premises digital billboard signs.* Notwithstanding anything to the contrary contained within this Code, off-premises digital billboard signs may be located only within the off-premises digital billboard sign overlay district. Off-premises digital billboard signs are prohibited in all zoning districts of the city other than the off-premises digital billboard sign overlay district. Off-premises digital billboard signs located in the off-premises digital billboard sign overlay district must comply with all Code requirements for permitted off-premises digital billboard signs.

(1) *Permitted districts.* The off-premises digital billboard sign overlay district shall commence along Highway 10 within two hundred fifty feet (250') of the Highway 10 centerline within the Ramsey city limits. Off-premises digital billboard signs are not allowed in any residential zoning district.

(2) *Number of off-premises digital billboard signs.* A total of three off-premises digital billboard signs shall be permitted within the entirety of the off-premises digital billboard sign overlay district.

(3) *Separation distance between off-premises digital billboard signs.* Off-premises digital billboard signs shall have a separation distance of 2 miles between each site in which they are located.

(4) *Site restrictions.* Off-premises digital billboard signs shall not be placed upon any property upon which a building already exists.

(5) *Size.* Off-premises digital billboard signs shall not exceed 700 square feet in surface area per sign surface.

(6) *Number of surfaces.* Off-premises digital billboard signs shall not contain more than two sign surfaces. Said sign surfaces shall face in opposite directions with an interior angle not to exceed 45 degrees.

(7) *Height.* Off-premises digital billboard signs shall not exceed 50 feet in height as measured from the established grade of the site upon which the off-premises signs and digital billboards is located.

(c) *Off-premises digital billboard sign overlay district performance standards:* The off-premises digital billboard sign overlay district is hereby established as a separate zoning district within the city. Within the off-premises digital billboard sign overlay district, off-premises digital billboard signs are permitted subject to the following conditions:

(1) No off-premises digital billboard signs shall be erected that, by reason of position, shape, movement, or color, interferes with the proper functioning of a traffic signal or which constitutes a traffic hazard.

(2) Off-premises digital billboard signs shall meet all required principal structure setbacks of the underlying zoning district.

(3) Off-premises digital billboard signs must have an architecturally enhanced base.

(4) Off-premises digital billboard signs must have minimum display duration of **eight seconds**. Such display shall contain static messages only; change from one static message to another shall be instantaneous without any special effects, through dissolve or fade transitions, or with the use of another subtle transition technique that does not have the appearance of moving text or images.

(5) Off-premises digital billboard signs must be rectangular in shape and all messages must be contained within the off-premises digital billboard frame.

(6) All off-premises digital billboard signs shall have ambient light monitors installed as part of the off-premises digital billboard sign and shall, at all times, allow such monitors to automatically adjust the brightness level of the electronic sign based on light conditions.

(7) Off-premises digital billboard signs shall meet the following brightness standards:

a. Off-premises digital billboard signs shall not exceed 7,500 nits (candelas per square meter) between the hours of civil sunrise and civil sunset and shall not exceed 500 nits (candelas per square meter) between the hours of civil sunset and civil sunrise as measured from the face of the sign. The light level shall not exceed 0.3-foot candles above ambient light as measured from a pre-set distance depending on sign size. Measuring distance shall be determined using the following equation: the square root of the message center sign area multiplied by 100. Example: 12 square foot sign $\sqrt{(12 \times 100)} = 34.6$ feet measuring distance.

(8) Off-premises digital billboard signs shall have a fully functional monitoring off switch system that shuts the dynamic display off-premises sign off when the display deteriorates, in any fashion, five percent or greater until the dynamic display sign has been repaired to its fully functional factory specifications.

(9) Off-premises billboard signs must be part of the state of Minnesota's public safety alert system.

(10) Applicants for an off-premises digital billboard signs permit shall enter into an agreement with the city to provide the city no less than 20 hours (provided in 9,000 eight-second spots) per month per dynamic display off-premises sign face in the city for community and public service messages at such times as shall be reasonably determined by the city. This agreement must be approved by the city council before a permit for the construction or conversion of an off-premises signs and digital billboard may be issued by the building official.

Special Planning Commission

2. 2.

Meeting Date: 10/28/2021

By: Brian McCann, Community
Development

Information

Title:

Consider Ordinance #21-18 Allowing Accessory Dwelling Units on Single-Family Residential Properties

Purpose/Background:

The purpose of this case is to discuss and suggest potential modifications to Ordinance #21-18. The proposed ordinance was drafted because residents expressed interest in allowing Accessory Dwelling Units in the City of Ramsey. Some general requirements of the proposed ordinance include: limiting the number of ADU's to one per property, requiring ADU's to be owner occupied, compliance with accessory building requirements, limiting the ADU's size to less than 800 square feet, restricting home occupations, imposing setback and minimum lot size requirements, restricting the ADU's height to less than 22 feet, requiring a permanent foundation, and requiring a Certificate of Occupancy.

City Staff modeled the proposed ordinance after the City of Dayton's Accessory Dwelling Units Ordinance (https://codelibrary.amlegal.com/codes/daytonmn/latest/dayton_mn_zoning/0-0-0-12913) in terms of content, format, length, to create an easy-to-interpret ordinance for interested parties.

Notification:

Notification is not required at this time. A notice will be published in the Anoka County UnionHerald when the Ordinance is formally introduced to the City Council.

Observations/Alternatives:

Timeframe: 15 minutes

Funding Source:

N/A

Recommendation:

Action:

Attachments

Ordinance #21-28

ADU Research

Form Review

Inbox

Bruce Westby

Form Started By: Brian McCann

Final Approval Date: 10/20/2021

Reviewed By

Bruce Westby

Date

10/20/2021 01:34 PM

Started On: 10/19/2021 01:24 PM

ORDINANCE #21-18

**CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

AN AMENDMENT TO SECTION 117 WHICH IS KNOWN AS THE ZONING SECTION OF THE CITY CODE OF RAMSEY, MINNESOTA.

AN ORDINANCE AMENDING SECTION 117-349 (ACCESSORY USES AND BUILDINGS) OF THE CITY CODE OF RAMSEY, MINNESOTA.

The City of Ramsey ordains:

SECTION 1. AUTHORITY

This ordinance is adopted pursuant to and under the authority of the City Charter of the City of Ramsey.

SECTION 2. AMENDMENTS

Sec. 117-1 shall be amended to read as follows (additions indicated by underline)

Accessory dwelling unit (ADU) means a permanent residential dwelling unit, but not a mobile home, located on the same lot as a single-family dwelling unit, either within the same building as the single-family dwelling unit or in an accessory building

Habitable space means a space in a building for living, sleeping, eating or cooking.

Sec. 117-111 shall be amended to read as follows (additions indicated by underline)

(b) *Permitted uses.*

(10) Accessory dwelling units

(c) *Uses permitted by conditional use permit.*

(11) Conversion of a lawful-nonconforming garage to an accessory dwelling unit.

Sec. 117-349 shall be amended to read as follows (additions indicated by underline, deletions indicated by ~~strikethrough~~)

(d) *Accessory buildings.*

(5) ~~Reserved~~ Accessory Dwelling Units (ADU's)

a. General Requirements. Attached and detached accessory dwelling units are permitted with the following requirements:

1. Number. No more than one (1) ADU shall be allowed per one (1) existing single-family residential property.
2. Owner Occupancy. The principal dwelling or the ADU must be owner-occupied.
3. Accessory Buildings. The ADU must comply with all other accessory building requirements set forth in this section.
4. Maximum Size. The maximum size of an ADU cannot exceed 800 square feet of habitable space.
5. Home Occupations. The ADU cannot be used for any portion of a home occupation.
6. Setbacks. The ADU setbacks must meet the setback requirements for a dwelling in the R-1 Residential Zoning District.
7. Minimum Lot Size. Detached ADU's are allowed on properties with a minimum of 2.5 acres in size. Attached ADU's are allowed on properties with a minimum of 80-foot lot width.
8. Height. The ADU may not exceed a height of 22 feet, or the height of the principal structure, whichever is less.
9. Address. The ADU must retain the same address as the principal structure.
10. Parking. Additional parking for the ADU is not required if off-street parking requirements for the principal structure are met.
11. Regulations. An accessory dwelling unit must comply with all other city, local, regional, state, and federal regulations.
12. Utilities. Accessory dwelling units must share utilities with the principal structure.
13. Foundation. Accessory dwelling units must have a permanent foundation.
14. Certificate of Occupancy. Accessory dwelling units must have a Certificate of Occupancy and a building permit.
15. Ownership. Accessory dwelling units may not be sold separately from the primary residence, and cannot be created with a new tax parcel.
16. Garage Conversion. ADU's are permitted above existing lawful garages. A conditional use permit (CUP) is required for the conversion of a lawful, nonconforming garage to an ADU. Exterior finish updates and additional landscaping or screening may be required from the City Council as a condition.

(15) Reserved

SECTION 3. SUMMARY

The following official summary of Ordinance #20-18 has been approved by the City Council of the City of Ramsey as clearly informing the public of the intent and effect of the Ordinance.

Ordinance #20-18 amends Section 117-1, 117-111, 117-349 to create requirements for accessory dwelling units in the City of Ramsey.

SECTION 4. EFFECTIVE DATE

This ordinance becomes effective 30 days after its passage and publication, subject to City Charter Section 5.04.

PASSED by the City Council of the City of Ramsey, Minnesota the _____ day of _____, 2021.

Mayor

ATTEST:

City Administrator

Introduction date:

Posting dates:

Adoption date:

Publication date:

Effective date:

Accessory Dwelling Unit Ordinance (21-18) Research
Research for Introductions of ADU's in the City of Ramsey
By: Brian McCann

The purpose of this research is analysis of peer community codes regarding standards for accessory dwelling units (commonly known as ADU's). Researched cities that do not have ADU ordinances include Anoka, Blaine, Coon Rapids, Ham Lake, Maple Grove, Nowthen, Oak Grove, Otsego, and Rogers. Additional links for information on ADU's can be found at the end of the document. Nearby metropolitan communities that regulated ADU's had the following ordinances:

[Andover](#) (pg. 65 – 12-8-5: Accessory Dwelling Unit (ADU))

- Conditional Use Permit required
- Single-family lots in the R-1 District only
- One (1) ADU per single-family lot
- ADU or principal structure must be owner-occupied, and ADU must be on the same parcel as the principal structure. The parcel cannot be split to separate the ADU.
- 400 – 900 sf allowed for total size of ADU
- 20 foot separation from the principal structure
- Must meet the setback requirements for an accessory structure
- Must meet architectural requirements of a single-family residence
- Two (2) off-street parking spaces required in addition to the home's parking spaces
- ADU must have a permanent foundation
- Must adhere to all state laws, state building, plumbing, electrical, mechanical, and fire code regulations, property maintenance regulations, and City Code requirements.
- Rental license required for rental
- Unlawful to construct or allow occupancy of an ADU that does not meet the above-listed requirements

[Dayton](#) (Section 1001.36. Accessory Dwelling Units):

- Attached or internal are permitted
 - o One (1) ADU permitted per residential lot
 - o Principal structure must be owner-occupied
 - o Cannot be utilized as a home occupation or rental (short or long-term)
 - o 2 occupants/bedroom maximum
 - o Size range of 300 – 960 square feet, or 35% maximum of principal structure livable square footage – whichever is less.
 - o Inspections and building permit required
 - o Match the primary residence
- Detached with Interim Use Permit
 - o IUP expires when property transfers ownership, or use ceases for one (1) year
 - o One (1) ADU per residential property
 - o Cannot have wheels/chassis/axels, and must be placed on concrete foundation
 - o Familial-relation occupation only
 - o Minimum lot size of two (2) acres

- Ceiling height of at least seven (7) feet, cannot exceed height of principal structure
- Cannot be utilized as a home occupation or rental (short or long-term)
- Must have a building permit, inspections, utility connections, necessary equipment (toilet, bath, shower, light, ventilation, heating, carbon monoxide alarm, smoke alarm, radon control system, emergency escape and rescue openings).
- Meet setback requirements
- May require landscaping/screening as required by the City Council

Elk River (Sec. 30-1. – Definitions)

- R-1 districts only
- One (1) ADU per single-family lot
- Building permit required, must be after or during construction of principal structure
- Counts toward accessory structure total allowable square footage
- If being utilized as a rental, must meet appropriate rental requirements including a license
- 250 – 1,000 sf size range, cannot be utilized as the principal structure
- 2 bedroom maximum
- Entrance cannot be located in the front yard of the principal structure
- Must meet the appropriate siding regulations, dependent on lot size
- Must conform to all City Code requirements for single-family dwellings
- One (1) off-street parking space must accompany the parking standards for the principal structure
- ADU or principal structure must be owner-occupied, and ADU must be on the same parcel as the principal structure. The parcel cannot be split to separate the ADU. Must also share the same address.
- ADU must have cooking, sleeping, and sanitary facilities; and be serviced with appropriate utilities
- Must meet all current state building, plumbing, electrical, mechanical, and fire codes

Minneapolis (537.110. – Allowed uses and structures.):

- General requirements
 - One (1) ADU per lot, cannot create a new parcel
 - Residential properties only
 - Balconies/decks cannot face an interior side yard, rooftop decks not allowed
- Additional requirements for internal ADU's
 - 800 square feet maximum size, cannot exceed first floor of structure
 - Additional entrances cannot face the street
 - If applicable, stairways leading to the above-ground ADU must be enclosed or entirely in the rear yard.
 - Must be owner-occupied. If not, the ADU is in violation and components must be removed to convert to a non-livable space.
 - Covenant with the County recorder must be provided to alert future owner of restrictions. Covenant will run with the land and is binding to any future owner. Evidence of recording must be provided before building permit is issued.

- Removal of the accessory structure will result in an inspection and release of covenant.
- Additional requirements for attached ADU's
 - 800 square feet maximum size
 - Additional entrances cannot face the street
 - If applicable, stairways leading to the above-ground ADU must be enclosed or entirely in the rear yard.
 - Must match the principal structure
 - Subsequent covenant and recording of covenant required.
- Additional requirements for detached ADU's
 - 21-foot height maximum, unless granted by variance
 - Gross floor area cannot exceed 1,300 square feet, or 16% of lot area, whichever is greater. In cases of larger lot areas, absolute maximum gross floor area of 1,600 square feet, or the gross floor area of the principal structure, whichever is less.
 - Parking area footprint cannot exceed 676 square feet or 10% of the lot area, whichever is greater. Absolute maximum of 1,000 square feet.
 - Minimum side yard requirement of three (3) feet. Rear yard requirement may be reduced to three (3) feet, unless vehicle access doors face the rear lot line, in which case no reduction of the required yard is permitted.
 - Detached ADU's on corner lots cannot be closer to side property lines than two-thirds (2/3) of the depth of the required front yard specified in the yard requirements table of the district of the adjacent property to the rear. Cannot be located within five (5) feet of a rear lot line of a property or office residence district.
 - 20-foot distance requirement from principal structure.
 - Primary exterior materials of the ADU must be durable.
 - More than 5% of the façade facing the street must consist of windows.
 - Exterior stairways are allowed if the railings match the trim or finish of the detached ADU.
 - Subsequent covenant and recording of covenant required.

Minnetrista (Page 129 – 505.07, Subd. 9 (g-h) - “Guest Home” and “Guest Apartment”):

- Guest homes.
 - Accessory to principal structure
 - Detached only
 - Conform to setbacks, lot coverage, and other City Code requirements
 - Height cannot exceed 25 feet
 - Roof pitch, architectural design, and exterior materials/colors must match principal structure
 - Same driveway access for the home must be used for the guest home
 - Allowed an attached garage, square footage counts towards allowed space
 - Separate address required
 - Same utilities as the primary residence (electric/gas/water). Separate ISTS is permitted if required
 - Riparian rights belong to the primary residence
 - Cannot be sold separate from the primary residence

- CUP required for homes over 1,000 square feet, or 30% or more of the principal structure's footprint – whichever is less.
- Guest apartments.
 - One (1) primary apartment access door required
 - Same driveway as principal structure
 - Riparian rights belong to the principal structure
 - Rental is prohibited
 - Same address required

Roseville (Page 148 – 1011.12 (B)):

- One (1) ADU per single-family lot
- Owner-occupied principal or accessory dwelling
- Maximum occupancy of two (2) individuals
- Separate address in some form, i.e. “Unit A” following primary address
- Detached ADU may be located above a garage or in a separate accessory building that meets accessory building section of City Code, including setbacks.
- One (1) additional off-street parking space required.
- Home occupations are not permitted in ADU’s
- Maximum height, including above-garage, cannot exceed principal structure or accessory structure standards, as applicable.
- 300-650 square feet of livable space allowed, ADU cannot exceed 75% square footage of principal dwelling’s livable area. “Living area” includes kitchen, bathroom, living room, bedroom, other rooms excluding utility rooms, hallways, entryways, storage areas, and garages.
- One (1) bedroom maximum
- Entryway to a detached ADU must be connected to a street frontage with a paved walkway
- Appearance of the attached ADU cannot alter the appearance of the principal dwelling
- Appearance of the detached ADU:
 - Match finish material of principal structure in relation to size, type, placement. Trim, windows (proportion-wise and orientation-wise), and projecting eave included.
 - Roof pitch shall match the predominant roof pitch of the principal dwelling.
- ADU Occupancy Permit required that is non-transferrable, for rental.

St. Paul (Section 65.913. – Dwelling unit, accessory):

- Internal, attached, and detached allowed
 - Minimum lot size of 5,000 square feet
 - One (1) ADU per lot
 - Compliant with all other city, local, regional, state, and federal regulations.
 - Occupancy:
 - Occupancy of principal dwelling and ADU cannot exceed the definition of household in section [60.209](#) – six (6) adults and children or fewer.
 - Land use restrictive covenant required for use, and recording with the County.
 - Annual affidavit verifying continued owner-occupancy, with a fee.

- Maximum unit size of 800 square feet. Internal ADU cannot exceed one-third (1/3) of the principal structure floor space.
- Access and entrances
 - Walkway required from abutting public street to the primary entrance of the ADU
 - Internal stairways are permitted for access to upper floor ADU's, but external stairways must be placed on the side or rear of the structure for exterior access points.
 - Exterior stairways must be constructed with durable materials and match the finish of the structure they are attached to.
- Additional parking is not required if off-street parking requirements for the principal structure are met.
- Shall not be sold separately or made a separate tax parcel.

City	Type of ADU (Internal, attached, detached)	Minimum Lot Size for ADU's
Andover	All types	R-1 min. lot size – 2.5 acres
Anoka	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
Blaine	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
Coon Rapids	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
Dayton	Internal, attached	R-1 min. lot size - 10,890 sf (0.25 acres)
	Detached	Two (2) acres with IUP
Elk River	All types	R-1 min. lot size – 6,000 sf (0.13 acres)
Ham Lake	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
Maple Grove	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
Minneapolis	All types	No requirement
Minnetrissa	All types	No requirement
Nowthen	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
Oak Grove	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
Otsego	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
Rogers	<i>ADU's not allowed</i>	<i>ADU's not allowed</i>
Roseville	All types	No requirement
St. Paul	All types	5,000 sf (0.11 acres)

Additional Information/Resources on ADU's

- [AARP](#): partner of ADU's as it relates to senior living
- [American Planning Association](#)
- [City of St. Paul's Case Study on ADU's](#)
- [ADU by City Research](#)
- [Family Housing Fund](#)
 - [Handout](#)

Special Planning Commission

2. 3.

Meeting Date: 10/28/2021

By: Brian McCann, Community
Development

Information

Title:

Consider Ordinance #21-15 Creating Additional Requirements for Driveways and Parking Pads

Purpose/Background:

The purpose of this case is to discuss and suggest potential modifications to Ordinance #21-15. The proposed ordinance would regulate additional driveway space, and parking pads in the City of Ramsey. The City currently regulates driveway standards in regards to type of material, width at street, and distance from neighboring property lines. Additional driveway and parking pad requirements would help City staff and residents with future impervious surface expansions.

Notification:

Notification is not required at this time. A notice will be advertised in the Anoka County UnionHerald when it is introduced to the City Council.

Observations/Alternatives:

Timeframe: 15 minutes

Funding Source:

N/A

Recommendation:

Action:

Based on discussion. Note that this item is slated as written on the consent agenda for tonight's meeting. If more work is needed, Staff can pull it from the agenda and bring to a future meeting.

Attachments

Research of Surrounding Cities

Ordinance #21-15

Example Drawings

Form Review

Inbox

Brian McCann (Originator)
Bruce Westby
Form Started By: Brian McCann
Final Approval Date: 10/20/2021

Reviewed By

Brian McCann
Bruce Westby

Date

10/20/2021 08:21 AM
10/20/2021 01:33 PM
Started On: 10/19/2021 03:06 PM

Parking Pad and Driveways (Ordinance 21-15) Research
Research for Further Regulations of Parking Pads and Driveways in the City of Ramsey
By: Brian McCann

The purpose of this research is analysis of peer community codes regarding standards for driveways and parking pads. Nearby communities that had requirements are as follows:

Andover (12-13-8. Off Street Parking Requirements):

- Driveways and parking spaces included in impervious surface requirements: 75% maximum of lot size in 25% of landscaped areas
- Off-street parking spaces regulated by size of the home
- Must have 2.5 acres minimum for additional parking spaces
- Asphalt, concrete, or other surface (water sealed) allowed
- Maximum width of 24 feet at street on cul-de-sac, 30 feet for others
- 10 feet from property lines of commercial, industrial, and multi-family. 5 feet for single-family residential.

Anoka (Sec. 78-612. – Driveway and parking area standards for single-family and two-family residences):

- Class V allowed as base only
- Driveways only, no parking pads

Blaine (Sec. 33-13. – Parking):

- 3 feet from property lines abutting single-family residential districts
- No parking pads allowed
- No additional requirements

Coon Rapids (11-602.1 (7) Parking and Drives):

- 24 feet maximum width
- Concrete, bituminous, brick pavers, or similar hard surfacing
- Additional requirements within 100 feet of right-of-way including:
 - o Must be within 5 feet of the side of the garage and attached to the driveway
 - o Cannot extend more than 45 feet from the front of the garage to the rear
 - o Cannot extend more than 20 feet from the front of the garage towards the street
 - o Driveway total width cannot exceed 40 feet, or 50% of lot width

Dayton (Sec. 1001.14 Subd. 9 – Driveways):

- 10 feet from Agricultural property lines, 5 feet from residential property lines
- Permit required with site plan
- Class V allowed in Agricultural districts only

Elk River (30-124. Exterior of premises, parking facilities):

- Asphalt or concrete required
- 5 foot side/rear setbacks in single-family residential districts

Ham Lake (Article 11 – General Activity Regulations)

- 30 feet wide at street, 24 feet wide for cul-de-sacs
- 10 feet from property lines
- Class V is an approved surface

Nowthen

- 15 feet from lot lines

Oak Grove (Sec. 109-468. – Driveways)

- 28 or 32 foot width depending on zoning district
- Minimum of 5 foot setback, depending on district
- Second driveways are permitted

Otsego (11-21-4 E Residential Use Parking)

- Asphalt, concrete, or paver bricks

<u>City</u>	<u>Size Requirements</u>	<u>Width Requirements</u>	<u># of Pads Allowed</u>	<u>Setbacks</u>	<u>Lot Coverage and/or Impervious</u>
Andover	Impervious surface requirement of 75% of lot	24 feet on cul-de-sac 30 feet on street	N/A	5 feet from single-family residential, 10 feet for all others	20-30% lot cover max based on zoning district
Anoka	Driveways only	Width of driveway plus 10 feet, 20 feet max if no garage, 24 feet at street	N/A	5 feet from neighboring property lines, cannot be in front yard	30% impervious surface max for residential districts
Blaine	Driveways only	N/A	N/A	3 feet from neighboring single-family properties	No requirement found
Coon Rapids	Driveways only	24 feet max width	N/A	No setback, as long as it doesn't interfere with traffic	30-50% lot cover max based on zoning district
Dayton	Driveways only	24 feet max width on cul-de-sacs 30 feet max width at street	N/A	10 feet for agricultural properties, 5 for residential	25-30% lot cover max based on zoning district
Elk River	Driveways only	N/A	N/A	5 feet for single-family residential properties	25-30% lot cover max based on zoning district
Ham Lake	Driveways only	30 feet at street, 24 on cul-de-sacs	N/A	10 feet from all property lines	No requirement found
Nowthen	Driveways only	N/A	N/A	15 feet from all property lines	35% impervious surface max
Oak Grove	Driveways only	Dependent on zoning district, but generally 28 feet or 32 feet	N/A	Dependent on zoning district, but 5 feet minimum	40% lot coverage for buildings only
Otsego	Driveways only	N/A	N/A	N/A	5%-30% lot coverage for buildings only

ORDINANCE #21-15

**CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

AN AMENDMENT TO SECTION 117 WHICH IS KNOWN AS THE ZONING SECTION OF THE CITY CODE OF RAMSEY, MINNESOTA.

AN ORDINANCE AMENDING SECTIONS 117-111 (R-1 RESIDENTIAL DISTRICT), 117-349 (ACCESSORY USES AND BUILDINGS), AND 117-355 (RESIDENTIAL OFF-STREET PARKING) OF THE CITY CODE OF RAMSEY, MINNESOTA.

The City of Ramsey ordains:

SECTION 1. AUTHORITY

This ordinance is adopted pursuant to and under the authority of the City Charter of the City of Ramsey.

SECTION 2. AMENDMENTS

Section 117-1. – Definitions shall be amended to read as follows:

Driveway means an onsite prepared surface traffic lane, which shall be the traffic lane leading directly from a public street to the primary garage on the subject parcel; ~~the width of which cannot exceed the primary garage width by more than 15 feet, or in the absence of a garage, a traffic lane to a parking pad that cannot exceed 20 feet in width. Driveway parking may not extend beyond the front of the primary garage without meeting the performance standards for side or rear yard parking. (Cannot exceed maximum width at roadway under zoning district bulk standards).~~

Section 117-111 shall be amended to read as follows:

(d) *R-1 bulk standards.*

²A zoning permit is required to install any driveway that is not associated with work requiring a building permit. [Driveways and parking pads are an allowed accessory use in any R-1 Residential District and require a zoning permit.](#)

(g) *General R-1 residential performance standards*

[\(4\) Driveways](#)

- a. The width of a driveway cannot exceed the primary garage width by more than 15 feet in the side yard, or in the absence of a garage, a traffic lane to a parking pad that cannot exceed 20 feet in width.
- b. Driveway parking may not extend beyond the front of the primary garage without meeting the performance standards for parking pads and side or rear yard parking.
- c. Variances. Variances from the strict enforcement of this section may be granted in accordance with the procedures and requirements of Section 117-51.

Sec. 117-349 *Accessory uses and buildings* (d) (7) shall be amended to read as follows:

(7) *Driveways and Parking Pads.*

- c. Parking pads. A parking pad may be installed on a residential property with a zoning permit. The parking pad may not exceed standards set in Section 117-355 regarding residential development off-street parking including but not limited to:
 - i. Number of vehicles and items allowed
 - ii. Surfacing requirements of the residential zoning districts
 - iii. Parking pad must be in the side or rear yard.
- d. Parking pad size and number. Properties less than 2.5 acres in size cannot have more than one (1) parking pad with a maximum size of 500 square feet.
- e. Setbacks. Parking pads must meet setbacks for accessory structures set in Section 117-111.
- f. Principal building required. No accessory parking pads or driveways shall be constructed on any lot prior to the time of construction of the principal building.
- g. Variances. Variances from the strict enforcement of this section may be granted in accordance with the procedures and requirements of Section 117-51.

Section 117-355 *Residential development off-street parking* (b) shall be amended to read as follows:

- (b) In any residential district, outside parking of any motor vehicle(s) and/or recreational equipment is subject to the following conditions:
 - (1) *Number of items.*
 - a. Six items ~~allows~~ allowed for outdoor storage and parking on parcels less than two acres in size.
 - b. Eight items allowed for outdoor storage and parking on parcels between two and 4.99 acres in size.
 - c. Ten items allowed for outdoor storage and parking on parcels five acres or greater in size.
 - d. Items stored or parked separate from other items shall count as one item each; multiple items stored or parked on a trailer, for instance, count as one item. (Example: two snowmobiles and an empty trailer on the ground are three items; two snowmobiles on a trailer are one item).

- e. Items that will count towards the number restriction include, but are not limited to, the following examples: motor vehicles, recreational vehicles, campers, boats, canoes, snowmobiles, jet-skis, all terrain vehicles, go-carts, motocross bikes, motorcycles, fish houses, and other recreational equipment and self-propelled vehicles.
- f. Exceptions: Items that will not count towards the number restriction include those items typically seen as accessory to a residential use. Examples would be lawnmowers, garden tractors and attachments, bicycles, wheelbarrows, play structures, stepladders, and other items used for routine home and lawn maintenance.
- g. Increase in the number of items will be allowed through an administrative zoning permit at the discretion of the zoning administrator if the applicant can demonstrate a higher number of drivers, topographical issues on the lot or other practical difficulties.
- [h. Adjacent parcels under single ownership shall be treated as one property to determine the number of allowed outdoor storage items based on the total size of the property.](#)

SECTION 3. SUMMARY

The following official summary of Ordinance #20-15 has been approved by the City Council of the City of Ramsey as clearly informing the public of the intent and effect of the Ordinance.

Ordinance #20-15 amends Sections 117-111, 117-349, and 117-355 to create additional requirements for parking pads, driveways, and number of outdoor storage items in the City of Ramsey.

SECTION 4. EFFECTIVE DATE

This ordinance becomes effective 30 days after its passage and publication, subject to City Charter Section 5.04.

PASSED by the City Council of the City of Ramsey, Minnesota the _____ day of _____, 2021.

Mayor

ATTEST:

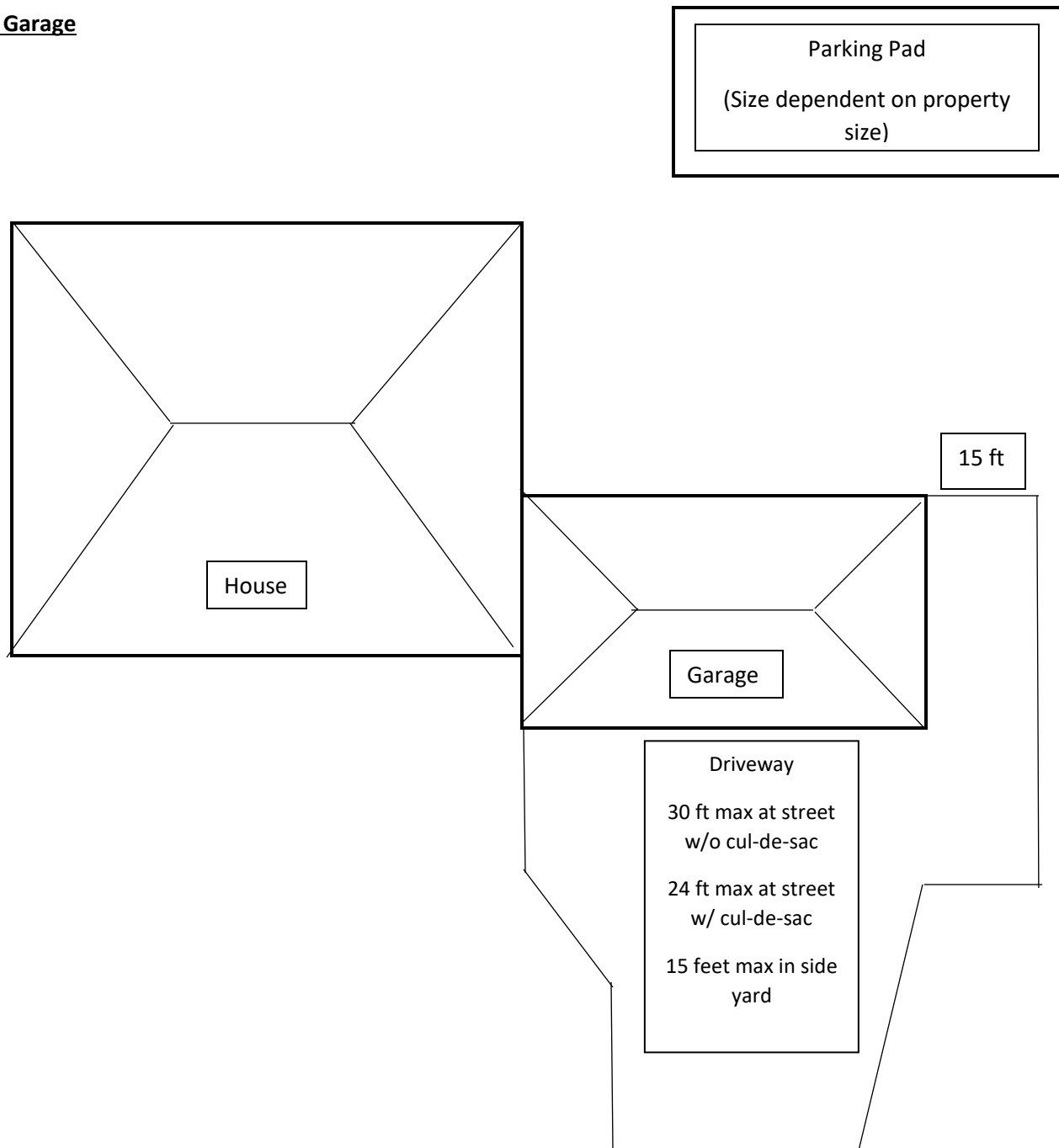
City Administrator

Introduction date:

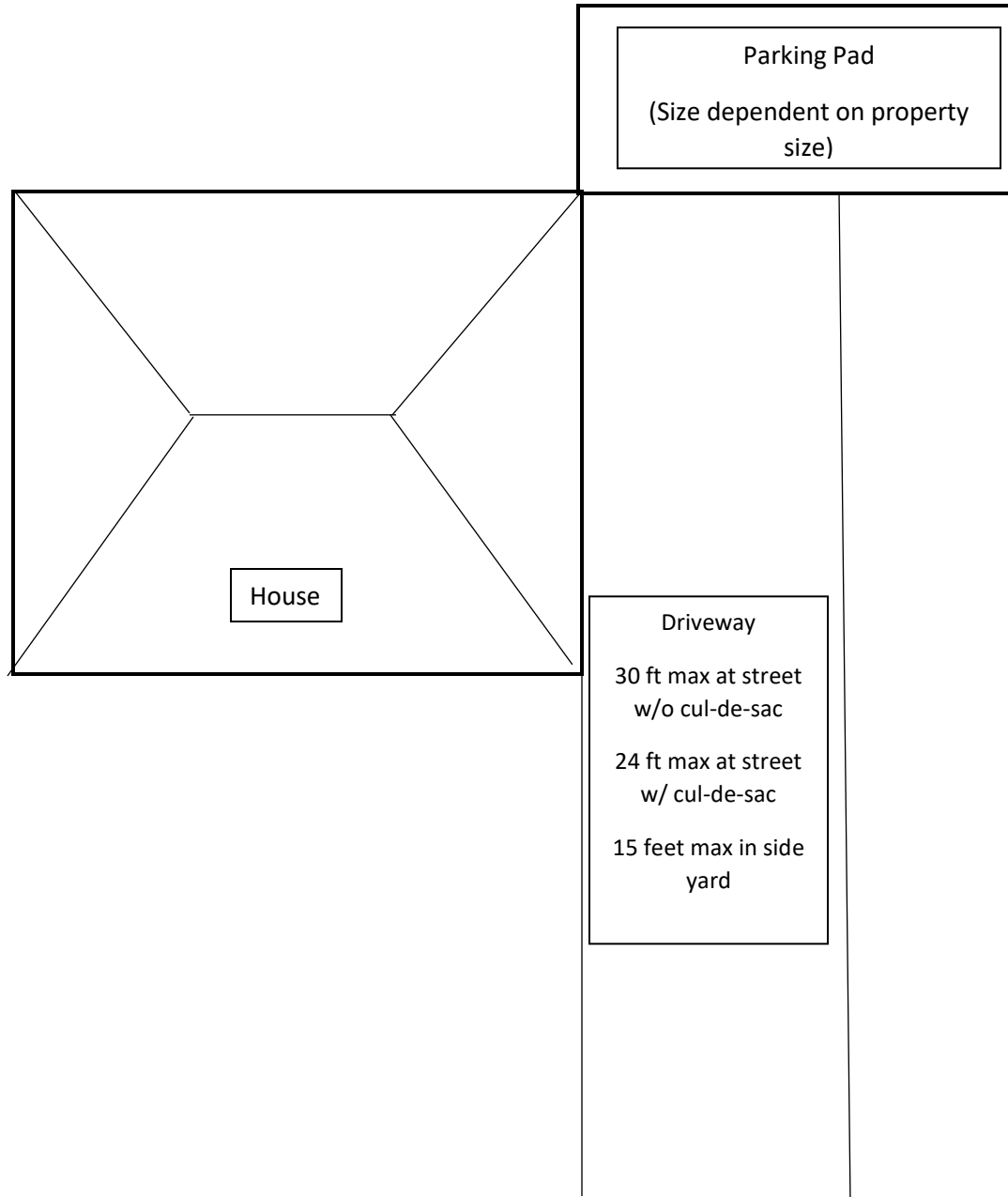
Posting dates:

Adoption date:
Publication date:
Effective date:

Example Property with Garage



Example Property without Garage



Special Planning Commission

2. 4.

Meeting Date: 10/28/2021

Submitted For: Bria Raines, Community Development

By: Brian McCann, Community Development

Information

Title:

Discuss Ordinance #21-20 Home Occupation Revisions

Purpose/Background:

The purpose of this case is to discuss and provide feedback on Ramsey City Code regarding home occupations. Code enforcement cases have identified that the existing definition of a home occupation does not entail all home occupations that are seen on Ramsey residential properties. Amending the Ramsey City Code Sections 117-1, regarding the home occupation definition, and Section 117-351, regarding home occupations, would provide clarification to Staff enforcing the Ramsey City Code and residents reading the permitted and non-permitted types of home occupations.

Staff is seeking direction to what changes the Planning Commission would be in favor of for the Home Occupation sections of the Ramsey City Code.

Notification:

Notification is not required at this time.

Observations/Alternatives:

Timeframe: 15 minutes

Funding Source:

This case is being handled as part of Staff's regular duties.

Recommendation:

Staff recommends revising the home occupation definition to encompass all businesses operated on a residential property and the home occupation chapter to clearly define permitted and non-permitted operations.

Action:

Attachments

Ordinance 21-20

Home Occupation

Peer City Code Research

Form Review

Inbox

Brian McCann (Originator)
Bruce Westby
Form Started By: Brian McCann
Final Approval Date: 10/21/2021

Reviewed By

Brian McCann
Bruce Westby

Date

10/21/2021 08:59 AM
10/21/2021 05:06 PM
Started On: 10/20/2021 08:29 AM

ORDINANCE #21-20

**CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

AN AMENDMENT TO SECTION 117 WHICH IS KNOWN AS THE ZONING SECTION OF THE CITY CODE OF RAMSEY, MINNESOTA.

AN ORDINANCE AMENDING SECTION 117-1 (DEFINITIONS) AND SECTION 117-351 (HOME OCCUPATIONS) OF THE CITY CODE OF RAMSEY, MINNESOTA.

The City of Ramsey ordains:

SECTION 1. AUTHORITY

This ordinance is adopted pursuant to and under the authority of the City Charter of the City of Ramsey.

SECTION 2. AMENDMENT TO CITY CODE SECTION 105-142

The current City Code Section 117-1 is revised as follows (additions indicated by underline, deletions indicated by strikethrough):

Sec. 117-1. – Definitions.

Home occupation means any business or commercial activity that is conducted or petitioned to be conducted ~~from the principal structure or an accessory structure~~ on the property that is zoned for residential use, by persons residing on the property.

The current City Code Section 117-351 is revised as follows (additions indicated by underline, deletions indicated by strikethrough):

Section 117-351. – Home Occupations

Home occupations shall be allowed to exist in the residential zoning districts in accordance with certain criteria established to protect the peace, quiet, and domestic tranquility in all residential neighborhoods within the city, and in order to guarantee all residents freedom from excessive noise, excessive traffic, nuisance, fire hazard and other possible effects of said home occupation uses. It is the intent of this section that the property owner shall have a vested interest in the business, as the city does not desire to create business incubators for lease within the residential districts. Applications for a home occupation permit shall be processed administratively by the zoning administrator; or when circumstances necessitate, in accordance with the processing procedure established for conditional use permits in section 117-51. Home

occupation permits may be suspended or revoked pursuant to the procedure established in section 117-51. A permit is valid for five years, subject to revocation.

Commented [BR1]: Possibility of renewal requirements for tracking

- (1) *Requirements.* Home occupations that operate under the following parameters shall be exempt from a permit. If a home occupation operates beyond the conditions below or if the home occupation creates conditions described in subsection (2), a permit shall be required.
 - a. The home occupation shall be clearly incidental and secondary to the residential use of the premises, and shall result in no incompatibility with or disturbance to the surrounding area.
 - b. A home occupation cannot include both clients or customers coming to the residence and someone not residing at the residence employed at the residence.
 - ~~b.c.~~ The owner of the home occupation shall occupy the dwelling unit on the site of the home occupation.
 - ~~e.d.~~ Home occupation operations are restricted to the ~~dwelling unit, attached or detached garages or accessory buildings~~ property where the owner resides and has fee title. ~~If the owner of a home occupation is conducting operations in a detached accessory building, said accessory building must be located on the same parcel as the owners dwelling unit, or a parcel immediately adjacent to the owner's dwelling, to which the owner also has fee title.~~
 1. If the owner of a home occupation is conducting operations in a detached accessory building, said accessory building must be located on the same parcel as the owners dwelling unit, or a parcel immediately adjacent to the owner's dwelling, to which the owner also has fee title.
 - ~~d.e.~~ The area set aside for the home occupation in the dwelling unit shall not exceed 20 percent of the gross living area of the dwelling unit.
 1. If the owner of a home occupation is conducting operations outside of the principle and accessory structure, the area set aside for the home occupation shall not exceed 20 percent of the subject property.
 - ~~e.f.~~ The area set aside for the home occupation in attached or detached accessory buildings or garages shall not exceed total accessory building space or height allowed on the site of the home occupation, as established in section 117-349.
 - ~~f.g.~~ A minimum of 400 square feet of garage or accessory building space shall be maintained as a primary residential garage for indoor parking of vehicles and equipment.
 - ~~g.h.~~ There shall not be any exterior evidence of the existence of said home occupation such as displays, exterior storage of home occupation equipment and vehicles, materials, supplies, inventory or merchandise, with the following exceptions:
 1. One motor vehicle affiliated with the home occupation, either meeting the definition of a commercial vehicle or any vehicle having lettering or advertising for said home occupation, shall be allowed to be stored or parked

outside on the site of the home occupation in accordance with section 117-355.

2. One piece of commercial equipment affiliated with the home occupation shall be allowed to be stored or parked on the site of the home occupation in accordance with section 117-355.

- ~~h.i.~~ There shall be no interior signs or display which are visible from outside the dwelling unit or accessory building where the home occupation is operated nor any exterior business signs or displays unless otherwise permitted in article II, division 8 of this chapter, with the following exception:
 1. A sign not exceeding two square feet in size may be displayed if affixed flat against the wall of either the home or accessory building where the home occupation is being conducted. The sign shall be non-illuminated and shall not have dynamic display capabilities.
- ~~i.j.~~ The home occupation shall not generate excessive vehicular traffic (customers, employees, deliveries, etc.) in the residential neighborhood. Excessive vehicular traffic for purposes of this section is defined as in excess of any combination of eight round-trip customer/client visits and/or deliveries per standard eight hour day and no more than one on the premises at any given time. For the purposes of this section, one customer/client visit shall be considered to include any number of persons arriving in a single vehicle. One round-trip visit per eligible employee shall also be allowed and is not counted toward the customer/client visits. An increase at a rate of 25 percent is permitted if the subject property has access from a county, state, or MSA street.
- ~~j.k.~~ The home occupation does not serve as headquarters or as a dispatch center where employees come to the site and are then ~~dispatched~~ transported to other locations.
- ~~k.l.~~ The receipt or shipment of deliveries shall be limited to those made by the USPS and/or an express shipping service that is characteristic of service to a residential neighborhood.
- ~~l.m.~~ The home occupation shall not constitute a fire hazard to neighboring residences, or a nuisance to neighbors because of excessive traffic, light glare, noise, odors, vibration or other circumstances, as determined by the fire marshal or zoning administrator.
- ~~m.n.~~ The home occupation shall not include operations relating to internal combustion engines, body shops, ammunition manufacturing, motor vehicle repairs or sale, or any other objectionable uses as determined by the zoning administrator.
- ~~n.o.~~ The home occupation shall not change the fire rating of a structure nor require exterior alterations or modifications that change the residential character or appearance of the dwelling unit or accessory building to a commercial nature.
- ~~p.~~ The subject property shall not be used as a secondary location for business operations with a primary location.

Commented [BR2]: Open to alternative language to avoid uses of a residential property for storage of business equipment.

q. No one is transported from the premises to a job site who does not reside on the premises.

r. All vehicles brought to the property in conjunction with the business are parked in the driveway. Residents' vehicles are not parked in the streets to provide these driveway parking spaces. No parking spaces are improved to provide for the home occupation. Any vehicle whose nature or signage indicate it is used in the business is parked in the driveway or garage.

- (2) *Administrative home occupation permit required.* Home occupations that include one or more of the following practices or operational methods shall require a home occupation permit that is subject to the review and approval of the zoning administrator.
- a. The home occupation employs persons, which includes but is not limited to co-owners, partners, and employees), that do not live in the dwelling unit on the property but come to the property for purposes related to the occupation, or to conduct work on the property.
 1. The owner of a home occupation on a parcel less than three acres in size may employ a maximum of one person that does not reside in the dwelling unit on the property but does conduct work on the property. The owner of a home occupation on a parcel three acres or greater in size may employ a maximum of three persons that do not reside in the dwelling unit on the property but do conduct work on the property.
 2. Off-street parking for the dwelling unit occupants and any nonresident employees is provided in accordance with section 117-355.
 - b. The home occupation involves operating methods that include transactions with the public (customers, clients, consultants, subcontractors, etc.) on the site of the home occupation. The number of persons permitted on the site at any given time shall be limited so as not to create a parking demand in excess of that which can be accommodated on driveway on the site of the home occupation.
 - c. Retail sales are conducted on the site. Retail sales at the site shall be limited to products that are ancillary to the home occupation and shall be displayed or stored indoors.
- (3) *Conditional use.* Home occupations that propose to operate beyond the scope of the parameters in subsection (1) and/or (2) of this section shall be processed in accordance with the procedures established for conditional use permits in section 117-51, with the exception of recording the home occupation permit should it be approved by city council.
- (4) *Nuisance prevention.* In order to guarantee that a home occupation, once authorized, will not become a nuisance to the neighbors or otherwise violate these guidelines, the city staff or city council may impose reasonable conditions necessary to protect the public health, safety, and welfare of residents of the city.
- (5) *Inspections.* There may be one or more inspections each year by the zoning administrator or his designee of any property covered by a home occupation permit. In

addition, the zoning administrator and/or his designee, shall have the right at any time, upon reasonable request, 48 hours' notice shall be considered reasonable, to enter and inspect the premises covered by said permit for safety and compliance purposes.

- (6) *Term of home occupation permits.* Home occupation permits granted by this section shall be temporary in nature and shall be granted to a designated person who resides in the dwelling unit on the subject property. Permits are not transferable from person to person or from address to address, unless the transfer is in accordance with the provisions of subsection (7) of this section.
- (7) *Death or move of permit holder; suspension or revocation; businesses existing before adoption of article provisions.*
 - a. Should a home occupation permit holder die or move to a new location, the existing permit shall be automatically terminated. Except that in the case of death, should a surviving spouse or child, residing at the same address or receiving title to the property desire to continue the home occupation, written notice to that effect shall be given to the zoning administrator and the council may authorize continuation of that permit without further hearing.
 - b. A home occupation permit, once granted, may be suspended or revoked prior to its original revocation date by the council for cause after hearing before the council. Citizen complaints seeking the revocation of such permit shall be filed with the zoning administrator. All such revocation hearings, publication, and notice requirements shall be the same as for conditional use permits in accordance with section 117-51.
 - c. Persons conducting a business from property zoned for residential use on the effective date of the ordinance from which this section is derived shall be required to obtain a home occupation permit as required herein. The business may continue pending final determination of the application. Should the zoning administrator or council deny the application for a home occupation permit the use shall immediately cease at such residential premises.

Commented [BR3]: Possibly just the zoning administrator, such as for last HOP?

SECTION 4. EFFECTIVE DATE

This ordinance becomes effective 30 days after its passage and publication, subject to City Charter Section 5.04.

SECTION 5. SUMMARY

The following official summary of Ordinance #21-20 has been approved by the City Council of the City of Ramsey as clearly informing the public of the intent and effect of the Ordinance.

Ordinance #21-20 amends Chapter 117, Sections 1 (Definitions) and 351 (Home Occupations) to revise the existing City of Ramsey Zoning Code. The revised sections regarding Home Occupations will address all business types conducted on a residential property.

PASSED by the City Council of the City of Ramsey, Minnesota the 16th day of November, 2021.

Mayor

ATTEST:

City Clerk

Introduction date: October 28, 2021
Posting dates: October 28 – November 17, 2021
Adoption date: November 16, 2021
Publication date: November 19, 2021
Effective date: December 19, 2021

Sec. 117-351. Home occupations.

Home occupations shall be allowed to exist in the residential zoning districts in accordance with certain criteria established to protect the peace, quiet, and domestic tranquility in all residential neighborhoods within the city, and in order to guarantee all residents freedom from excessive noise, excessive traffic, nuisance, fire hazard and other possible effects of said home occupation uses. It is the intent of this section that the property owner shall have a vested interest in the business, as the city does not desire to create business incubators for lease within the residential districts. Applications for a home occupation permit shall be processed administratively by the zoning administrator; or when circumstances necessitate, in accordance with the processing procedure established for conditional use permits in section 117-51. Home occupation permits may be suspended or revoked pursuant to the procedure established in section 117-51.

- (1) *Requirements.* Home occupations that operate under the following parameters shall be exempt from a permit. If a home occupation operates beyond the conditions below or if the home occupation creates conditions described in subsection (2), a permit shall be required.
 - a. The home occupation shall be clearly incidental and secondary to the residential use of the premises, and shall result in no incompatibility with or disturbance to the surrounding area.
 - b. The owner of the home occupation shall occupy the dwelling unit on the site of the home occupation.
 - c. Home occupation operations are restricted to the dwelling unit, attached or detached garages or accessory buildings. If the owner of a home occupation is conducting operations in a detached accessory building, said accessory building must be located on the same parcel as the owners dwelling unit, or a parcel immediately adjacent to the owner's dwelling, to which the owner also has fee title.
 - d. The area set aside for the home occupation in the dwelling unit shall not exceed 20 percent of the gross living area of the dwelling unit.
 - e. The area set aside for the home occupation in attached or detached accessory buildings or garages shall not exceed total accessory building space or height allowed on the site of the home occupation, as established in section 117-349.
 - f. A minimum of 400 square feet of garage or accessory building space shall be maintained as a primary residential garage for indoor parking of vehicles and equipment.
 - g. There shall not be any exterior evidence of the existence of said home occupation such as displays, exterior storage of home occupation equipment and vehicles, materials, supplies, inventory or merchandise, with the following exceptions:
 1. One motor vehicle affiliated with the home occupation, either meeting the definition of a commercial vehicle or any vehicle having lettering or advertising for said home occupation, shall be allowed to be stored or parked outside on the site of the home occupation in accordance with section 117-355.
 2. One piece of commercial equipment affiliated with the home occupation shall be allowed to be stored or parked on the site of the home occupation in accordance with section 117-355.
 - h. There shall be no interior signs or display which are visible from outside the dwelling unit or accessory building where the home occupation is operated nor any exterior business signs or displays unless otherwise permitted in article II, division 8 of this chapter, with the following exception:

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1. A sign not exceeding two square feet in size may be displayed if affixed flat against the wall of either the home or accessory building where the home occupation is being conducted. The sign shall be non-illuminated and shall not have dynamic display capabilities.
 - i. The home occupation shall not generate excessive vehicular traffic (customers, employees, deliveries, etc.) in the residential neighborhood. Excessive vehicular traffic for purposes of this section is defined as in excess of any combination of eight round-trip customer/client visits and/or deliveries per standard eight hour day and no more than one on the premises at any given time. For the purposes of this section, one customer/client visit shall be considered to include any number of persons arriving in a single vehicle. One round-trip visit per eligible employee shall also be allowed and is not counted toward the customer/client visits. An increase at a rate of 25 percent is permitted if the subject property has access from a county, state, or MSA street.
 - j. The home occupation does not serve as headquarters or as a dispatch center where employees come to the site and are then dispatched to other locations.
 - k. The receipt or shipment of deliveries shall be limited to those made by the USPS and/or an express shipping service that is characteristic of service to a residential neighborhood.
 - l. The home occupation shall not constitute a fire hazard to neighboring residences, or a nuisance to neighbors because of excessive traffic, light glare, noise, odors, vibration or other circumstances, as determined by the fire marshal or zoning administrator.
 - m. The home occupation shall not include operations relating to internal combustion engines, body shops, ammunition manufacturing, motor vehicle repairs or sale, or any other objectionable uses as determined by the zoning administrator.
 - n. The home occupation shall not change the fire rating of a structure nor require exterior alterations or modifications that change the residential character or appearance of the dwelling unit or accessory building to a commercial nature.
 - (2) *Administrative home occupation permit required.* Home occupations that include one or more of the following practices or operational methods shall require a home occupation permit that is subject to the review and approval of the zoning administrator.
 - a. The home occupation employs persons, which includes but is not limited to co-owners, partners, and employees), that do not live in the dwelling unit on the property but conduct work on the property.
 1. The owner of a home occupation on a parcel less than three acres in size may employ a maximum of one person that does not reside in the dwelling unit on the property but does conduct work on the property. The owner of a home occupation on a parcel three acres or greater in size may employ a maximum of three persons that do not reside in the dwelling unit on the property but do conduct work on the property.
 2. Off-street parking for the dwelling unit occupants and any nonresident employees is provided in accordance with section 117-355.
 - b. The home occupation involves operating methods that include transactions with the public (customers, clients, consultants, subcontractors, etc.) on the site of the home occupation. The number of persons permitted on the site at any given time shall be limited so as not to create a parking demand in excess of that which can be accommodated on driveway on the site of the home occupation.
 - c. Retail sales are conducted on the site. Retail sales at the site shall be limited to products that are ancillary to the home occupation and shall be displayed or stored indoors.

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- (3) *Conditional use.* Home occupations that propose to operate beyond the scope of the parameters in subsection (1) and/or (2) of this section shall be processed in accordance with the procedures established for conditional use permits in section 117-51, with the exception of recording the home occupation permit should it be approved by city council.
 - (4) *Nuisance prevention.* In order to guarantee that a home occupation, once authorized, will not become a nuisance to the neighbors or otherwise violate these guidelines, the city staff or city council may impose reasonable conditions necessary to protect the public health, safety, and welfare of residents of the city.
 - (5) *Inspections.* There may be one or more inspections each year by the zoning administrator or his designee of any property covered by a home occupation permit. In addition, the zoning administrator and/or his designee, shall have the right at any time, upon reasonable request, 48 hours' notice shall be considered reasonable, to enter and inspect the premises covered by said permit for safety and compliance purposes.
 - (6) *Term of home occupation permits.* Home occupation permits granted by this section shall be temporary in nature and shall be granted to a designated person who resides in the dwelling unit on the subject property. Permits are not transferable from person to person or from address to address, unless the transfer is in accordance with the provisions of subsection (7) of this section.
 - (7) *Death or move of permit holder; suspension or revocation; businesses existing before adoption of article provisions.*
 - a. Should a home occupation permit holder die or move to a new location, the existing permit shall be automatically terminated. Except that in the case of death, should a surviving spouse or child, residing at the same address or receiving title to the property desire to continue the home occupation, written notice to that effect shall be given to the zoning administrator and the council may authorize continuation of that permit without further hearing.
 - b. A home occupation permit, once granted, may be suspended or revoked prior to its original revocation date by the council for cause after hearing before the council. Citizen complaints seeking the revocation of such permit shall be filed with the zoning administrator. All such revocation hearings, publication, and notice requirements shall be the same as for conditional use permits in accordance with section 117-51.
 - c. Persons conducting a business from property zoned for residential use on the effective date of the ordinance from which this section is derived shall be required to obtain a home occupation permit as required herein. The business may continue pending final determination of the application. Should the zoning administrator or council deny the application for a home occupation permit the use shall immediately cease at such residential premises.

(Code 1978, § 9.11.04; Ord. No. 73-05, 5-21-1973; Ord. No. 03-30, 9-15-2003; Ord. No. 03-54, 1-19-2004; Ord. No. 08-14, § 2, 5-13-2008; Ord. No. 15-03, § 2, 2-24-2015)

This research is an analysis of peer community codes regarding the definition and standards of a home occupation. Staff discovered that the City's existing definition of a home occupation does not reference secondary uses on residential properties that occurs outside of structures. The following home occupation definition and ordinances recommendations were made from analyzing peer city Codes.

Definition Recommendation

Recent code enforcement cases, have identified that the Ramsey City Code does not have a definition that encumbers all home occupations that are seen on Ramsey properties. The purpose of revising the Home Occupation definition is to clarify that all business or commercial activities on a residential property is a home occupation.

The existing Ramsey City Code defines a home occupation in Section 117-1, stating a "Home occupation means any business or commercial activity that is conducted or petitioned to be conducted from the principal or an accessory structure on the property that is zoned for residential use, by persons residing on the property".

The following recommendations for the Home Occupation definitions come from researching peer communities.

- i. Home occupation means any business or commercial activity that is conducted or petitioned to be conducted from the property that is zoned for residential use, by persons residing on the property.
- ii. Any gainful business, occupation, profession, or commercial activity conducted by a resident of that property as an incidental and accessory use of the dwelling as a residence.
- iii. Any gainful business, occupation, profession, or commercial activity conducted by a resident of that property as secondary or an accessory use to the residential use.

The definitions determine a home occupation can occur anywhere on the property, are required to be operated by a resident of the property, and that the home occupation is secondary to the primary residential use. These criteria have not changed, but is meant to be clearly defined in the revised definition.

City Codes Comparison Chart

<u>City</u>	<u>Prohibited Uses</u>	<u>Maximum Floor Area</u>	<u>HOP, CUP, or IUP</u>	<u>Nonresident Employees</u>
Andover*	Prohibited uses are no explicitly listed	20% of gross floor area	Admin HOP	1
		800 square feet	CUP	Not defined
Anoka*	Retail, auto repair and painting, including repair of engines, motor vehicles, motorcycles, and heavy equipment.	25% of gross floor area	Admin HOP	1
			IUP	1
Blaine*	Use of mechanical equipment other than domestic or hobby	20% of gross floor area	Admin HOP	0
			CUP	Not defined
Coon Rapids	repair of internal combustion engines of more than 12 horsepower, body shops; machine shops; welding; ammunition manufacturing; flea markets; motor vehicle repair, maintenance, service or sale; firearm sales; tattoo parlors or other objectionable uses	25% of gross living area or 400 square feet; whichever is smaller	IUP	0
Dayton	Prohibited uses are no explicitly listed	25% of home floor area (excluding garage)	Admin HOP	0
		30% of home floor area (excluding garage)	IUP	2
Elk River	Involves the use of hazardous materials or activities, and/or any of the following: body shops, machine shops, ammunition manufacturing, flea markets, motor vehicle repairs within the Urban Service District, motor vehicle sales, escort businesses, sexually oriented land uses, gun repair and/or sales, or other	Not Defined	HOP	1

	objectionable uses as determined by the city council.			
Minneapolis	<ul style="list-style-type: none"> • Motor vehicle repair, service or painting, or any repair or servicing of vehicles or equipment with internal combustion engines. • A barber shop or beauty salon designed to serve more than one (1) client at a time. • The sale, lease, trade or other transfer of firearms or ammunition by a firearms dealer. Firearms dealers existing on or before October 7, 1995, and in all other respects in conformance with the provisions of this ordinance, shall be permitted to continue as nonconforming uses in accordance with the provisions of Chapter 531, Nonconforming Uses and Structures. • Sexually oriented uses, as defined in Chapter 549, Downtown Districts. • Headquarters or dispatch centers where persons come to the site and are dispatched to other locations. • Uses allowed in the Commercial or any industrial district. 	Not Defined	HOP	1
Nowthen		Wholly interior	HOP	0

	Prohibited uses are no explicitly listed	Outside storage with setback and screening requirements	IUP	Gravel road access: 1 FT or 2 PT Bituminous road access: 2 FT or 4 PT
Oak Grove	Prohibited uses are no explicitly listed	50% of the total floor area	HOP	0
			IUP	3
Ramsey	Internal combustion engines, body shops, repair, dispatch centers	20% of gross area (min. 400 sq. ft. garage space for residence)	HOP	1 < 3 Acres 3 > 3 Acres
		Not defined	CUP	Not defined

* Cities with multiple types of Permits for a Home Occupation are listed in order of conformity.
Ex. Andover's HOP is a lower level than the CUP which is meant for the nonconforming uses that are not permitted in the City's HOP.

Home Occupation Research by City

[Andover](#) (Title 12, Chapter 9: -8-5: Home Occupation)

Definition: Any gainful occupation or profession clearly secondary to the main use of the dwelling as a residence that is conducted entirely within the dwelling or as allowed by Conditional Use Permit and which meets the requirements of Chapter 10 of this title.

- **Permitted Home Occupations:** Permitted home occupations include, and are limited to: art or photo studio, dressmaking, secretarial services, professional offices, repair services, or teaching services limited to three (3) students at any one time and similar uses.
 - **Number of Employees:** “one person on site in addition to family members”
 - **Amount of Building Space Used:** shall not exceed 20% of the dwelling’s livable floor area.
 - **Dwelling Changes:** prohibited, except those customarily found in a dwelling
 - **Vehicles:** in accordance with performance standards
 - **Signs:** in accordance with signs chapter
 - No effects of light, noise, odor, or vibration on adjacent or neighboring properties
- **Conditional Use Home Occupation:** located in accessory structures or detached garage and/or require exterior storage
 - Cabinet making, woodworking, repair services, and similar uses.
 - **Lot size:** three (3) acres or greater
 - **Amount of Area Used:** combined accessory structure and outdoor storage square footage shall not exceed eight hundred (800) square feet.
 - Shall be fenced and screened from being visible “at any time of the year from road right-of-way, public properties and surrounding properties”.
- **Special Use Home Occupation:** Nonconforming home occupations.

[Anoka](#) (Section 78-237. – Special requirements for residence districts.

Definition: Home occupation means any occupation or profession carried on by a member of the family residing on the premises, provided that the use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, does not change the character of the dwelling, and does not utilize more than 25 percent of the building's gross floor area.

- **Permitted home occupations**
 - Home Occupation is prohibited in accessory structures.
 - **Number of Employees:** “one person on site in addition to family members”
 - **Amount of Building Space used:** No more than 25% of gross living area
 - **Dwelling Changes:** prohibited, except those customarily found in a dwelling
 - **Vehicles:** No on-street parking related to the occupation.
 - **Signs:** in accordance with signs chapter
 - No effects of light, noise, odor, or vibration on adjacent or neighboring properties
 - No outdoor storage
 - No more than one client or customer at the dwelling at one time.
- **Interim Use Permit Required**
 - **Number of Employees:** Maximum one outside employee.
 - **Vehicles:** Maximum one outdoor commercial type vehicle identified for business.

- Ceramic classes with kiln up to 6 cubic feet, domestic animal grooming, similar in character to permitted home occupations
- **Prohibited Home Occupations**
 - Antique shops, boutiques, dress shops, gift shops, photo studios, processing labs, portrait studios, restaurants, coffee shops, tearooms, medical offices (including massage therapy), animal hospitals or kennels, dancing schools and studios, dispatching of transfer and moving vans at the site, furniture repair and refinishing, palm reading or fortune telling, preparation of food for sale (unless specifically permitted in this section), radio or television or appliance repair shops, raising of animals for sale, shops for contractors and tradesmen, sign painting, boarding houses and lodgings, tattoo businesses, tanning salons, and any occupation that requires a federal firearms license (unless continued lawful nonconforming).
 - Auto repair and painting, including repair of engines, motor vehicles, motorcycles, and heavy equipment.

[Blaine](#) (Section 33.10- Home Occupations.)

Definition: A home occupation is defined as any business, occupation, profession, or commercial activity that is conducted or petitioned to be conducted from property that is zoned for residential use. General farming and gardening activities are not considered home occupations and are not regulated by this ordinance.

- **Permitted Home Occupations**
 - **Number of Employees:** No persons not residing on the premises
 - **Amount of Building Space Used:** Shall not exceed 20% of total floor area
 - **Vehicle:** Motor vehicle used for home occupation must be stored indoors. No exterior evidence, outside storage storage, or accessory structure storage/use for the home occupation.
 - **Sign:** One 2.5 square foot sign
 - **Customers:** Fewer than four (4) customers entering daily.
 - Shall not constitute as a nuisance to neighboring properties.
- **Conditional Use Permit**
 - All home occupations that do not conform to the standards provided.
- **Prohibited Home Occupations:** Use of mechanical equipment other than domestic or hobby

[Coon Rapids](#) (Section 11-304.2 – Home Occupation Permits)

Definition: A gainful occupation engaged in on residential property by a resident of that property. Home Based Retail Sales is not considered a home occupation. Neither are the activities of a foster parent, a live-in child care provider, a live-in domestic worker or attendant, or similar caregiver be considered a home occupation.

- **Permitted Home Occupations**
 - Valid for two (2) years before required to resubmit application
 - Shall not constitute as a nuisance to neighboring properties.
 - **Number of Employees:** No one who does not reside at the property

- **Amount of Building Space Used:** No more than 25% of gross living area or 400 square feet; whichever is smaller.
- **Dwelling changes:** prohibited, except those customarily found in a dwelling
- **Vehicle:** No larger than 26,00 pounds gross vehicle weight
- **Sign:** No outdoor storage or signage, no evidence of home occupation.
- **Hours of Operation:** 9am to 8pm, not to exceed 30 hours a week
- Storage of hazardous or flammable materials in excess of consumer quantities
- **Prohibited Home Occupations**
 - “repair of internal combustion engines of more than 12 horsepower, body shops; machine shops; welding; ammunition manufacturing; flea markets; motor vehicle repair, maintenance, service or sale; firearm sales; tattoo parlors or other objectionable uses as determined by the City Council. Machine shops are defined as places where raw metal is fabricated, using machines that operate on more than 110 volts of current.”

Dayton (Section 1001.36. Accessory Dwelling Units):

Home businesses shall fall into 2 categories.

(1) Administrative Home Occupations are those Home Occupations that have no effect on the surrounding neighborhood. This accessory use may be allowed with an administrative permit in all agricultural and residential neighborhoods when the occupation conforms to the standards of Subdivisions 3 and 4(1) below.

(2) Home Extended Businesses are those Home Occupations that typically involve more significant element of commercial-type activity that may have a minimal effect on the surrounding neighbors. This accessory use may be allowed if the use meets all the criteria of Subdivisions 3 and 4(2) below, and requires the issuance of an interim use permit. The Council may require compliance with any reasonable conditions, restrictions or limitations necessary to protect the residential or agricultural character of the area.

- **Permitted Home Occupations (Administrative)**
 - The application shall reside at the dwelling where the home occupation is located
 - Shall not constitute as a nuisance to neighboring properties.
 - No more than eight (8) trips in an standard eight (8) hour day
 - **Amount of Building Space Used:** No more than 25% of floor area of the home (excluding the garage)
 - **Customers:** No direct sale of goods to the consumer, no more than one customer or client visit at any given time.
 - **Dwelling Changes:** prohibited, except those customarily found in a dwelling
 - **Sign:** No exterior evidence of the home occupation except a sign not to exceed two (2) square feet in area
 - **Hours of Operation:** Shall not be conducted from 10pm to 7am unless no on-street parking is required, during which time no vehicles or machinery shall be idling or running outdoors.
 - **Parking:** All parking associated with the home occupation shall occur onsite.
- **Interim Use Permit (Home extended Business) – Requires Planning Commission and City Council review**

- **Amount of Building Space Used:** No more than 30% of floor area of the home (excluding the garage)
- **Number of Employees:** No more than two (2) nonresident employees
- **Outdoor Storage:** No outdoor storage if under 2.5 acres; allowed over 2.5 acres with significant screening and shall not exceed 20% of the lot.
- **Accessory or Detached Garage:** One (1) shall be used provided there is still a garage space to park a vehicle.

Elk River (Sec. 30-801. – Home Occupations)

Definitions:

- i. Home occupation, **conditional** means any gainful occupation or profession, not meeting the criteria of subsection 30-801(c), customarily conducted entirely within a dwelling principally by members of a family residing therein, which use is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof. Conditional home occupations require a public hearing pursuant to the procedures and standards for a conditional use permit.
- ii. Home occupation, **permitted** means any gainful occupation or profession, meeting the criteria of subsection 30-801(c), customarily conducted entirely within a dwelling principally by members of a family residing therein, which use is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof. Permitted home occupations are processed administratively following the set of criteria in subsection 30-801(c).

- **Permitted Home Occupations:**

- The owner shall reside at the dwelling where the home occupation is located
- Shall not constitute as a nuisance to neighboring properties.
- **Amount of Building Space Used:** No limit listed.
- **Numbers of Employees:** Maximum one (1) nonresident employee
- **Dwelling changes:** prohibited, except those customarily found in a dwelling
- **Vehicles:** Shall not create excessive parking beyond what the existing driveway can accommodate.
- **Sign:** No exterior evidence of the home occupation
- **Hours of Operation:** Shall have no outside employee or clients between 9pm and 7am.
- **Deliveries:** Shall not be serviced by vehicles larger than 26,00 pounds gross vehicle weight

- **Prohibited Home Occupations:**

- “Constitute a fire hazard to neighboring residences, adversely affect neighboring property values, or constitute a nuisance or otherwise be detrimental to the neighbors”.
- Involve the use of hazardous materials or activities.
- Involve any of the following: body shops, machine shops, ammunition manufacturing, flea markets, motor vehicle repairs within the Urban Service District, motor vehicle sales, escort businesses, sexually oriented land uses, gun repair and/or sales, or other objectionable uses as determined by the city council.

[Minneapolis \(537.110. – Allowed uses and structures.\):](#)

Definition: An occupation or profession carried on by a member of the household residing on the premises, conducted as a customary, incidental and accessory use of a dwelling. Also referred to as live-work.

- **Permitted Home Occupations:**

- The application shall reside at the dwelling where the home occupation is located
- Shall not constitute as a nuisance to neighboring properties.
- The home occupation must be entirely enclosed, unless growing food or crops outdoors.
- **Amount of Building Space Used:** No limit listed.
- **Number of Employees:** No more than one (1) nonresident employees
- **Customers:** No more than five (5) customers per day
- **Dwelling Changes:** prohibited, except those customarily found in a dwelling. No interior alterations removing the kitchen, living room, bed rooms and/or bathrooms is allowed.
- **Signs:** one (1) non-illuminated, flat wall, identification sign not to exceed one (1) square foot in area. On a corner zoning lot, two (2) such signs, one (1) facing each street, shall be allowed.
- **No retail or sales of items accessory to the home occupation.** (i.e. hair supplies for hair salon home occupation)
- **Hours of Operation:** 8am to 8pm
- **Deliveries:** Limited to between 9am and 6pm and shall only occur in single rear axle straight trucks or smaller vehicles normally used to service residential neighborhoods.

- **Prohibited Home Occupations:**

- Motor vehicle repair, service or painting, or any repair or servicing of vehicles or equipment with internal combustion engines (such as snowmobiles, lawnmowers, chain saws and other small engines).
- A barber shop or beauty salon designed to serve more than one (1) client at a time.
- The sale, lease, trade or other transfer of firearms or ammunition by a firearms dealer. Firearms dealers existing on or before October 7, 1995, and in all other respects in conformance with the provisions of this ordinance, shall be permitted to continue as nonconforming uses in accordance with the provisions of [Chapter 531](#), Nonconforming Uses and Structures.
- Sexually oriented uses, as defined in [Chapter 549](#), Downtown Districts.
- Headquarters or dispatch centers where persons come to the site and are dispatched to other locations.
- Uses allowed in the C4 General Commercial District or any industrial district.

[Nowthen \(Section 11-4-3: Home Occupations\)](#)

Definition: Home occupations are defined and described either as Permitted Home Occupation under subpart A of this section, or as Extended Home Occupations under subpart B. The Permitted Home occupations are permitted within all zoning districts so long as all requirements

are met. There are no variances from requirements for Permitted Home Occupations. Extended Home Occupations are only permitted as Interim Uses. Any home occupation that does not fully comply with Permitted Home Occupation requirements shall be reviewed as an Extended Home Occupation.

- **Permitted Home Occupation**
 - Shall not constitute as a nuisance to neighboring properties.
 - No retail is allowed on the premises.
 - **Number of Employees:** No outside employees, other than residents of the dwelling.
 - **Amount of Building Space Used:** The Home Occupation shall be wholly within the principle structure, no accessory dwellings.
 - **Signs:** one sign, without lights or illumination, and of maximum six (6) square foot size. There shall be no exterior display or evidence, except sign.
 - A home occupation shall not create an increase in vehicular traffic within the neighborhood.
- **Interim Use Permit** (Extended Home Business) – length determined by City Council
 - Shall not constitute as a nuisance to neighboring properties and shall not create an increase in vehicular traffic within the neighborhood.
 - **Number of Employees:** No more than one (1) full-time employee or two (2) part-time employees. If property is fully accessed on bituminous road, two (2) full-time employees or four (4) part-time employees are allowed.
 - **Amount of Building Space Used:** The home occupation is allowed in the principle or accessory structures. Outdoor storage shall be setback one hundred (100) feet from a property line or one hundred twenty (12) feet from any current or potential abutting property residence; and screened by opaque fencing.
 - **Signs:** one sign, without lights or illumination and of maximum six (6) square foot size.
 - **Storage:** The leasing or rental of space for storing boats, vehicles, etc.
 - Sales accessory to the home occupation (i.e. hair care products in a hair salon home occupation).

[Oak Grove](#) (Section 109-195. – Home Occupations.)

Definition: any gainful occupation or profession conducted on a lot zoned for residential or agricultural use; engaged in only by the occupant of a dwelling that is located on the lot; for which no signs other than those normally utilized in a residential district are present, limited stock in trade is stored on the premises, and over-the-counter retail sales are not involved.

- **Permitted Home Occupations**
 - Shall not constitute as a nuisance to neighboring properties.
 - **Number of Employees:** No outside employees, other than residents of the dwelling.
 - **Amount of Building Space Used:** No restriction to size, but is restricted to the principle structure where the dwelling occurs. Shall not be more than 50% of the total floor area.
 - **Customers:** No more than eight (8) or fewer customers daily.
 - **Signs:** One (1) sign per dwelling, which shall comply with sign ordinance.

- **Vehicles:** No exterior evidence or garage storage of items related to the home occupation, except one (1) light commercial vehicle not to exceed twenty-eight (28) feet in length or a gross vehicle weight rating of 16,000 pounds.
- **Interim Use Permit** – Home Occupations that do not conform to permitted standards
 - On-site sales, wholesale or retail, shall not be the primary objective of the business. Limited on-site sales may be permitted, provided that the effect on traffic levels shall not be judged unacceptable by the city council. Upon report of objectionable traffic, the city council may restrict or rescind on-site sales approval.
 - A public hearing is required at a planning commission and authorization from the City Council; an IUP is valid for two (2) years after a public hearing, and then can be renewed for periods of one (1) to five (5) years administratively.
 - **Number of Employees:** No more than three (3) nonresident employees.
 - **Signs:** Shall comply with sign ordinance.
 - Storage or sales of hazardous substances as defined in Minn. Stats. § 182.651, subd. 14, bulk chemicals, or petroleum products shall be specifically prohibited unless done so in compliance with the requirements of the county community health and environmental services department. Requirements may include additional licensing. Storage of agricultural chemicals as allowed by state statutes is not prohibited.

[Ramsey](#) (Section 117-351 – Home occupations.)

Definition: Home occupation means any business or commercial activity that is conducted or petitioned to be conducted from the principal or an accessory structure on the property that is zoned for residential use, by persons residing on the property.

- **Permitted Home Occupations**
 - The home occupation shall not constitute a public nuisance affecting neighboring properties or the character of the neighborhood
 - **Number of Employees:** One (1) nonresident employee for properties less than three (3) acres, and a maximum three (3) nonresident employees if property is over three (3) acres.
 - **Amount of Building Space Used:** shall not exceed 20% of the gross living area of the dwelling unit. A minimum 400 square feet of garage or accessory space must be maintained for the primary residential use.
 - **Dwelling Changes:** prohibited, except those customarily found in a dwelling
 - **Vehicles:** One vehicle associated with the home occupation in accordance with off-street parking ordinances
 - **Signs:** No exterior evidence of the home occupation, except a sign no larger than two (2) square feet in area
- **Conditional Use Permit** – Home Occupations operating outside of the permitted uses.
- **Prohibited Home Occupations**
 - The home occupation shall not include operations relating to internal combustion engines, body shops, ammunition manufacturing, motor vehicle repairs or sale, or any other objectionable uses as determined by the zoning administrator.
 - Headquarters or dispatch centers where persons come to the site and are dispatched to other locations.