

- 1 Green Text = Carried over verbatim
- 2 Gold Text=Partially verbatim, paraphrased, or combined carried over paragraphs.
- 3 ~~Red-Text~~ = Text deleted from a carried over paragraph
- 4 Blue Text = New text
- 5 Purple Text = Text added based on Planning Commission Comments

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8 200 Land Development Applications and Procedures

9 Sections 200-299 are established to define the procedures and processes for applications for
10 development, redevelopment, and changes in use of property in Ramsey. All procedures must be in
11 conformance with applicable provisions of State Law.

12
13 201 Processing Costs

- 14 (A) *Costs.* All costs incurred by the City in processing an application for a land use application shall be
15 paid by the applicant. The processing costs shall include but not be limited to:
 - 16 (1) Professional consulting services as directed by the zoning administrator, the Planning
17 Commission and/or City Council;
 - 18 (2) Copying charges;
 - 19 (3) City staff involvement;
 - 20 (4) Public hearing publications and posting of a sign on the property;
 - 21 (5) Written notice to adjacent property owners;
 - 22 (6) Recording charges; and/or
 - 23 (7) Any other cost necessary to process the applicant's request.
- 24
- 25 (B) *Fee and escrow.* A set fee and a set minimum escrow established by ~~ordinance~~ an annual fee
26 schedule shall be paid to the city at the time the land use application is made.
- 27 (C) *Special assessment of processing costs.* An applicant may request that processing costs exceeding
28 the amount established by ~~ordinance~~ annual fee schedule be specially assessed against the
29 applicant's property provided that the property owner accepts the assessment to the subject
30 property and waives any right of assessment appeal.
- 31 (D) *Additional deposits before submittal.* If the zoning administrator determines that costs in addition
32 to the set escrow will likely be incurred by the city, then an additional sum as determined by the
33 zoning administrator shall be deposited with the City before the application is considered officially
34 submitted.
- 35 (E) *Additional deposits after submittal* If at any point during the processing of a ~~zoning or~~ land use
36 application, the actual or estimated processing costs exceed the amount on escrow, the applicant
37 shall have ten days to supply an additional escrow in an amount equal to or greater than the
38 estimated processing costs. Failure to provide additional funds into a deficit account can result in
39 assessing the costs to the property subject to the application.
- 40 (F) *Refund of unused deposits.* Any portion of those funds deposited in escrow but not expended or
41 encumbered shall be returned to the applicant after final action on the application. Under no
42 circumstance shall an escrow be considered an interest bearing account.

43
44 202 Required Sureties and Financial Guarantees

45 Upon approval of a land use application or administrative site plan review where a new building and/or
46 site improvements are being constructed or reconstructed, the City shall be provided with a cash escrow,
47 cash bond, and/or letters of credit prior to the issuing of building permits or initiation of work on the

1 proposed improvements or development. This security shall guarantee conformance and compliance with
2 the conditions of the approval and the provisions of this Code.

3 (A) The security shall be in the amount equal to 125 percent the applicant's estimated costs of labor
4 and materials for the proposed improvements or development.

5 (B) The city shall hold the security until completion of the proposed improvements or development and
6 a certificate of occupancy indicating compliance with the provisions of the land use application and
7 this chapter has been issued by the building official. A maintenance period of ~~no more than~~ two
8 years for landscaping improvements may be collected.

9 (C) Landscaping maintenance warranty established by the annual fee schedule.

10 (D) Failure to comply with the conditions of the land use application approvals and the provisions of
11 this chapter shall result in forfeiture of the security.

12 (E) *Landscape escrow for single-family lots.* A landscape escrow, in an amount to be determined by the
13 annual fee schedule ~~building official~~, shall be deposited for all required landscaping, including
14 topsoil, sod, and trees, which is not established at the time of issuance of a certificate of occupancy.
15 Installation of required landscaping, including topsoil, established groundcover ~~sod (or seeding~~
16 ~~where permitted by this Chapter)~~, and trees, shall be completed within six months of the issuance
17 of the certificate of occupancy, weather permitting. The city may draw upon the escrow to install
18 the required landscaping if said work is not completed within six months of the date of issuance of
19 the certificate of occupancy.

20 21 203 Development Agreements

22 Whenever a performance guaranty is imposed by the city, the applicant shall be required to enter into a
23 development agreement with the city. This agreement is to provide authorization to the city to utilize the
24 posted security and complete stipulated work should the applicant fail to meet the terms and conditions
25 of the development. Said agreement shall hold harmless the City for completion of the work and address
26 other matters as may be determined by the City Attorney. The development agreement shall be approved
27 by the City Council.

28 29 210 Land Use Applications

30 The following land use application types are required and are described further in this chapter:

31 (A) Variances

32 (B) Site Plan Review

33 (C) Conditional Use Permits and Amendments

34 (D) Interim Use Permits

35 (E) Zoning Text Amendments

36 (F) Zoning Map Amendments

37 (G) Comprehensive Plan Amendments

38 (H) Home Occupation Permits (Level II)

39 (I) Easement Vacations

40 (J) Encroachment Agreements

41 42 211 General information provided in an application form

43 All requests for land use approvals required within this chapter shall be filed with the City on an official
44 application form and must be submitted to the zoning administrator by deadlines set forth in an adopted
45 calendar. Failure to submit a completed form is grounds for rejection of an application. The following
46 information is required on all land use application forms:

47 (A) The applicant's name, business name, address, telephone number, and email address.

48 (B) The property owner's name, business name, address, telephone number, and email address.

- 1 (C) Signatures of the applicant and property owner consenting to the application.
- 2 (D) The address and/or legal description of the subject site.
- 3 (E) The land use application type(s) being sought.
- 4 (F) A written narrative explaining the request.
- 5 (G) The applicant's and/or owner's designated representative's business name, address, telephone
- 6 number, and email address.
- 7 (H) Consent from the homeowner's association, if applicable.

8
9 **212 Information provided on plans**

10 The information required for all land use application types generally consists of the following items, as
11 applicable to the application, and shall be submitted when applicable or requested by the zoning
12 administrator. Plans must be prepared in a standard engineering or architectural scale and be prepared
13 by a licensed surveyor, architect, and civil engineer, as applicable. All plans, with the exception of
14 architectural renderings, shall be in black, greyscale, and white.

15 (A) *Existing Conditions.*

- 16 (1) Affected parcel(s) legal description, dimensions, and area.
- 17 (2) Location of all existing significant trees, type, diameter, and which trees will be removed.
- 18 (3) Location of all existing structures on the site.
- 19 ~~(4) Location of all adjacent buildings located within 150 feet of the exterior boundaries of the~~
- 20 ~~property in question.~~
- 21 (5) Existing elevation contours at two-foot intervals extending 100 feet outside of the property
- 22 boundary.
- 23 (6) Floodplain and wetland boundaries.

24 (B) *Proposed Site Plan.*

- 25 (1) Location of all ~~buildings on parcels including both~~ existing and proposed structures.
- 26 (2) Location and dimensions of vehicular circulation, curb cuts, driveways, drive aisles, and
- 27 number of existing and proposed parking spaces.
- 28 (3) Calculations of parking space requirements.
- 29 (4) Site plan details such as trash enclosures, etc.
- 30 (5) Setbacks of all buildings, parking areas, and driveways from all property lines.
- 31 (6) Snow storage locations.

32 (C) *Proposed Architectural Plans.*

- 33 (1) Color architectural elevations with type and materials used in all exterior surfaces.
- 34 (2) Location and type of all proposed wall-mounted lights.
- 35 (3) Dimensions of proposed and existing structures.
- 36 (4) "Typical" floor plan and "typical" room plan.
- 37 (5) Preliminary Architectural Code Analysis.
- 38 (6) Screening plan of HVAC and other mechanical units.

39 (D) *Grading plan.*

- 40 (1) Proposed grading elevation contours at two-foot intervals and spot elevations extending
- 41 100 feet outside of the property boundary.
- 42 (2) Drainage configuration.
- 43 (3) Storm sewer catch basins, invert elevations, and storage areas.
- 44 (4) Proposed road profile.
- 45 (5) Storm water calculations.
- 46 (6) Floodplain and wetland boundaries.

47 (E) *Tree Preservation Plan*

- 48 (1) Location of all existing significant trees.

1 (2) Other information from the tree preservation requirements (TBD)

2 (F) Landscape plan.

- 3 (1) Location, type, and diameter of all proposed plantings including requirement calculations.
4 (2) Location and material used for all screening devices.

5 (G) Preliminary Utility Plan.

- 6 (1) Sanitary sewer and water plan ~~with estimated use per day~~.
7 (2) Existing sanitary sewer and water mains, service lines, and fire hydrants in adjacent rights-
8 of-way.
9 (3) Proposed fire hydrants.
10 (4) If outside of the MUSA, locations of proposed wells and septic systems with soil logs.

11 (H) Lighting Plan.

- 12 (1) Cut sheets of the proposed light fixtures.
13 (2) Photometrics of all wall-mounted and freestanding lights showing light levels across parking
14 lots, driveways, and pedestrian areas, and along all property lines.

15 (I) Other plans and studies may be necessary due to the nature of the application determined by the
16 zoning administrator such as an environmental review, noise analysis, or traffic analysis.

17
18 213 Application Submittal Dates

19 The Planning Commission shall adopt a calendar annually that specifies applicant submittal dates and
20 Planning Commission meeting dates in conformance with state law.

21
22 214 Public Hearings

23 (A) The following land use application types require a public hearing:

- 24 (1) Variances
25 (2) Site Plan Review
26 (3) Conditional Use Permits and Amendments
27 (4) Interim Use Permits
28 (5) Zoning Text Amendments
29 (6) Zoning Map Amendments
30 (7) Comprehensive Plan Amendments
31 (8) Home Occupation Permits (Type II)
32 (9) Easement Vacations

33 (B) Public hearing notices must be provided to surrounding property owners as noted in each of the
34 subsections below.

35 (C) A sign may be posted on the property constituting the application notifying the public of a proposed
36 land use application.

37 (D) When an applicant proposes any construction or alteration that would exceed a height of 200 feet
38 above ground level at the site then the zoning administrator shall notify the Mn/DOT commissioner
39 at least 30 days in advance.

40 (E) The Planning Commission shall conduct the public hearing, report its findings, and make
41 recommendations to the Council, except in the case of a variance which is described further in this
42 chapter where the Planning Commission has approval authority. Easement vacation public hearings
43 are conducted at a regular City Council meeting.

44
45 215 Re-submitting denied applications.

46 No application which has been denied wholly or in part may be resubmitted for at least one year from the
47 date of its denial, unless substantial changes have been made which warrant reconsideration, as
48 determined by the zoning administrator.

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216 Expiration of approved applications

An approval resolution for variances, site plans, conditional use permits and amendments, and home occupations are valid for one year from the date of approval at which time the use must be in operation or have a valid current building permit. The City Council may grant an extension of up to two years based on reasonable extenuating circumstances before the initial expiration date.

220 Variances

- (A) Variances shall only be permitted when they are in harmony with the general purposes and intent of this chapter and when the variances are consistent with the comprehensive plan.
- (B) Public hearing notice mailing distance is 350 feet.
- (C) Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Code. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning code; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems and public takings of property due to condemnation. Variances shall be granted for earth sheltered construction as defined in M.S. 216C.06, subdivision 14, when in harmony with this chapter.
- (D) The Planning Commission may not permit as a variance any use that is not allowed under the Zoning Code for property in the district where the affected person's land is located.
- (E) The Planning Commission may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
- (F) The Planning Commission shall serve as the ~~board~~ final decision making authority. However, any action of the ~~board~~ Planning Commission may be appealed to the Council by any affected person if notice of such an appeal is received by the zoning administrator within ten days of the final action of the ~~board~~ Planning Commission.
- (G) The variance is approved by resolution.
- (H) Recording of variance. A certified copy of a variance resolution shall be recorded with the Anoka County recorder or registrar of titles for record. The variance resolution shall include the legal description of the property included. No building permit shall be issued until after recording is made.

225 Site Plan Review

- (A) Site Plan Review Applications Requiring Formal Planning Commission and City Council Review. Absent a requirement for a conditional use permit, the following uses require a formal site plan review application:
 - (1) Developments of multiple-family dwellings (three or more attached units), townhomes, and mobile home parks;
 - (2) Commercial and industrial principal and accessory uses when adjacent to a residential use;
 - (3) All proposed developments within the Floodplain, Scenic Rivers, and Environmental Protection and Critical Rivers Overlay Districts;
 - (4) Religious institutions;
 - (5) Principal uses within the PI, P, and CL districts; and
 - (6) Principal uses within the PUD, COR.

- 1 (B) A conditional use permit application review shall satisfy the site plan review procedural
- 2 requirements for conditional uses.
- 3 (C) Public hearing notice mailing distance is 350 feet.
- 4 (D) The site plan review is approved by resolution.
- 5 (E) Conditions of approval. The City Council may attach reasonable conditions or modifications to the
- 6 site improvements or building architectural design to mitigate any adverse effects of the site.
- 7 Conditions related directly to the use are not permitted.

8

9 **226 Administrative Site Plan Review**

- 10 (A) Expansion of an existing commercial or industrial building that meets all minimum standards of the
- 11 applicable zoning district and matches and/or complements the exterior design, materials and
- 12 treatments of the existing building shall be exempt from the standard site plan review process in
- 13 Section 225 and rather be reviewed as part of the standard building permit review process.
- 14 (B) Expansion, modification, or installation of site improvements for a permitted business or industrial
- 15 use where no building permit is otherwise required shall require an administrative site plan review.
- 16 (C) Expansion or modification of site improvements and/or for buildings for uses listed in Section 225(A)
- 17 of less than 100 percent (footprint) shall be reviewed administratively.
- 18 (D) Expansion or modifications of site improvements and/or for buildings for conditional uses as
- 19 described in Section 230 of less than 10 percent (footprint) shall be reviewed as an administrative
- 20 site plan review.

21

22 **230 Conditional Use Permits**

23 Certain types of uses are classified as conditional uses under this chapter to which reasonable conditions

24 may be attached. The conditions may be based on operation of the use, site improvements, and screening

25 in order to mitigate any impacts to surrounding properties or the public rights-of-way. Conditional uses

26 shall be approved by the City Council by a showing by the applicant that the standards and criteria stated

27 in this chapter will be satisfied. The standards and criteria shall include both general requirements for all

28 conditional uses, and insofar as practicable, requirements specific to each designated conditional use. If

29 the use proposed is new construction, the conditional use permit process shall also be considered a site

30 plan review.

- 31 (A) *Duration of conditional use permits.* A conditional use permit shall remain in effect as long as the
- 32 conditions agreed upon are observed and the permit holder is in compliance with all other
- 33 regulations or standards of this chapter. A conditional use permit shall become null and void one
- 34 year after the final action of the council if not initiated or utilized, or if the use is discontinued for a
- 35 continuous 12-month period, unless a petition for an extension of time in which to complete or
- 36 utilize the use that has been granted by the council. The city shall notify the CUP holder of these
- 37 time restrictions at time of issuance. Extension shall be requested in writing and filed with the city
- 38 at least 30 days before the expiration of the original conditional use permit. The request for
- 39 extension shall state facts showing a good faith attempt to complete or utilize the use permitted in
- 40 the conditional use permit. Such petition shall be presented to the planning commission for a
- 41 recommendation to the council and acted upon by the council.
- 42 (B) Public hearing notification mailing distance is 350 feet.
- 43 (C) The Conditional Use Permit is adopted by resolution.
- 44 (D) Recording of permit. A certified copy of any conditional use permit shall be recorded with the Anoka
- 45 County recorder or registrar of titles for record. The conditional use permit shall include the legal
- 46 description of the property.
- 47 (E) *Amended conditional use permits.* An amended conditional use permit may be applied for and
- 48 administered in a manner similar to that required for a new conditional use permit. Amended

1 conditional use permits shall include requests for substantial changes in conditions or expansions
2 of use, and as otherwise described in this chapter. Expansion or modifications of site improvements
3 and/or for buildings for conditional uses of less than 10 percent (footprint) shall be reviewed as an
4 administrative site plan review.

5 (F) *Revocation of conditional use permits.* In the event that violations of any conditions set forth in the
6 conditional use permit occur, the council shall have the authority to revoke the conditional use
7 permit. The following procedure shall be used to consider the revocation of a conditional use
8 permit.

9 (1) The parcel owner shall be notified of the possible violations of the conditional use permit and
10 given 30 days to correct the violation and submit a written response to the notice.

11 (2) If the violations are not corrected in the 30-day time frame, a public hearing conducted by the
12 city council shall be scheduled.

13 (3) At the public hearing for the purpose of revoking a conditional use permit the council shall
14 consider the written response of the parcel owner and evidence of the violation. With a
15 majority vote the City Council shall take one of the following actions:

16 a. Revocation of the conditional use permit by resolution adopt findings of fact and
17 conclusions that support revocation of the conditional use permit;

18 b. Finding no violation exists by motion; or

19 c. Directing compliance measures and timelines to correct the violation.

20 (4) *Exigent circumstances.* If the City finds that exigent circumstances exist requiring immediate
21 permit revocation, the Zoning Administrator may revoke the permit and provide a post-
22 revocation hearing before the City Council not more than 15 days after holder's receipt of
23 written notice of the hearing. Following such hearing, the City Council may sustain or rescind
24 the revocation, or may impose such other and further discipline as it deems appropriate.

25 (G) The conditions contained in a valid conditional use permit for an existing use that has become
26 permitted due to a change in the zoning district or zoning text will remain in effect only as to any
27 conditions related to site improvements.

28 235 Interim Use Permit

29 The purposes and intents of allowing interim uses are: To allow a use for a limited period of time that
30 reasonably utilizes the property where it is not reasonable to utilize it in the manner provided in the
31 Comprehensive Plan; and to allow a use that is presently acceptable but that, with anticipated
32 development will not be acceptable in the future.

33 (A) Public hearing notification mailing distance is 350 feet.

34 (B) *Standards of issuance.*

35 (1) Every interim use permit issued shall terminate upon a date or event that can be identified
36 with certainty, with the maximum duration of five years from the date of approval, ~~unless~~
37 ~~otherwise approved by the council.~~

38 (2) In the final six months of each approved term, the applicant may request an extension to the
39 permit of up to five years. An application for the extension is the same process as requesting
40 an initial interim use permit.

41 (3) The council may attach such conditions to the interim use permit as it deems necessary in
42 order to carry out the intent and purpose of this chapter and protect the public health, safety
43 and welfare. These conditions may include a financial surety in an amount sufficient to
44 remove the interim use and interim structures and/or site improvements upon expiration of
45 the interim use permit.

46 (4) Interim Use Permits for home occupations have modified standards set forth in Section 236.
47

1 (5) Interim Use Permits for personal use heliports have modified standards set forth in Section
2 340.

3 (C) *Termination.* An interim use permit shall terminate upon the occurrence of any of the following
4 events; whichever first occurs:

5 (1) The date stated in the permit;

6 (2) A violation of conditions and subsequent revocation of the permit; or

7 (3) Revocation resulting from a cessation of the interim use for 30 consecutive days.

8 (4) Change of ownership of the property.

9 (5) Change of business entity or tenant occupying the property.

10 (6) The extension of sanitary sewer and water services to the site for uses approved specifically
11 without municipal services.

12 (D) The Interim Use Permit is adopted by Resolution.

13 (E) The property owner must sign an agreement understanding the limitations and conditions of the
14 interim use.

15 16 236 Home Occupation Permits

17 A Home Occupation Permit is considered an interim use permit with the following additional procedural
18 requirements:

19 (A) *Term.* A home occupation granted with an interim use permit shall be temporary in nature and shall
20 be granted to a designated person who resides in the dwelling unit on the subject property. The
21 permit shall run with the applicant, not the property. Permits are not transferable from person to
22 person or from address to address, unless the transfer is in accordance with the provisions of
23 subsection (C) of this section.

24 (B) *Inspections.* The city administrator or their designee, shall have the right, upon reasonable request,
25 to enter and inspect the premises covered by said interim use permit for safety and compliance
26 purposes, or code enforcement complaints.

27 (C) *Death or move of permit holder; suspension or revocation; businesses existing before adoption of*
28 *these provisions.*

29 (1) Should an interim use permit holder move to a new location, the existing permit shall be
30 automatically terminated. If the interim use permit holder should desire to continue the home
31 occupation in a new location, written notice to that effect shall be given to the city
32 administrator or their designee, and the council may authorize continuation of that permit
33 with a public hearing for the neighboring properties of the proposed new location.

34 (2) In the case of a death of the interim use permit holder, should a surviving spouse or child,
35 residing at the same address or receiving title to the property, desire to continue the home
36 occupation, written notice to that effect shall be given to the city administrator or their
37 designee. The permit shall be automatically renewed subject to the same terms.

38 (3) An interim use permit, once granted, may be suspended or revoked prior to its original
39 revocation date by the council for cause after hearing before the council. Citizen complaints
40 seeking the revocation of such permit shall be filed with the city administrator or their
41 designee. All such revocation hearings, publication, and notice requirements shall be the
42 same as for interim use permits in accordance with City Code.

43 (4) Persons conducting a business from property zoned for residential use on the effective date
44 of the ordinance from which this section is derived shall be required to obtain an interim use
45 permit as required herein. The business may continue pending final determination of the
46 application. Should the city administrator, their designee, or council deny the application for
47 an interim use permit the use shall immediately cease at such residential premises.

- 1 (D) *Revocation.* An interim use permit for a home occupation may be revoked if the property owner is
2 found to be in violation of the conditions listed in the interim use permit or is in violation of any
3 other requirements set forth by the Ramsey City Code or Minnesota State Statute.
4 (E) *Termination.* Home occupations approved with an interim use permit may be terminated pursuant
5 to the procedure established in Section 235(D).
6

7 240 Zoning Text Amendment

8 *Purpose.* The City Council may adopt amendments to this Zoning Code ~~ordinance and zoning map in~~
9 ~~relation both to land uses within a particular district or to the location of the district lines.~~ Such
10 amendments shall not be issued indiscriminately, but shall only be used as a means to reflect changes in
11 the goals and policies of the community as reflected in the Comprehensive Plan or changes in conditions
12 in the city. The City Council may amend this chapter as proposed by a member of the Council, Planning
13 Commission, Zoning Administrator, or by a petition of a person residing or owning property within the
14 city, in accordance with the following provisions.

- 15 (A) Public hearing notification mailing distance is 350 feet if the amendment is related to a particular
16 property.
17 (B) The zoning text amendment is adopted by ordinance.
18

19 245 Zoning Map Amendment

20 *Purpose.* The City Council may adopt amendments to the Zoning Map in relation both to land uses within
21 a particular district or to the location of the district lines. Such amendments shall not be issued
22 indiscriminately, but shall only be used as a means to reflect changes in the goals and policies of the
23 community as reflected in the Comprehensive Plan or changes in conditions in the city. The Council may
24 amend ~~this chapter~~ the Zoning Map as proposed by a member of the Council, Planning Commission,
25 Zoning Administrator, or by a petition of a person residing or owning property within the city, in
26 accordance with the following provisions.

- 27 (A) Conditional Map Amendment. An amendment on particular properties in conjunction with a
28 specific proposed development may be described by a proposed plat name instead of the existing
29 legal description to safeguard a property's zoning in the event the proposed plat does not get
30 recorded or the project expires.
31 (B) Public hearing notification mailing distance is 350 feet.
32 (C) The zoning map amendment is adopted by ordinance.
33 (D) Planned Unit Developments are created through this process and the adopted ordinance shall list
34 the development standards and uses for that development.
35

36 250 Comprehensive Plan Amendments

37 *Purpose.* The City Council may adopt amendments to the Comprehensive Plan ~~ordinance and zoning map~~
38 ~~in relation both to land uses within a particular district or to the location of the district lines.~~ Such
39 amendments shall not be issued indiscriminately, but shall only be used as a means to reflect changes in
40 the goals and policies of the community as reflected in the Comprehensive Plan or changes in conditions
41 in the city. The City Council may amend this chapter as proposed by a member of the Council, Planning
42 Commission, Zoning Administrator, or by a petition of a person residing or owning property within the
43 city, in accordance with the following provisions.

- 44 (A) Public hearing notification mailing distance is 350 feet if the amendment is related to a particular
45 property.
46 (B) The Comprehensive Plan amendment is adopted by ordinance.
47

48 260 Easement Vacations

1 Pursuant to Section 12.6 of the City Charter, the procedure for application to vacate a public utility,
2 drainage, roadway, access, or other form of easement shall be as follows:

- 3 (A) The applicant shall petition the Zoning Administrator on the easement to be vacated including a
4 legal description and survey exhibit.
- 5 (B) *Public Hearing Notification Requirement:* property owners within 350 feet and all utility companies
6 operating within Ramsey.
- 7 (C) The City Council shall hold a public hearing and make a final determination by resolution.
- 8 (D) The approval resolution shall be recorded with the Anoka County Recorder's office or Registrar of
9 Titles.

10
11 **261 Encroachment Agreements**

12 An encroachment agreement is necessary when a structure or site improvement, other than a fence,
13 utility infrastructure, parking lot, or driveway is proposed to be constructed in an easement or right-of-
14 way and vacating the easement or right-of-way is not desired or practical.

- 15 (A) A thirty-day notification must be provided to all utility companies operating within Ramsey.
- 16 (B) Administrative approval. The Zoning Administrator may approve an encroachment agreement
17 administratively for encroachments that have received variances.
- 18 (C) The City Council will review all other encroachment requests and, if deemed reasonable at its sole
19 discretion, approval is adopted by resolution authorizing the encroachment agreement.
- 20 (D) All encroachment agreements must be recorded against the property with the Anoka County
21 Recorder's office.
- 22 (E) The zoning administrator will have the ability to abate the structure or site improvement removal
23 as set forth in Chapter 2 in the event the structure is not removed according to the terms of the
24 agreement.