

City of Ramsey
Agenda
Regular Planning Commission
Thursday, March 23, 2023

7:00 pm

Council Chambers, 7550 Sunwood Drive NW

Remote Attendance available at www.cityoframsey.com/meetings.
Those joining remotely and requesting to speak are asked to use a webcam when speaking.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Citizen Input**
4. **Approve Agenda**
5. **Consent Agenda**
 1. Approve the Planning Commission Meeting Minutes for the following dates:
 - Planning Commission Special Meeting - February 16, 2023
 - Planning Commission Regular Meeting - February 23, 2023
 - Planning Commission Special Meeting - March 2, 2023
6. **Public Hearing**
7. **Commission Business**
 1. Zoning Code Update - Administration, Applications, and Procedures
8. **Commission/Staff Input**
9. **Adjournment**

Regular Planning Commission

5. 1.

Meeting Date: 03/23/2023

Submitted For: Dana Verbeek, Community Development

By: Dana Verbeek, Community Development

Information

Title:

Approve the Planning Commission Meeting Minutes for the following dates:

- Planning Commission Special Meeting - February 16, 2023
- Planning Commission Regular Meeting - February 23, 2023
- Planning Commission Special Meeting - March 2, 2023

Purpose/Background:

The purpose of this case is to approve the Planning Commission Meeting Minutes for the following dates:

- Planning Commission Special Meeting - February 16, 2023
- Planning Commission Regular Meeting - February 23, 2023
- Planning Commission Special Meeting - March 2, 2023

Notification:

Observations/Alternatives:

Funding Source:

Recommendation:

Action:

Attachments

PC 2/16/23 Special Meeting

PC 2/23/23 Regular Meeting

PC 3/2/23 Special Meeting

Form Review

Inbox

Brian Hagen

Form Started By: Dana Verbeek

Final Approval Date: 03/16/2023

Reviewed By

Brian Hagen

Date

03/16/2023 01:48 PM

Started On: 03/13/2023 09:16 AM

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

The Ramsey Planning Commission conducted a special meeting on Thursday, February 16, 2023, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Acting Chairperson Cheri Gengler
 Commissioner Eric Peters
 Commissioner Gary Van Scoy

Members Absent: Chairperson Randy Bauer
 Commissioner Bruce Anderson
 Commissioner Tom Hunt
 Commissioner Brian Walker

Also Present: Planning Manager Todd Larson
 Senior Planner Chris Anderson
 City Council Liaison Matt Woestehoff

1. CALL TO ORDER

Acting Chairperson Gengler called the special meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Acting Chairperson Gengler led the group in the Pledge of Allegiance.

3. CITIZEN INPUT

None.

4. APPROVAL OF AGENDA

The agenda was approved as presented.

5. APPROVE MINUTES

6. PUBLIC HEARINGS/COMMISSION BUSINESS

6.01: Residential Districts

Planning Manager Larson presented the staff report and welcomed any feedback, changes and/or questions on the proposed language.

Commissioner Van Scoy referenced the urban reserve area and received confirmation on the areas within the MUSA. He asked who would bear the cost of getting utilities to a development.

Planning Manager Larson replied that cost would be of the developer or landowner.

Commissioner Van Scoy asked for clarification on the use of the term “premature” and asked what the concern would be if the cost is born by the developer.

Planning Manager Larson replied that there is a staging plan that identifies areas eligible for development in this timeframe as well as future timeframes. He stated that a developer could make a claim that they are within the MUSA, within a developable district and run utilities that only meet their needs to that property. He explained that could be premature as the pipe would not be sized appropriately for future development in that area. He noted that roads could also be considered premature for development as the road to access the development may not be adequately designed to support that amount of traffic.

Acting Chairperson Gengler asked if this would be similar to an overlay district.

Planning Manager Larson replied that the minimum lot size would be 20 acres, noting that there are parcels within that area both larger and smaller. He stated that lots within that area would not be able to subdivide to create lots smaller than 20 acres. He stated that the intent would be to preserve the larger tracts that would be easy to develop when the times comes in the future.

Commissioner Van Scoy stated that he was unsure there has been an issue that would cause the introduction of urban reserve.

Planning Manager Larson provided additional context and an example of a property owner that would like to developer faster, but the infrastructure is not yet available in that area.

Commissioner Van Scoy commented that he could see how the change would be helpful for planning purposes. He noted that there are a few properties included that he was unsure if they should be included.

Dave Nathe, 14453 Llama Street, stated that he received a phone call today stating that his property was going to be discussed. He stated that he had no knowledge of this discussion and therefore chose to attend.

Planning Manager Larson replied that the Nathe property would fit within urban reserve as it is within the MUSA but is not ready for development. He commented that the change would not impact how the Nathe property is used, as agricultural use is allowed.

Commissioner Van Scoy asked for details on the proposed timing for development within the areas mapped out.

Planning Manager Larson commented that the further out properties get from existing utilities, the longer it would be before development would reach that area.

Acting Chairperson Gengler commented that the change would seem to make sense.

Commissioner Van Scoy referenced the area to the north not proposed for urban reserve but within the MUSA and asked for clarification.

Planning Manager Larson replied that area has been graded for Trott Brook North. He noted that two areas already approved for preliminary plat were not proposed to be included in urban reserve.

Councilmember Woestehoff stated that the City received a lot of feedback when Trott Brook came forward. He noted that this change may help to clarify questions rather than labeling the properties as R-1/Non-MUSA. He commented that the change seems to make sense.

Acting Chairperson Gengler commented that because the zoning is so disjointed, it would be difficult to identify where service is available within the MUSA, therefore this could provide that clarification.

Commissioner Van Scoy agreed that he sees the rationale in this change.

Planning Manager Larson continued to review the potential changes.

Commissioner Van Scoy stated that he does not have an issue with one acre lots but believed that there could be a lot of public comments that would be concerned that would not preserve the rural character. He stated that the main concern he would have is whether there is sufficient space for a septic location on a one-acre lot.

Planning Manager Larson commented that it could be likely that some of the 2.5 acre lots could request to subdivide but noted that they could keep some of the other standards in place, such as lot width that would prevent narrow/longer lots from being created.

Councilmember Woestehoff commented that a resident south of Central Park wanted to split but was told that they could not. He stated that part of him would agree that it could contradict the rural character, but at the same time some residents desire to split their lots. He stated that his overall issue with the rural residential district is that it is very disjointed. He stated that having two districts (one acre and 2.5 acre) would make sense but was not sure where those boundaries should be. He recognized that wherever the line is placed, there will continue to be nonconforming properties. He asked if the density of the Met Council only applies within the MUSA; staff confirmed that to be true.

Commissioner Van Scoy stated that the Commission previously considered the concept that the 2.5 acre lots could be split when urban services are available to create lots that would fit into the MUSA at higher density. He asked if changing to one acre lots would cause issues with the density

required by the Met Council. He stated that he would support looking into the concept further and what impact it could have.

Commissioner Peters noted that once the properties become MUSA it would allow lot splits into smaller sizes.

Planning Manager Larson provided additional details on the subdivision code text that specified planning for additional subdivision that could occur in the future.

Senior Planner Anderson commented that is typically only required in the rural areas near MUSA boundary where it could be developed in the future.

Planning Manager Larson continued to review the proposed changes.

Commissioner Van Scoy noted that it appears religious institutions would be allowed in all districts, whereas currently that is a conditional use.

Planning Manager Larson explained that a conditional use is generally fine but may need additional conditions placed upon it to make it a better neighbor such as fencing, landscaping, or operations of the use. He stated that the use of religion cannot be conditioned. He stated that the use would still be subject to site plan requirements, but the use of religion cannot be meddled with. He reviewed the performance standards.

Councilmember Woestehoff asked for more information on the definition of the two-family dwelling.

Planning Manager Larson replied that definitions will be last and provided examples of a two-family dwelling.

Councilmember Woestehoff asked how that would be different than an attached townhome.

Planning Manager Larson replied that a townhome typically has an association that maintains the grounds, snow removal, or exterior of the home itself. He noted that a two-family dwelling in Ramsey would typically be a duplex or double bungalow.

Councilmember Woestehoff asked if it would make more sense to use the term duplex rather than two-family as that would assume two families.

Planning Manager Larson replied that he could look into that but explained that two-family dwelling would be a broader term where a duplex described a home that is split by levels, and a double bungalow would be more of a side-by-side home.

Commissioner Peters asked if there is language in the code that would prevent someone from turning a single-family home into a duplex.

Planning Manager Larson replied that if the property is not zoned for that, it would not be allowed. He stated that there are probably instances where people finish off their basement and rent the basement. He stated that in a double bungalow, there would typically be separate utilities.

Commissioner Van Scoy asked for and received clarification on different uses and whether they would be allowed.

Acting Chairperson Gengler asked for more information WECS and whether residents would know what that stands for or whether examples should be listed.

Planning Manager Larson stated that most people that are interested in that type of energy would most likely know that abbreviation. He noted that will also be covered in the definitions section.

Acting Chairperson Gengler asked for clarification on private recreation equipment.

Planning Manager Larson provided the examples of a trampoline or swing set.

Commissioner Woestehoff asked what would define something as temporary in temporary or temporary/seasonal use. He asked if there would be a permit or process that would identify how long something could be onsite.

Planning Manager Larson stated that in terms of a construction trailer or field office, that would typically be during the length of construction and governed under a building permit. He also provided more information on some of the other temporary or seasonal uses listed in the table.

Acting Chairperson Gengler asked for more information on the temporary healthcare dwellings and asked if that has been addressed through ADUs.

Planning Manager Larson provided additional background on the legislative action that required all cities to allow temporary dwelling units for healthcare purposes. He stated that cities were allowed to opt out by a certain date, noting that Ramsey did so and would continue to opt out. He continued to review the proposed changes.

Councilmember Woestehoff asked if the term multi-unit residential should be used instead of multi-family residential.

Planning Manager Larson continued to review the proposed changes. He provided additional details on the Met Council calculation for density requirements. He explained the purpose of the zoning update in order to be in compliance with the Comprehensive Plan.

Commissioner Van Scoy asked for more clarification on the different lot standards proposed.

Planning Manager Larson provided additional explanation noting that calculation would factor in cul-de-sac lots, which are pie shaped. He also provided additional information on the setbacks and how those are calculated. There was additional discussion related to flag lots.

Councilmember Woestehoff provided additional input on parking suggestions, noting that it would be helpful to see the parking study to justify the parking needs. He stated that in the case of the ARAA Dome, it was helpful to have that information.

7. COMMISSION / STAFF INPUT

Planning Manager Larson noted that there is one planning case at the meeting next week and they will also continue this zoning update discussion.

8. ADJOURNMENT

The special meeting of the Planning Commission adjourned at 8:57 p.m.

Respectfully submitted,

Todd Larson
Planning Manager

ATTEST:

Dana Verbeek
Planning Administrative Assistant

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.

**PLANNING COMMISSION
CITY OF RAMSEY
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STATE OF MINNESOTA**

The Ramsey Planning Commission conducted a regular meeting on Thursday, February 23, 2023, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Chairperson Randy Bauer (virtual)
 Commissioner Bruce Anderson (virtual)
 Commissioner Cheri Gengler
 Commissioner Eric Peters
 Commissioner Gary Van Scoy

Members Absent: Commissioner Tom Hunt
 Commissioner Brian Walker

Also Present: Planning Manager Todd Larson
 Senior Planner Chris Anderson
 City Council Liaison Matt Woestehoff

1. CALL TO ORDER

Acting Chairperson Gengler called the regular meeting to order at 7:00 p.m. She noted that because Chairperson Bauer is attending remotely, he has asked her to act as Chair for the meeting tonight.

2. PLEDGE OF ALLEGIANCE

Acting Chairperson Gengler led the group in the Pledge of Allegiance.

3. CITIZEN INPUT

None.

4. APPROVAL OF AGENDA

Motion by Commissioner Van Scoy, seconded by Commissioner Peters, to approve the agenda as presented.

A roll call vote was performed:

Commissioner Peters	aye
Commissioner Van Scoy	aye
Commissioner Anderson	aye
Commissioner Bauer	aye

Acting Chairperson Gengler aye

Motion Carried.

5. CONSENT AGENDA

5.01: Approve the January 26, 2023 Planning Commission Meeting Minutes

Motion by Commissioner Bauer, seconded by Commissioner Van Scoy, to approve the consent agenda as presented.

A roll call vote was performed:

Commissioner Bauer	aye
Commissioner Anderson	aye
Commissioner Van Scoy	aye
Commissioner Peters	aye
Acting Chairperson Gengler	aye

Motion Carried.

6. PUBLIC HEARINGS/COMMISSION BUSINESS

6.01: Public Hearing: Request for Consider Preliminary Plat for Parkside Townhomes (Project No. 22-143)

Public Hearing

Acting Chairperson Gengler called the public hearing to order at 7:03 p.m.

Presentation

Senior Planner Anderson presented the staff report stating that staff recommends approval of the Preliminary Plat, contingent upon enhancing the architectural finishes on the fronts and sides of the buildings facing a public road.

Acting Chairperson Gengler referenced the extra plantings proposed by the developer in lieu of the architectural additions and asked if those were the plantings marked as too close to the boulevard plantings.

Senior Planner Anderson replied that there is an individual row of additional trees, which is what staff recommends eliminating or reposition within the site. He stated that to offset the architectural features, there were some plantings around the base of the homes.

Acting Chair Gengler asked where the guest parking would be located, noting that she could only find 10 spots.

Senior Planner Anderson noted the locations proposed for guest parking.

Councilmember Woestehoff asked, and received confirmation, that the current land does not have the boulevard trees in place. He asked if the boulevard trees could not be planted, and the developer trees planted instead.

Senior Planner Anderson replied that with the design framework there is a heavy emphasis on streetscape specifically and there is a requirement for the boulevard trees. He noted that they have offered to eliminate that row of trees on the interior. He stated that if the applicant still wants those trees, they could plant them but there could be space constraints in the future.

Councilmember Woestehoff stated that his thought was that this could potentially save the City some money. He stated that if the row of developer trees is eliminated, perhaps the developer take on half the cost of the boulevard trees.

Senior Planner Anderson clarified that the developer is responsible for the installation of the boulevard trees.

Citizen Input

Jason Palmby, applicant, commented that his intention would be to start construction on the first phase this spring/summer if all approvals are gained.

John Rask, M/I Homes, commented that they can look to relocate some of the trees within the site once they have the utility plans. He stated that they do not disagree with the staff recommendation on the stone but were hoping for some flexibility. He stated that they were trying to keep the cost of the homes down but would still move forward with stone if that is required. He noted that once they begin construction, they would most likely market homes for sale in one year.

Commissioner Peters asked if the interior roads would be fully constructed with phase one, or with each phase.

Mr. Rask commented that the roads would be phased with each phase of the homes.

Senior Planner Anderson commented that there would be multiple points of access as part of phase one.

Commissioner Van Scoy asked if the contingencies need to be defined or whether that could be worked out with staff.

Senior Planner Anderson replied that standard contingencies are included in the draft resolution and provided more details. He stated that if there were additional contingencies, the Commission should specify what that may be.

Commissioner Van Scoy commented that he had no additional contingencies but wanted to ensure that the comments of staff would be met.

Councilmember Woestehoff noted that there is a sidewalk on the east, along Rhinestone and asked if that would be the only sidewalk proposed.

Senior Planner Anderson replied that the sidewalk is in place along Rhinestone and the developer would be installing sidewalk on all four public roads.

Motion by Commissioner Peters, seconded by Commissioner Van Scoy, to close the public hearing.

A roll call vote was performed:

Commissioner Peters	aye
Commissioner Van Scoy	aye
Commissioner Anderson	aye
Commissioner Bauer	aye
Acting Chairperson Gengler	aye

Motion Carried.

Acting Chairperson Gengler closed the public hearing closed at 7:23 p.m.

Commission Business

Motion by Commissioner Van Scoy, seconded by Commissioner Bauer, to recommend that City Council approve the Preliminary Plat contingent upon compliance with Staff's review comments, including enhancing the architecture on the fronts and sides of the buildings facing a public road with stone, brick, or a similar material.

Further discussion

Commissioner Anderson stated that as before, he will not be supporting this proposal noting that he does not believe the porches proposed fit the character of the neighborhood. He stated that he was pleased to see the requirement for brick on the front but still does not believe that this would meet the requirement for a front porch.

A roll call vote was performed:

Commissioner Bauer	aye
Commissioner Anderson	nay
Commissioner Van Scoy	aye
Commissioner Peters	aye
Acting Chairperson Gengler	aye

Motion Carried.

7. COMMISSION BUSINESS

7.01: Zoning Code Update: Mixed Use/COR

Planning Manager Larson presented the Staff Report and welcomed input on the proposed changes as well as any additional changes the Commission would like to see.

Commissioner Bauer commented that he agreed with the elimination of COR-5 and COR-3a, instead using the city-wide districts of P and PI.

Acting Chairperson Gengler agreed that those additional districts are not needed when those uses could easily go within other zoning districts.

Commissioner Van Scoy stated that all the districts within the COR are specialized. He stated that there is additional flexibility allowed within the COR districts that would not be available in the other districts. He asked that if that flexibility would still be provided within the park district.

Planning Manager Larson provided some example language that they will be considering for the park district in the coming discussions. He was not concerned that they would lose anything by making this change. He stated that at this time they do not have a plan for the design framework but could review and update that in the coming year as well.

Commissioner Van Scoy commented that some of these changes proposed would make changes to the design framework.

Planning Manager Larson commented that would be true because they would be eliminating districts but noted that some of those districts were not original to the design framework. He noted that the focus at this time is on the City Code and those zoning code updates.

Councilmember Woestehoff commented that by removing COR-5 from Code but having it within the design framework would not be an issue because COR-5 will not exist and therefore nothing could be built. He agreed that at some point they should also update that design framework. He noted that if there were conflict between the document and City Code, City Code would prevail.

Planning Manager Larson continued to review the proposed changes. He asked for guidance on indoor recreation uses and whether that should be added to the allowed uses.

Commissioner Peters stated that he would not want a roller derby rink but would be okay with a bowling alley that has a restaurant and video games.

Commissioner Van Scoy asked how they would clarify what would be acceptable and what would not be.

Planning Manager Larson replied that it could be limited by size, such as no larger than 40,000 square feet.

Commissioner Van Scoy agreed that size could be a good way to control that.

Commissioner Anderson asked how the proposed new dome would fit and whether that would be considered commercial indoor recreation.

Planning Manager Larson confirmed that would fit within that use.

Commissioner Anderson asked if that dome parcel would then need to be rezoned.

Planning Manager Larson replied that parcel was rezoned to E-3 to accommodate that use and other potential future uses. He noted that the dome is in excess of 100,000 square feet.

Commissioner Anderson stated that there should perhaps be more thought put into what would be considered commercial indoor recreation.

Commissioner Bauer stated that if the goal is to draw people into the COR, commercial indoor recreation would do that and could lead to people visiting other businesses while they are there. He agreed that there would need to be more work put into what would or would not be allowed.

Commissioner Anderson asked if a community center, such as a YMCA, would fit into that category of commercial indoor recreation.

Planning Manager Larson replied that fitness center has its own category, and a YMCA would fall into that category.

Acting Chairperson Gengler stated that she would be interested in seeing the different sizes of indoor recreation spaces in other communities in order to find the appropriate size threshold.

Councilmember Woestehoff commented that he generically feels protected in the COR as the architectural guidelines would need to be met and could price out some of those things from the downtown area. He stated that an indoor trampoline park could fit, size wise, but was unsure they would want to meet the architectural guidelines. He believed that some other uses would fit great.

Planning Manager Larson confirmed that staff could look into the sizes of different indoor recreation uses.

Commissioner Peters noted that gas stations are included but asked if charging stations on properties are allowed.

Planning Manager Larson replied that one or two charging stations would be fine and that falls under the parking regulations. He noted that could be addressed on a city-wide scale.

Commissioner Bauer commented that he believes the issue should be reviewed city-wide as the demand continues to increase for those charging stations. He noted that while the COR would be a great location, other areas of the community would benefit as well suggesting even park locations.

Councilmember Woestehoff stated that while he agrees with removing the restricted uses, he would wonder if adult uses should still specifically be labeled as not allowed.

Planning Manager Larson commented that there is a lengthy definition of adult uses and they are not proposing changes to that. He continued to review the proposed changes and provided additional clarification.

Commissioner Van Scoy commented that 2B would seem to restrict a restaurant, which is a desired use.

Senior Planner Anderson agreed that he was unsure they would want to restrict a sit-down restaurant from within that area. He stated that perhaps staff could look to amend that, so it is not limited to just drive-thru or take-out.

Planning Manager Larson replied that restaurants are allowed in 2B.

Senior Planner Anderson noted a conflict in Code and the more restrictive would rule.

Commissioner Van Scoy commented that it seems to be very restrictive, which he did not believe was the intent. He recognized that perhaps the restrictions are specific to a secondary use which he did not originally read that way.

Acting Chairperson Gengler confirmed that section provides restrictions for a convenience store.

Planning Manager Larson provided more information specific to gas stations and when they would be permitted as a primary or secondary use.

Councilmember Woestehoff provided additional context related to parcel 46 and recent discussion of the Public Works Committee. He noted that there has been interest in that site for multi-family housing and the Council has generally been in agreement.

Commissioner Van Scoy commented that he did not believe 2B was ever intended to exclude housing. He stated that the concept of 2B may need to be reviewed.

Commissioner Anderson commented that 2B was meant to be retail. He stated that if all housing is put into that area, it would take away the opportunity for retail. He stated that he would be opposed to all housing on that site.

Planning Manager Larson continued to review the proposed changes. It was noted that once this review is completed, the entire document should be reviewed to correct any grammatical issues as well.

Senior Planner Anderson provided additional details on the lack of landscaping standards. He stated that staff would recommend some minimum standards for internal landscaping as currently there is only a requirement for boulevard trees.

Commissioner Bauer stated that he would prefer to reference the city-wide standards rather than developing additional standards.

7.02: Zoning Code Update: Residential Districts (Continued Discussion)

Planning Manager Larson presented the Staff Report and welcomed any feedback, changes, and questions on the proposed language.

Commissioner Anderson stated that while he would like to see covered parking for apartments, he realizes that it is a large expense and was unsure that he would want to force that.

Senior Planner Anderson replied that some projects did look at underground parking, but it would have been extremely costly because of the high water table in some areas of the COR.

Commissioner Bauer commented that putting fewer restrictions would allow more variable price points for residents. He noted that residents that want covered parking would be willing to pay higher rents while those wanting lower rents may not care about covered parking.

Planning Manager Larson reviewed the proposed changes to outdoor storage allowance on residential lots and received guidance from the Commission. The Commission also provided input on junk vehicles. He then moved to driveways.

Senior Planner Anderson provided additional details on the different minimum standards for different lot sizes. He confirmed that the five-foot setback is already a standard, but this simply provides the information in one place for clarification. He provided more details on the allowed surfaces that could be used for parking as well as language related to second driveways.

Planning Manager Larson continued to review the proposed changes. He noted that the Environmental Policy Board (EPB) will be reviewing the landscaping section for residential properties at its next meeting.

Councilmember Woestehoff asked if the EPB could review the COR landscaping standards as well.

Senior Planner Anderson noted that the case he prepared was more of a starting off point but stated that he could bring up that concept and it could be further discussed at the March EPB meeting.

Councilmember Woestehoff referenced the screening and asked if the authority provided to Council could be transitioned to a variance reviewed by the Planning Commission.

Planning Manager Larson provided additional context on the thought of that authority.

Commissioner Van Scoy noted that the authority of the Council would simply be a discussion whereas a variance would have specific criteria and cost to the applicant.

Senior Planner Anderson commented that he did not believe this situation would meet the practical difficulties necessary for a variance.

Commissioner Bauer referenced home occupations and asked for clarification on what the different levels would be.

Planning Manager Larson replied that they have not yet discussed home occupations as they would like to have a joint meeting between the City Council and Planning Commission on that topic. He provided different examples of what could be considered level one or level two. He summarized the topics that will be discussed at future meetings related to the zoning update.

Commissioner Van Scoy asked if parking in the COR would be addressed.

Councilmember Woestehoff noted that would most likely fall under the design framework update.

Commissioner Van Scoy asked the definition of side yard and rear yard.

Senior Planner Anderson provide those definitions. He noted that staff will be adding graphics to some definitions to make it clearer.

8. COMMISSION / STAFF INPUT

Senior Planner Anderson provided an update on removal of ash trees that has been going on related to Emerald Ash Borer.

Commissioner Van Scoy asked if those trees would be replaced.

Senior Planner Anderson stated that the trees in logical locations would be replanted, whereas tree will not be replanted where it would not make sense.

9. ADJOURNMENT

Motion by Commissioner Van Scoy, seconded by Commissioner Peters, to adjourn the meeting.

A roll call vote was performed:

Commissioner Anderson	aye
Commissioner Bauer	aye
Commissioner Peters	aye
Commissioner Van Scoy	aye
Acting Chairperson Gengler	aye

Motion Carried.

The regular meeting of the Planning Commission adjourned at 9:33 p.m.

Respectfully submitted,

Todd Larson
Planning Manager

ATTEST:

Dana Verbeek
Planning Administrative Assistant

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.

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

The Ramsey Planning Commission conducted a special meeting on Thursday, March 2, 2023, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Chairperson Randy Bauer
 Commissioner Bruce Anderson (via Zoom)
 Commissioner Eric Peters
 Commissioner Gary Van Scoy

Members Absent: Commissioner Cheri Gengler
 Commissioner Tom Hunt
 Commissioner Brian Walker

Also Present: Planning Manager Todd Larson
 Senior Planner Chris Anderson
 City Council Liaison Matt Woestehoff

1. CALL TO ORDER

Chairperson Bauer called the regular meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Chairperson Bauer led the group in the Pledge of Allegiance.

3. CITIZEN INPUT

None.

4. APPROVAL OF AGENDA

Motion by Commissioner Peters, seconded by Commissioner Van Scoy, to approve the agenda as presented.

A roll call vote was performed:

Commissioner Peters	aye
Commissioner Van Scoy	aye
Commissioner Anderson	aye
Chairperson Bauer	aye

Motion Carried.

5. PUBLIC HEARINGS/COMMISSION BUSINESS

5.01: Zoning Code Update: PUD, PI, and P Districts

Presentation

Planning Manager Larson presented the staff report and requested feedback from the Commission.

Commissioner Van Scoy asked for clarification on how a PUD for residential would be reviewed.

Planning Manager Larson provided details on the path that would be followed for reviews, noting that the Commission would still review the overall plat just not the single lot home construction similar to what is done today.

Chairperson Bauer used the example of Riverstone and asked if it would still require a PUD if that development were to be built after these zoning changes are implemented or whether it could have been approved as a 55-foot lot development which would have allowed some larger lots as well.

Planning Manager Larson commented that will be part of the discussions that come in the next few weeks.

Commissioner Van Scoy commented that one of the intentions of the PUD is for the preservation of open space and asked if that language would be changed in the update.

Planning Manager Larson commented that there were a lot of things in the current ordinance that would not allow for the flexibility desired through a PUD, including that type of preservation of open space. He stated that the Commission and Council would still review the request from the developer to determine whether it meets the Comprehensive Plan and is best for the community. He stated that the PUD may not have anything to do with open space and could be used to do something different with architecture.

Commissioner Van Scoy stated that would seem to change the intent and application of a PUD.

Planning Manager Larson commented that a PUD would still be discretionary, and the Commission would still review and make its recommendation to the Council. He stated that the PUD would allow for flexibility in return for something that is superior to what could exist under the regular zoning regulations.

Commissioner Van Scoy stated that he would prefer to see some type of guidance, otherwise it is simply left to the group of people serving on the Commission and Council at that time. He stated that he does like the language that the PUD would allow flexibility in return for something superior to what could exist under the zoning regulations but noted that he would still be a little uncomfortable.

Councilmember Woestehoff stated that this would allow the City to be open to new concepts and different ideas but there would still be discretion to not approve something if the Commission and Council do not find that the proposal would meet the intended desires. He used the example of a tiny home community on a small parcel of land, which is just not something considered in the zoning code but could be an interesting concept.

Commissioner Anderson agreed with the changes proposed thus far.

Planning Manager Larson continued to review the proposed changes for the public and quasi-public districts.

Commissioner Anderson asked where the definition of quasi-public would be.

Planning Manager Larson provided further explanation.

Councilmember Woestehoff clarified that public/quasi-public would be the overall category and the other uses within would be the subcategories.

Chairperson Bauer noted that currently the church is zoned R-1-MUSA with a conditional use permit and asked if the property would be rezoned to PI and what the standards would then be.

Planning Manager Larson reviewed the proposed language for standards, “Due to the specialized nature of each of the uses and buildings, no bulk standards shall exist. All proposed sites and structures shall consider surrounding property uses in a respectful and intentional manner.”. He explained that because of the variety of uses within the district it would be impossible to create a one size fits all set of standards.

Planning Manager Larson confirmed that he had sufficient input from the Commission on these proposed changes.

5.02: Zoning Code Update: General Performance Standards (Part 1)

Presentation

Planning Manager Larson presented the staff report and requested feedback from the Commission on the lighting standards as proposed.

Commissioner Van Scoy asked how the light would be measured at ground level and where the light meter would be placed.

Planning Manager Larson provided additional details on how that would be measured.

Commissioner Van Scoy asked if residential backyard lighting would be addressed.

Planning Manager Larson provided details on where that is addressed.

Commissioner Anderson referenced the upward lighting mentioned and noted that he has concerns with light pollution.

Planning Manager Larson better explained upward lighting, using the example of lighting shining onto a building. He confirmed that a statement could be added related to light pollution. He continued to review the proposed changes to general performance standards, providing clarification, and answering some general questions.

Commissioner Van Scoy referenced proposed changes to alternative energy and asked if removing certain language would remain consistent with the City policy.

Councilmember Woestehoff stated that he agrees with the changes as this would be standards and the other would fall under policy.

The Commission provided some examples of solar arrays and asked how those would be classified. Staff noted that they would look into those and provide more information to the Commission.

Planning Manager Larson continued to review the proposed changes to the performance standards, providing clarification and answering general questions. He asked for input from the Commission on electric vehicle charging stations and whether those should count towards parking stalls.

Chairperson Bauer stated that he would think it would be encouraged rather than required.

Commissioner Peters noted that it would be the decision of the business as to whether they would want to provide that service, knowing that it would encourage customers to spend more time at that location.

Commissioner Anderson agreed that decision should be left to the business. He stated that he would encourage that, but it should ultimately be the decision of the business.

Planning Manager Larson agreed with the consensus of the Commission. He continued to review the proposed changes, providing clarification, and answering questions.

Chairperson Bauer referenced interim use permits and stated that he is not in favor of using that tool for something that would be more permanent, such as a heliport.

Planning Manager Larson noted that there will be a future meeting focused on interim use permits. He noted that an IUP can be tied to the sale of the property rather than using a period of five years.

Planning Manager Larson highlighted the topics that will be covered in upcoming special meetings.

5.03: Other

Presentation

Planning Manager Larson presented information on a concept for a bank within the COR and asked for input from the Commission on whether that use would be supported. He noted that this use would have two drive-thru lanes when only one is allowed in this area of the COR. He advised of another area within the COR which would allow for two drive-thru lanes.

Commissioner Van Scoy stated that he would not support this configuration as it would place a large parking lot along Sunwood.

Planning Manager Larson provided additional explanation on the configuration as shown and why that seemed to make the most sense.

Chairperson Bauer noted another configuration that could work better.

Councilmember Woestehoff stated that perhaps 23 parking stalls would not be needed for the use either. He noted that this would seem to be an example of why only one drive-thru lane would be allowed in this area of the COR.

Commissioner Van Scoy stated that if the design framework is going to be utilized, this would not be acceptable as proposed. He stated that there are other areas within the COR that would have more flexibility.

Commissioner Anderson stated that he likes the idea of bank, recognizing that there are some challenges, but believed the applicant could rearrange some things to make it work.

Commissioner Van Scoy stated that he is not opposed to the bank use but would want to see a different configuration. He stated that he would want to see the proposal better meeting the design framework.

Planning Manager Larson stated that he would express that there is quite a bit of hesitation from the Commission on this layout and location.

6. COMMISSION / STAFF INPUT

No additional comments.

7. ADJOURNMENT

Motion by Commissioner Peters, seconded by Commissioner Van Scoy, to adjourn the meeting.

A roll call vote was performed:

Commissioner Anderson	aye
Commissioner Peters	aye
Commissioner Van Scoy	aye
Chairperson Bauer	aye

Motion Carried.

The regular meeting of the Planning Commission adjourned at 8:56 p.m.

Respectfully submitted,

Todd Larson
Planning Manager

ATTEST:

Dana Verbeek
Planning Administrative Assistant

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.

Regular Planning Commission

7. 1.

Meeting Date: 03/23/2023

By: Todd Larson, Community Development

Information

Title:

Zoning Code Update - Administration, Applications, and Procedures

Purpose/Background:

Tonight's discussion centers on the administrative and application parts of the Zoning Code.

The first part (100s) includes general legalese such as: Authority, Purpose, Coordination, and Definitions. We will highlight some of the proposed definitions of terms staff felt were missing from the current Code or shown on the use tables. We will not be scouring Code tonight for terms the Commissioners feel would be beneficial to have defined. Many of the definitions listed (so far) came from the Mississippi River Corridor Critical Area Overlay that was implemented a few years ago.

The second part (200s) includes the applications and procedures for the various land use applications addressed in the Zoning Code: variances, conditional use permits, site plan reviews, etc. An application consists of the application form, payment and the financial guaranty, and the plans. This section also describes each of the application types and how they are processed or reviewed.

The Variance and Conditional Use Permit procedures have both been updated to include current language from State Statutes. Within the CUP language, an additional provision was created to allow for revocation in the event of actions that warrant quick action by City Staff and the City Council. Additionally, small (up to 10 percent footprint) expansions or modifications of a building or site improvements of conditional uses can be handled administratively. A provision is included noting that if a conditional use is turned into a permitted use by way of a change in the Zoning Code or district, the conditions set forth for site improvements remain in effect.

The greatest change proposed is with Site Plan Reviews. First, it is noted that if a new-construction project needs a CUP, that will suffice as a Site Plan Review. This will eliminate redundancy for prospective businesses and other uses that fall into a conditional category. Second, some projects are proposed to no longer need to go through the formal Site Plan Review process through the Planning Commission and City Council. These uses would be any permitted business use not adjacent to a residential use or accessory uses in the PI, P, CL, PUD, or COR district. This will help speed up projects that typically do not have any public interest. Instead, they will be reviewed by staff at the time of building permit. If the project needs a plat or variance, those aspects of the application will still go through the typical process.

Notification:

Observations/Alternatives:

Funding Source:

This work is being done as part of staff's normal duties.

Recommendation:

Action:

Please provide direction, additions, modifications, or deletions to staff to incorporate.

Attachments

100 Administration

200 Applications and Procedures

Form Review

Inbox

Brian Hagen

Form Started By: Todd Larson

Final Approval Date: 03/16/2023

Reviewed By

Brian Hagen

Date

03/16/2023 01:55 PM

Started On: 03/15/2023 04:19 PM

- 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

6
7

8 100 Title

9 This chapter may be known, cited, and referred to as the “Ramsey Zoning Code” or “Zoning Code,” except
10 as referred to herein where it may be known as “this chapter.”

11

12 101 Authority

13 This chapter is enacted pursuant to the authority granted by the Municipal Planning Act, M.S. §§ 462.351
14 to 462.364, as amended from time to time.

15

16 102 Purpose

17 The following zoning provisions and the zoning map established hereby have been enacted in accordance
18 with an adopted Comprehensive Plan of land use for the purpose of: promoting the health, safety, morals,
19 comfort, convenience, prosperity, and general welfare of the residents of the city; dividing the city into
20 zones or districts restricting and regulating therein the location, erection, construction, reconstruction,
21 alteration, and use of buildings, structures, and land for specified uses; regulating the intensity of the use
22 of land; regulating and determining the area of open spaces surrounding buildings in order to prevent the
23 overcrowding of land and to ensure adequate light and air; protecting waterways and natural resources;
24 establishing building lines and the location of buildings designed for specified industrial, commercial,
25 residential and other uses within such areas and fixing standards to which buildings or structures shall
26 conform therein; prohibiting uses, buildings, or structures incompatible with the character of the specified
27 districts; preventing additions to and alterations or remodeling of existing buildings or structures in such
28 a way as to avoid the restrictions and limitations imposed hereunder; limiting congestion in the public
29 streets by providing for off-street parking and loading and unloading of vehicles; providing for the gradual
30 elimination of nonconforming uses of land, buildings and structures; and conserving the economic value
31 of land and buildings throughout the city.

32

33 103 Coordination with other Codes

34 This chapter is intended to work in tandem with the adopted state Building Codes and state Fire Codes
35 and any locally-adopted optional chapters as amended from time to time. It is also intended to work in
36 tandem with the regulations set forth from the local watershed management organization. Nothing in
37 this chapter is intended to preclude or supersede any requirements in those Codes or regulations.

38

39 104 Rules of Construction and Interpretation

- 40 (A) *Conflicting conditions.* Where the conditions imposed by any provision of this chapter are either
41 more or less restrictive than comparable conditions by another provision of this chapter or by other
42 chapters of this Code, rule or regulation of the City, the provision which imposes the more restrictive
43 condition, standard, or requirement shall prevail.
- 44 (B) *Language rules of construction.* The language set forth in the text of this chapter shall be interpreted
45 in accordance with the following rules of construction:
 - 46 (1) All measured distances expressed in feet shall be the nearest tenth of a foot. All distances
47 unless otherwise specified shall be measured horizontally.

- 1 (2) The present tense includes the past and future tenses; and the future tense includes the
2 present tense.
- 3 (3) The singular number includes the plural; and the plural number includes the singular.
- 4 (4) The words “shall” and “must” are mandatory and the words “should” and “may” are
5 permissive.
6

7 105 Definitions

8 The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to
9 them in this section, except where the context clearly indicates a different meaning. If a word or term
10 defined in this chapter appears in the text, its meaning may be construed as set forth in the definition of
11 the word or term as found this section. If a word is not defined herein, a term is defined by commonly
12 used English language dictionaries.
13

14 *Access path.* An area designated to provide ingress and egress to public waters.

15 *Accessory structure* means any subordinate building located on the same lot as the principal building
16 containing a use which is incidental to that of the principal building.

17 *Accessory use* means a use naturally and normally incidental to, subordinate to, and auxiliary to the
18 principal permitted use of the premises.

19 *Adjacent.* Having a boundary that physically touches or adjoins.

20 *Adult use — body painting studio* means an establishment or business which provides the service of
21 applying paint or other substance, whether transparent or non-transparent, to or on the body of a
22 patron when such body is wholly or partially nude in terms of specified anatomical areas.

23 *Adult use — bookstore* means a building or portion of a building used for the barter, rental or sale of items
24 consisting of printed matter, pictures, slides, records, audio tape, videotape, or motion picture film or
25 any other audio or visual media if such building or portion of a building is not open to the public
26 generally but only to one or more classes of the public excluding any minor by reason of age or if a
27 substantial or significant portion of such items are distinguished or characterized by an emphasis on
28 the depiction or description of specified sexual activities or specified anatomical areas.

29 *Adult use — cabaret* means a building or portion of a building used for providing dancing or other live
30 entertainment, if such building or portion of a building excludes minors by reason of age or if such
31 dancing or other live entertainment is distinguished or characterized by an emphasis on the
32 presentation, display, depiction or description of specified sexual activities or specified anatomical
33 areas.

34 *Adult use — companionship establishment* means a companionship establishment which excludes minors
35 by reason of age, or which provides the service of engaging in or listening to conversation, talk or
36 discussion between an employee of the establishment and a customer, if such service is distinguished
37 or characterized by an emphasis on specified sexual activities or specified anatomical areas.

38 *Adult use — conversation/rap parlor* means a conversation/rap parlor which excludes minors by reason
39 of age, or which provides the service of engaging in or listening to conversation, talk, or discussion, if
40 such service is distinguished or characterized by an emphasis on specified sexual activities or specified
41 anatomical areas.

42 *Adult use — health/sport club* means a health/sport club which excludes minors by reason of age, or if
43 such club is distinguished or characterized by an emphasis on specified sexual activities or specified
44 anatomical areas.

45 *Adult use — hotel or motel* means adult hotel or motel means a hotel or motel from which minors are
46 specifically excluded from patronage and wherein material is presented which is distinguished or
47 characterized by an emphasis on matter depicting, describing or relating to specified sexual activities
48 or specified anatomical areas.

1 *Adult use — massage parlor, health club* means a massage parlor or health club which restricts minors by
2 reason of age, and which provides the services of massage, if such service is distinguished or
3 characterized by an emphasis on specified sexual activities or specified anatomical areas.

4 *Adult use — mini-motion picture theater* means a building or portion of a building with a capacity for less
5 than 50 persons used for presenting material if such building or portion of a building as a prevailing
6 practice excludes minors by reason of age, or if such material is distinguished or characterized by an
7 emphasis on specified sexual activities or specified anatomical areas for observation by patrons
8 therein.

9 *Adult use — modeling studio* means an establishment whose major business is the provision, to
10 customers, of figure models who are so provided with the intent of providing sexual stimulation or
11 sexual gratification to such customers and who engage in specified sexual activities or display
12 specified anatomical areas while being observed, painted, painted upon, sketched, drawn, sculptured,
13 photographed, or otherwise depicted by such customers.

14 *Adult use — motion picture arcade* means any place to which the public is permitted or invited wherein
15 coin or slug-operated or electronically, electrically or mechanically controlled or operated still or
16 motor picture machines, projectors or other image-producing devices are maintained to show images
17 to five or fewer persons per machine at any one time, and where the images so displayed are
18 distinguished or characterized by an emphasis on depicting or describing specified sexual activities or
19 specified anatomical areas.

20 *Adult use — motion picture theater* means a building or portion of a building with a capacity of 50 or more
21 persons used for presenting material if such building or portion of a building as a prevailing practice
22 excludes minors by virtue of age or if such material is distinguished or characterized by an emphasis
23 on specified sexual activities or specified anatomical areas for observation by patrons therein.

24 *Adult use — novelty business* means a business which has as a principal activity the sale of devices which
25 stimulate human genitals or devices which are designed for sexual stimulation.

26 *Adult use — sauna* means a sauna which excludes minors by reason of age, or which provides a steam
27 bath or heat bathing room used for the purpose of bathing, relaxation, or reducing, utilizing steam or
28 hot air as a cleaning, relaxing or reducing agent, if the service provided by the sauna is distinguished
29 or characterized by an emphasis on specified sexual activities or specified anatomical areas.

30 *Adult use — steam room/bathhouse facility* means a building or portion of a building used for providing a
31 steam bath or heat bathing room used for the purpose of pleasure, bathing, relaxation, or reducing,
32 utilizing steam or hot air as a cleaning, relaxing or reducing agent if such building or portion of a
33 building restricts minors by reason of age if the service provided by the steam room/bathhouse facility
34 is distinguished or characterized by an emphasis on specified sexual activities or specified anatomical
35 areas.

36 *Adult uses* includes adult bookstores, adult motion picture theaters, adult motion picture rental, adult
37 mini-motion picture theaters, adult massage parlors, adult steam room/bathhouse/sauna facilities,
38 adult companionship establishments, adult rap/conversation parlors, adult health/sport clubs, adult
39 cabarets, adult novelty businesses, adult motion picture arcades, adult modeling studios, adult
40 hotels/motels, adult body painting studios, and other premises, enterprises, establishments,
41 businesses or places open to some or all members of the public, at or in which there is an emphasis
42 on the presentation, display, depiction or description of specified sexual activities or specified
43 anatomical areas which are capable of being seen by members of the public.

44 (1) *Specified anatomical areas.*

45 a. Less than completely and opaquely covered human genitals, pubic region, buttock, anus, or
46 female breast below a point immediately above the top of the areola; and

47 b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

1 (2) *Specified sexual activities.* Actual or simulated sexual intercourse, oral copulation, anal
2 intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals,
3 flagellation or torture in the context of a sexual relationship, or the use of excretory functions in
4 the context of a sexual relationship, and any of the following sexually oriented acts or conduct:
5 a. Anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty,
6 pedophilia, piquerism, sapphism, zooerasty;
7 b. Clearly depicted human genitals in the state of sexual stimulation, arousal or tumescence;
8 c. Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation;
9 d. Fondling or touching of nude human genitals, pubic region, buttocks, or female breast;
10 e. Situations involving a person, any of whom are nude, clad in undergarments or in sexually
11 revealing costumes, and who are engaged in activities involving the flagellation, torture,
12 fettering, binding or other physical restraint of any such persons;
13 f. Erotic or lewd touching, fondling or other sexually oriented contact with an animal by a human
14 being;
15 g. Human excretion, urination, menstruation, vaginal or anal irrigation.

16 *Adult uses — accessory* means a use, business, or establishment having ten percent of its stock in trade
17 or floor area allocated to, or 20 percent of its gross receipts derived from movie rentals or magazine
18 sales.

19 *Adult uses — principal* means a use, business, or establishment having more than ten percent of its stock
20 in trade or floor area allocated to, or more than 20 percent of its gross receipts derived from, any
21 adult use.

22 *Agricultural use* means the raising, cultivation, drying, or storage of agricultural products for sale, or the
23 storage of machinery or equipment currently used in support of agricultural production by the same
24 farm entity.

25 *Alternative design.* Subdivision design methods such as conservation design, transfer of development
26 density, or similar zoning and site design techniques that protect open space and natural areas.

27 *Animal Service Business* means a business that provides veterinary care, grooming, training, and/or
28 boarding to pets and animals.

29 *Applicant* means a person who is applying for a land use application approval as required by this chapter.
30 The term "applicant" also means that person's agents, employees, and others acting under this
31 person's direction.

32 *Assisted Living, Memory Care, and Nursing Home Facilities* means a state-licensed residential structure
33 where varying levels of medical care are provided for its residents.

34 *Auto salvage.* See *Vehicle wrecking yard.*

35 *Barge fleeting.* Temporarily parking and securing barges on the river, on or off channel, while tows are
36 assembled or broken up.

37 *Berm* means an earthen mound designed to provide visual interest, screen undesirable views, and/or
38 decrease noise.

39 *Best management practices (BMPs)* means erosion and sediment control and water quality management
40 practices that are the most effective and practicable means of controlling, preventing, and minimizing
41 degradation of surface water, including construction-phasing, minimizing the length of time soil areas
42 are exposed, prohibitions, and other management practices published by state or designated area-
43 wide planning agencies. (Refer to the current versions of the Minnesota Pollution Control Agency's
44 publications, "Protecting Water Quality in Urban Areas," and, "Storm-Water and Wetlands: Planning
45 and Evaluation Guidelines for Addressing Potential Impacts of Urban Storm-Water and Snow-Melt
46 Runoff on Wetlands," the United States Environmental Protection Agency's, "Stormwater
47 Management for Construction Activities: Developing Pollution Prevention Plans and Best

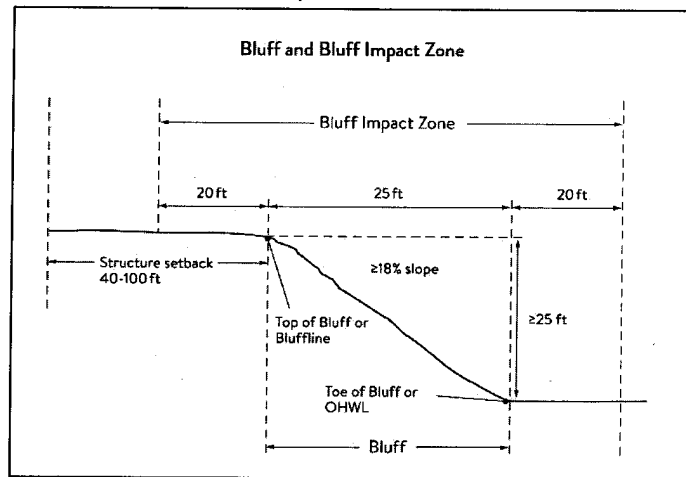
1 Management Practices," and the state department of transportation's, "Erosion Control Design
2 Manual" for suitable BMPs.)

3 *Biological and ecological functions.* The functions of vegetation in stabilizing soils and slopes, retaining
4 and filtering runoff, providing habitat, and recharging groundwater.

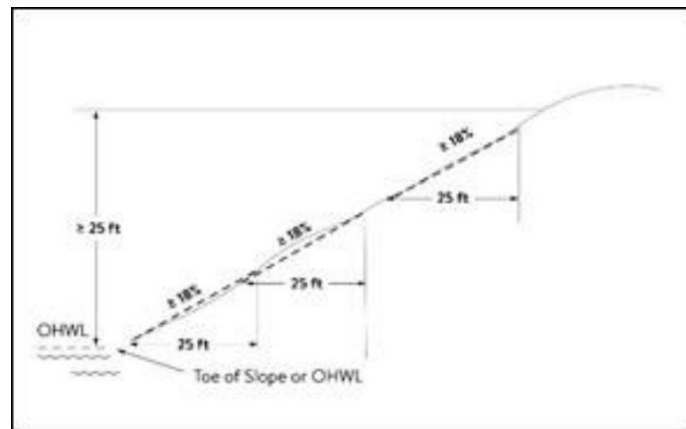
5 *Bluff.* A natural topographic feature having:

- 6 (A) A slope that rises at least 25 feet ~~and~~ where the grade of the slope averages 18 percent or
7 greater, measured over a horizontal distance of 25 feet, from the toe of the slope to the top
8 of the slope. Where the slope begins below the ordinary high water level, the ordinary high
9 water level is the toe of the slope. See Figure 1; or

Figure 1. Bluff and Bluff Impact Zone



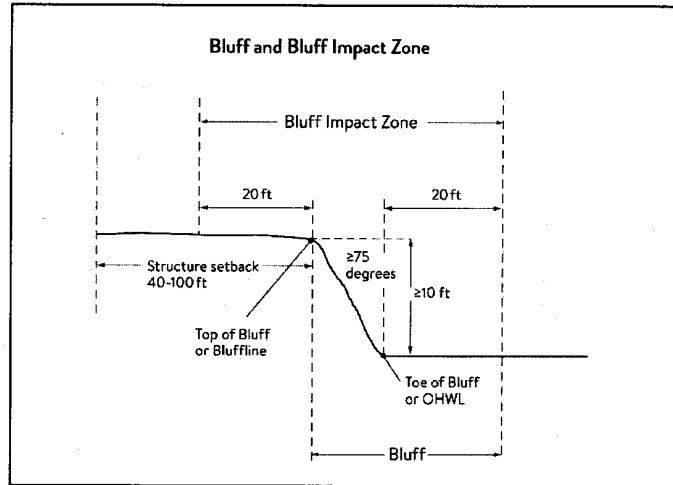
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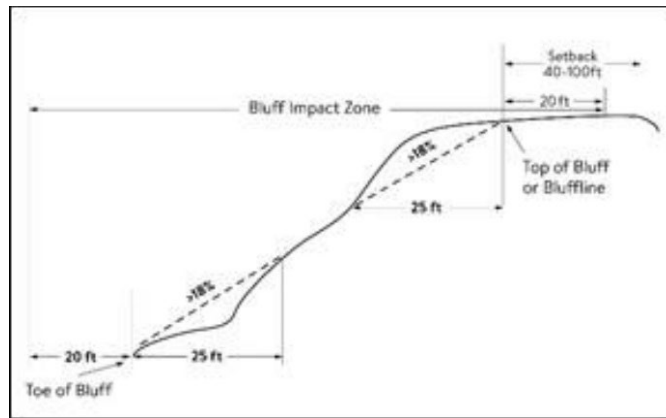
- 12 (B) A natural escarpment or cliff with a slope that rises at least ten feet above the ordinary high
13 water level or toe of the slope, whichever is applicable, to the top of the slope, with a slope
14 of 75 degrees or greater. See Figure 2.

Figure 2. Natural Escarpment Bluff and Bluff Impact Zone



1
2
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4

Bluff impact zone. A bluff and land located within 20 feet of the bluff. See Figures 1 and 2.



5
6

Bluffline. A line delineating the top of the bluff. More than one bluffline may be encountered proceeding landward from the river. See Figures 1 and 2.

8

Bluff, toe of. A line along the bottom of a bluff, requiring field verification, such that the slope above the line exceeds 18 percent and the slope below the line is 18 percent or less, measured over a horizontal distance of 25 feet. See Figures 1 and 2.

11

Bluff, top of. A line along the top of a bluff, requiring field verification, such that the slope below the line exceeds 18 percent and the slope above the line is 18 percent or less, measured over a horizontal distance of 25 feet. See Figures 1 and 2.

14

Boathouse means a structure designed or used solely for the storage of boats or boating equipment.

15

Boulevard means that part of the property not covered by sidewalk or other paving, lying between the property line and the curb line of any street. In the absence of a curb, the curb line of a street shall be deemed to be the edge of that portion of the public right-of-way maintained and open to the use of the public for purposes of public travel.

18
19

Brewpub means a business operating as defined and regulated by Minn. Stats. Chapter 340A.

20

Buildable area. The area upon which structures may be placed on a lot or parcel of land and excludes areas needed to meet requirements for setback, rights-of-way, bluff impact zones, historic

21
22

1 properties, wetlands, designated floodways, land below the ordinary high water level of public
2 waters, and other unbuildable areas.

3 *Building.* A structure with two or more outside rigid walls and a fully secured roof and affixed to a
4 permanent site.

5 *Building height* means a distance to be measured from the mean ground level to the highest point of a
6 flat roof, or average height of the highest gable of a pitched or hip roof.

7 *Certificate of compliance.* A document written after a compliance inspection, certifying that the
8 development is in compliance with applicable requirements at the time of the inspection.

9 *Certified arborist* means any person holding a valid and current arborist certification as issued by the
10 International Society of Arboriculture (ISA).

11 *Certified forester* means any person holding a valid and current forester certification as issued by the
12 Society of American Foresters (SAF).

13 *CFR* means the Code of Federal Regulations.

14 *Club* means a business operating as defined and regulated by Minn. Stats. Chapter 340A.

15 *Commercial recreation – indoor* means private recreational facilities operated for profit and open to
16 members and/or the general public including tennis and racquetball clubs, indoor swimming pools,
17 video arcades (amusement centers), indoor batting cages, pool halls, and the like, excluding health
18 and fitness clubs.

19 *Commercial recreation – outdoor* means private recreational facilities operated for profit or not and open
20 to members and/or the general public including golf courses and driving ranges, miniature golf,
21 riding stables, skating rinks, outdoor swimming pools, archery or trapshooting ranges, batting cages,
22 softball, baseball, volleyball, soccer, or football facilities, and the like.

23 *Commissioner.* The commissioner of the ~~Minnesota Department of Natural Resources~~, applicable state
24 agency.

25 *Conservation design.* A pattern of subdivision that is characterized by grouping lots within a portion of a
26 parcel, where the remaining portion of the parcel is permanently protected as open space.

27 *Conventional subdivision.* A pattern of subdivision that is characterized by lots that are spread regularly
28 throughout a parcel in a lot and block design.

29 *Data Center* means a facility that houses information technology (IT) infrastructure for building, running,
30 and delivering applications and services and for storing and managing the data associated with
31 those applications and services.

32 *Daycare Centers* means a licensed business that provides supervision of and care for children, physically
33 or mentally disabled adults, or the elderly for a portion of the day or night.

34 *Deck.* A horizontal, unenclosed, aboveground level structure open to the sky, with or without attached
35 railings, seats, trellises, or other features, attached or functionally related to a principal use or site.

36 *Detailing services* means a business that provide comprehensive cleaning and reconditioning of both a
37 vehicle's interior and exterior.

38 *Developer.* Having the meaning given under Minn. Stats. § 116G.03.

39 *Development.* Having the meaning given under Minn. Stats. § 116G.03.

40 *Discretionary action.* An action under this chapter related to land use that requires a public hearing by
41 local ordinance or statute, such as preliminary plats, final subdivision plats, planned unit
42 developments, conditional use permits, interim use permits, variances, appeals, and rezonings.

43 *Distribution Facility* means an establishment where shipments of tangible personal property are
44 processed for delivery to customers.

45 *Dock.* Having the meaning given under Minnesota Rules, chapter 6115.

46 *Dustless Surface* consists of compacted bituminous millings or crushed rock. The crushed rock must all be
47 similar in size with no fines. Aggregate material similar state DOT class 5 is not considered dustless.

1 *Dwelling, multiple-family*, means a building designed with three or more dwelling units exclusively for
2 occupancy by three or more families living independently of each other but sharing hallways and
3 main entrances and exits.

4 *Dwelling, senior living*, means a building designed with three or more dwelling units exclusively for
5 occupancy where at least one of the residents in each unit is aged 55 or greater living independently
6 of each other but sharing hallways and main entrances and exits.

7 *Dwellings, single-family detached*, means a dwelling unit designed exclusively for occupancy by one
8 family.

9 *Dwelling, townhouse*, means structures that are designed for single household habitation, but have
10 outdoor areas and/or indoor centers that are commonly owned and maintained by a homeowners'
11 association. Townhouses have a minimum of one individual entrance/exit per unit.

12 *Dwellings, Townhomes (Attached)* means structures housing three or more dwelling units contiguous to
13 each other only by the sharing of one or more common walls; such structures are of the back-to-
14 back or row-house type as contrasted to multiple dwelling apartment structures.

15 *Dwellings, Townhomes (Detached)* means a dwelling unit not attached to another dwelling or structure
16 and have outdoor areas and/or indoor centers that are commonly owned or maintained by a
17 homeowners' association.

18 *Dwellings, Two-family attached*, means a structure designed exclusively for occupancy by two families
19 having separate kitchen, bathroom, and living spaces.

20 *Easement* means a grant by a property owner for use of a strip of land by the public or any person for any
21 specific purpose, or purposes of construction and maintaining utilities and/or roadways.

22 *Electric power facilities*. Equipment and associated facilities for generating electric power or devices for
23 converting wind energy to electrical energy as identified and defined under Minn. Stats. § 216E.

24 *Essential services*. Underground or overhead gas, electrical, communications, steam, or water distribution,
25 collection, supply, or disposal systems, including storm water. Essential services include poles,
26 wires, mains, drains, pipes, conduits, cables, fire alarm boxes, traffic signals, hydrants, navigational
27 structures, aviation safety facilities or other similar equipment and accessories in conjunction with
28 the systems. Essential services does not include buildings, treatment works as defined in Minn.
29 Stats. § 115.01, electric power facilities or transmission services.

30 *Exterior solid fuel-fired heating device* means an external device designed for solid fuel combustion so that
31 usable heat is derived for the interior of a building, and includes solid fuel-fired stoves, fireplaces,
32 solid fuel-fired cooking stoves, and combination fuel furnaces or boilers which burn solid fuel. Solid
33 fuel-fired heating devices do not include natural gas-fired fireplace logs.

34 *Family* means a household of no more than four individuals unrelated by blood, marriage, adoption, or
35 foster care.

36 *Feedlot*. Having the meaning given for animal feedlots under Minnesota Rules chapter 7020.

37 *Fitness Center* means a gym, health club, or exercise business and auxiliary uses customary to them such
38 as locker rooms, swimming pools, and the like.

39 *Floodplain*. Having the meaning given the meaning given under Minnesota Rules chapter 6120.

40 *Fully reconstructs*. The reconstruction of an existing impervious surface that involves site grading and
41 subsurface excavation so that soil is exposed. Mill and overlay and other resurfacing activities are
42 not considered fully reconstructed.

43 *Glare* means direct light emitting from a luminaire that causes reduced vision or momentary blindness.

44 *Ground source heat pump system (geothermal system)* means a system that uses the relatively constant
45 temperature of the earth or a body or water to provide heating in the winter and cooling in the
46 summer. System components include open or closed loops of pipe, coils, or plates; fluid that absorbs
47 and transfers heat; and a heat pump unit that processes heat for use or disperses heat for cooling;
48 and an air distribution system.

1 *Groundcover* means turf grass or natural native landscaping.

2 *Hard-surface trail*. A trail surfaced in asphalt, crushed aggregate, or other hard surface, for multi-purpose
3 use, as determined by local, regional, or state agency plans.

4 *Historic property*. An archaeological site, standing structure, site, district, or other property that is:

5 1. Listed in the National Register of Historic Places or the state register of historic places or
6 locally designated as a historic site under Minn. Stats. ch. 471;

7 2. Determined to meet the criteria for eligibility to the National Register of Historic Places or the
8 State register of historic places as determined by the director of the Minnesota Historical
9 Society; or

10 3. An unplatted cemetery that falls under the provisions of Minn. Stats. ch. 307, in consultation
11 with the office of the state archaeologist.

12 *Homeowners' association (HOA)* means an organization comprising neighbors concerned with managing
13 the common areas of a subdivision, governed by a board, that create a set of bylaws, in addition to
14 city regulation, to govern themselves. These boards own and maintain commonly-held land within
15 a townhouse or single-family development, and are responsible for private street maintenance,
16 snow removal, landscaping, and/or building maintenance. Each homeowners' association varies in
17 its scope and responsibilities. The homeowners' association is responsible for enforcing any
18 covenants, conditions, and restrictions that apply to the property.

19 *Impervious surface*. A constructed hard surface that either prevents or retards the entry of water into the
20 soil and causes water to run off the surface in greater quantities and at an increased rate of flow
21 than prior to development. Examples include rooftops, decks, sidewalks, patios, parking lots,
22 storage areas, and driveways, including those with concrete, asphalt, or gravel surfaces.

23 *Intensive vegetation clearing*. The removal of all or a majority of the trees or shrubs in a contiguous patch,
24 strip, row, or block.

25 *Interim use*. A use having the meaning given under Minn. Stats. §§ 394 and 462.

26 *Land alteration*. An activity that exposes the soil or changes the topography, drainage, or cross section of
27 the land, excluding gardening or similar minor soil disturbances.

28 *Licensed Residential Facilities* means a state-licensed 24-hour supervised residential care facility housing
29 up to six unrelated individuals.

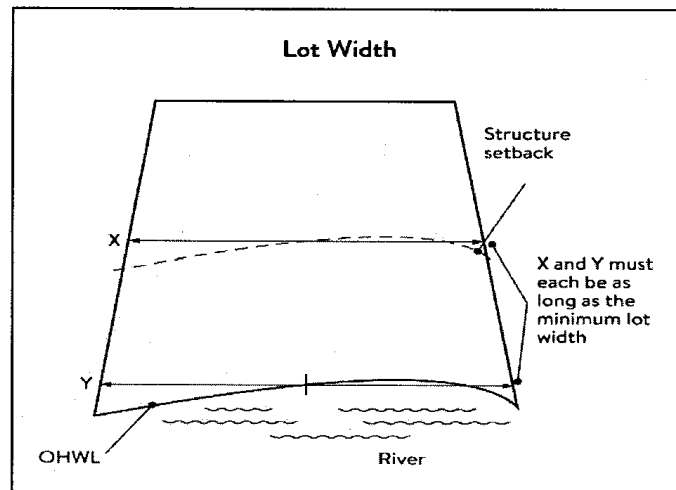
30 *Local government*. Counties, cities, and townships.

31 ~~*Local park agencies*. Intentionally deleted. Anoka County Parks is the implementing agency for Regional
32 Parks within Ramsey.~~

33 *Lot*. Having the meaning given under Minnesota Rules chapter 6120.

34 *Lot width*. The shortest distance between lot lines measured at both the ordinary high water level and at
35 the required structure setback from the ordinary high water level. See Figure 3.

Figure 3. Lot Width



- 1
- 2 *Marina.* Having the meaning given under Minnesota Rules chapter 6115.
- 3 *Manufacturing.* the processing or assembly of raw materials or parts into finished goods through the use
- 4 of tools, human labor, machinery, and chemical processing. This definition includes hydroponics.
- 5 *Mississippi River Corridor Critical Area (MRCCA).* The area within the River Corridor Boundary (See section
- 6 ~~117-148(b)(6)bs~~) (Definitions — River Corridor Boundary).
- 7 *Mississippi River Corridor Critical Area (MRCCA) Plan.* A chapter or other element in the City of Ramsey
- 8 comprehensive plan.
- 9 *Mooring facility.* Having the meaning given under Minnesota Rules chapter 6115.0170.
- 10 *Motor vehicle, commercial use,* means any device designed to be self-propelled that is eligible for legal
- 11 operation on the public roads and highways and whose primary use is to facilitate the generation
- 12 of revenue. This shall not include standard passenger automobiles, pick-up trucks and vans
- 13 displaying company logos and/or advertisements.
- 14 *Native plant community.* A plant community that has been identified as part of the Minnesota Biological
- 15 Survey or biological survey issued or adopted by a local, state, or federal agency.
- 16 *Natural-surface trail.* A trail composed of native soil and rock or compacted granular stone, primarily
- 17 intended for hiking, equestrian, or mountain bike use, as determined by local, regional, or state
- 18 agency plans.
- 19 *Natural vegetation.* Any combination of ground cover, understory, and tree canopy that, while it may have
- 20 been altered by human activity, continues to stabilize soils, retain and filter runoff, provide habitat,
- 21 and recharge groundwater.
- 22 *Nonconformity.* Having the meaning given under Minn. Stats. § 394.22.
- 23 *Noncomplying Sewage Treatment System* has the same meaning as in Chapter 113.
- 24 *Nonmetallic mining.* Construction, reconstruction, repair, relocation, expansion, or removal of any facility
- 25 for the extraction, stockpiling, storage, disposal, or reclamation of nonmetallic minerals such a
- 26 stone, sand, and gravel. Nonmetallic mining does not include ancillary facilities such as access roads,
- 27 bridges, culverts, and water level control structures. For purposes of this subpart, "facility" includes
- 28 all mine pits, quarries, stockpiles, basins, processing structures and equipment, and any structures
- 29 that drain or divert public waters to allow mining.
- 30 *Off-premise advertising signs.* Those signs that direct attention to a product, service, business, or
- 31 entertainment venue that is not exclusively related to the premises where the sign is located.
- 32 *Ordinary high water level (OHWL).* Having the meaning given under Minn. Stats. § 103G.005.

1 *Outdoor display* means an area of land where goods are displayed and which are available for sale to the
2 general public from inside a retail outlet or warehousing facility.

3 *Outdoor sales* means an outdoor area where goods are sold and displayed for sale and is freely accessible
4 to the public.

5 *Outdoor storage* means the exterior storage of goods, inventory, materials, equipment, or other items
6 which are not necessarily intended for sale nor accessible to the public.

7 *Overlay district.* A zoning district that is applied over one or more previously established zoning districts,
8 establishing additional or stricter standards and criteria for covered properties in addition to those
9 of the underlying zoning district. Overlay districts are often used to protect historic features and
10 natural resources such as shoreland or floodplain.

11 *Parcel.* Having the meaning given under Minn. Stats. § 116G.03.

12 *Patio.* A constructed hard surface located at ground level with no railings and open to the sky.

13 *Paved* means a surface made of concrete, asphalt, pervious pavement, driveway quality pavement.

14 *Personal Services* means a retail business that provides a service rather than a product for sale. Examples
15 of such uses are barbershops, salons, massage studios, body art studios, and photography studios.

16 *Picnic shelter.* A roofed structure open on all sides, accessory to a recreational use.

17 *Planned unit development.* A method of land development that merges zoning and subdivision controls,
18 allowing developers to plan and develop a large area as a single entity, characterized by a unified
19 site design, a mix of structure types and land uses, and phasing of development over a number of
20 years. Planned unit development includes any conversion of existing structures and land uses that
21 utilize this method of development.

22 *Plat.* Having the meaning given under Minn. Stats. chs. 505 and 515B.

23 *Port.* A water transportation complex established and operated under the jurisdiction of a port authority
24 according to Minn. Stats. ch. 458.

25 *Post-Secondary Educational Facility* means a private or public facility engaged in for-credit or skill and
26 trade certifications of students post high-school age. Examples include, but are not limited to,
27 beauty schools, business schools, and trade schools.

28 *Primary conservation areas.* Key resources and features, including shore impact zones, bluff impact zones,
29 floodplains, wetlands, gorges, areas of confluence with tributaries, natural drainage routes,
30 unstable soils and bedrock, native plant communities, cultural and historic properties, and
31 significant existing vegetative stands, tree canopies, and other resources identified in local
32 government plans.

33 *Private facilities.* Private roads, driveways, and parking areas, private water access and viewing facilities,
34 decks and patios in setback areas, and private signs.

35 *Professional engineer.* An engineer licensed to practice in Minnesota.

36 *Professional Services* means a business that provides a service in an office setting rather than a product
37 for sale, other than medical or dental services. Examples of such uses are law offices, engineering
38 services, architectural services, and consulting services.

39 *Public facilities.* Public utilities, public transportation facilities, and public recreational facilities.

40 *Public recreation facilities.* Recreational facilities provided by the state or a local government and
41 dedicated to public use, including parks, scenic overlooks, observation platforms, trails, docks,
42 fishing piers, picnic shelters, water access ramps, and other similar water-oriented public facilities
43 used for recreation.

1 *Public river corridor views.* Views toward the river from public parkland, historic properties, and public
2 overlooks, as well as views toward bluffs from the ordinary high water level of the opposite shore,
3 as seen during the summer months and documented in the MRCCA plan/chapter of the
4 comprehensive plan.

5 *Public transportation facilities.* All transportation facilities provided by federal, state, or local government
6 and dedicated to public use, such as roadways, transit facilities, railroads, and bikeways.

7 *Public utilities.* Electric power facilities, essential services, and transmission services.

8 *Public waters.* Having the meaning given under Minn. Stats. § 103G.005.

9 *Readily visible.* Land and development that are easily seen from the ordinary high water level of the
10 opposite shore during summer months.

11 *Religious Institution* means a building, together with its accessory buildings and uses, where persons
12 regularly assemble for religious worship and which building, together with its accessory buildings
13 and uses, is maintained and controlled by a religious body organized to sustain public worship.

14 *Resource agency.* A federal, state, regional, or local agency that engages in environmental, natural, or
15 cultural resource protection or restoration activities, including planning, implementation, and
16 monitoring.

17 *Retaining wall.* A vertical or nearly vertical structures constructed of mortar and rubble masonry, rock, or
18 stone regardless of size, vertical timber pilings, horizontal timber planks with piling supports, sheet
19 pilings, poured concrete, concrete blocks, or other durable materials.

20 *Rock Riprap.* Natural coarse rock placed or constructed to armor shorelines, streambeds, bridge
21 abutments, pilings and other shoreline structures against scour, or water or ice erosion.

22 *River corridor boundary.* The boundary approved and adopted by the Metropolitan Council under Minn.
23 Stats. § 116G.06, as approved and adopted by the legislature in Minn. Stats. § 116G.15, and as
24 legally described in the Sate Register, volume 43, pages 508 to 518.

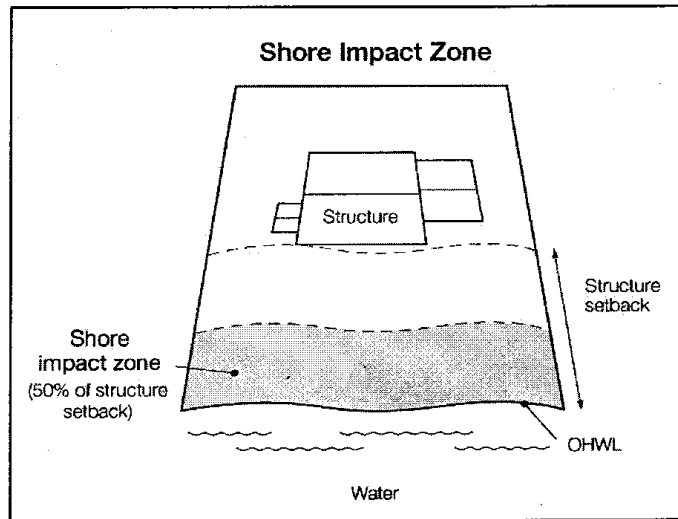
25 *River-dependent use.* The use of land for commercial, industrial, or utility purposes, where access to and
26 use of a public water feature is an integral part of the normal conduct of business and where the
27 use is dependent on shoreline facilities.

28 *Selective vegetation removal.* The removal of isolated individual trees or shrubs that are not in a
29 contiguous patch, strip, row, or block and that does not substantially reduce the tree canopy or
30 understory cover.

31 *Setback.* A separation distance measured horizontally.

32 *Shore impact zone.* Land located between the ordinary high water level of public waters and a line parallel
33 to it at a setback of 50 percent of the required structure setback or, for agricultural use, 50 feet
34 landward of the ordinary high water level. See Figure 4.

Figure 4. Shore Impact Zone



1

2

3 *Shoreline facilities.* Facilities that require a location adjoining public waters for ingress and egress, loading
4 and unloading, and public water intake and outflow, such as barge facilities, port facilities,
5 commodity loading and unloading equipment, watercraft lifts, marinas, short-term watercraft
6 mooring facilities for patrons, and water access ramps. Structures that would be enhanced by a
7 shoreline location, but do not require a location adjoining public waters as part of their function,
8 are not shoreline facilities, such as restaurants, bait shops, and boat dealerships.

9 *Special purpose units of government.* The University of Minnesota, the St. Paul Port Authority, watershed
10 management organizations established under Minn. Stats. ch. 103B, watershed districts established
11 under Minn. Stats. ch. 103D, and any other unit of government other than local government or a
12 state or regional agency.

13 *State or regional agency.* The Metropolitan Airports Commission, Minnesota Historical Society, University
14 of Minnesota, Department of Natural Resources, Department of Transportation, Metropolitan
15 Council and other state agencies.

16 *Steep slope.* A natural topographic feature with an average slope of 12 to 18 percent, measured over a
17 horizontal distance equal to or greater than 50 feet, and any slopes greater than 18 percent that
18 are not bluffs.

19 *Storm water management facilities.* Facilities for the collection, conveyance, treatment, or disposal of
20 storm water.

21 *Structure.* A building, sign, or appurtenance thereto, except for aerial or underground utility lines, such as
22 sewer, electric, telephone, or gas lines, and utility line towers, poles, and other supporting
23 appurtenances.

24 *Subdivision.* Having the meaning given under Minn. Stats. § 462.352.

25 *Subsurface sewage treatment system.* Having the meaning given under Minnesota Rules, part 7080.1100.

26 *Topsoil* means black dirt composed of unconsolidated material, largely undecomposed organic matter
27 that is a suitable foundation for vegetative growth. The composition of topsoil should contain no
28 more than 35 percent sand content.

29 *Tow Yard.* See *Vehicle Wrecking Yard*.

30 *Transmission services.*

- 1 (A) Electric power lines, cables, pipelines, or conduits that are:
- 2 (1) Used to transport power between two points, as identified and defined under Minn.
- 3 Stats. § 216E.01, subd. 4; or
- 4 (2) For mains or pipelines for gas, liquids, or solids in suspension, used to transport gas,
- 5 liquids, or solids in suspension between two points; and
- 6 (B) Telecommunication lines, cables, pipelines, or conduits.
- 7 *Treeline.* The more or less continuous line formed by the tops of trees in a wooded area when viewed
- 8 from a particular point. The treeline is determined during all seasons as if under full foliage.
- 9 *Truck Terminal.* means a building, structure or land where trucks and/or tractor trailers are rented,
- 10 leased, or stored, or are dispatched for hire as common carriers.
- 11 *Twin Cities Metropolitan area.* The area over which the Metropolitan Council has jurisdiction according to
- 12 Minn. Stats. § 473.121, subd. 2.
- 13 *Unlicensed Supportive Living Facility* means a residential dwelling that is not licensed as a Licensed
- 14 Residential Facility that provides congregate and supportive living environment for no more than
- 15 six unrelated individuals classified under the Americans with Disabilities Act (ADA).
- 16 *Use, principal,* means the purpose or activity for which the land or building thereon is designated,
- 17 arranged, or intended, or for which it is occupied, utilized or maintained, and shall include the
- 18 performance of such activity as defined by the performance standards of this chapter.
- 19 *Variance.* Having the meaning given under Minn. Stats. § 394.22.
- 20 *Vehicle wrecking yard* means any place where vehicles not in running condition and/or not licensed, or
- 21 parts thereof, are stored in the open or any land used for wrecking or storing of such motor vehicles
- 22 or parts thereof, and including any commercial salvaging and scavenging of any other goods, articles
- 23 or merchandise.
- 24 *Water access ramp.* A boat ramp, carry-down site, boarding dock, and approach road, or other access that
- 25 allows launching and removal of a boat, canoe, or other watercraft with or without a vehicle and
- 26 trailer.
- 27 *Water-oriented accessory structure.* A small building or other improvement, except stairways, fences,
- 28 docks, and retaining walls, that, because of the relationship of its use to public waters, needs to be
- 29 located closer to public waters than the normal structure setback. Examples include gazebos, screen
- 30 houses, fish houses, pump houses, and detached decks and patios.
- 31 *Water quality impact zone.* Land within the shore impact zone or within 50 feet of the boundary of a public
- 32 water, wetland, or natural drainage way, whichever is greater.
- 33 *Wetland.* Having the meaning given under Minn. Stats. § 103G.005.
- 34 *Wharf.* Having the meaning given under Minnesota Rules, part 6115.0170.
- 35 *Wholesale Sales* means sales of products to a business or person who will resell the articles in the regular
- 36 course of business or incorporate the article into another product that will be sold.

37
38 **106 Applicability and Compliance**

39 From and after the effective date of the ordinance from which this chapter is derived, the use of all land
40 and every building or portion of a building erected, altered in height and area, added to, or relocated, and
41 every use within a building, or use accessory thereto, in the city shall be in conformity with the provisions
42 of this chapter and after the lawful issuance of all required permits.

43
44 **110 Administration**

45 Sections 111-140 establish the administration and enforcement powers of this chapter.

46
47 **111 Zoning Administrator**

- 1 The zoning administrator shall:
- 2 (A) Administer and enforce the provisions of this chapter in accordance with its literal terms and shall
3 not have the power to permit any construction or any use or change of use which does not conform
4 to this chapter;
- 5 (B) Maintain the official zoning map;
- 6 (C) Maintain a permanent file of all zoning applications as public records.

7

8 **120 Official Zoning Map**

- 9 (A) The boundaries of the zoning districts ~~and development areas~~ and overlay districts are delineated
10 on the official zoning map, which is adopted by reference and declared to be a part of this chapter.
11 Such map shall be on permanent file and available for public inspection in City Hall. It shall be the
12 responsibility of the zoning administrator to maintain and keep the map up to date and to revise or
13 update the map with each amendment thereto within 30 days after official publication of the
14 ordinance adopting the amendment.
- 15 (B) District and development area boundaries shown within the lines of roads, streams, and
16 transportation rights-of-way shall be deemed to follow the centerlines. The vacation of roads shall
17 not affect the location of such district or development area boundaries. When the zoning
18 administrator cannot definitely determine the location of a district or development area boundary
19 by such centerlines, by the scale or dimensions stated on the zoning map, or by the fact that it
20 clearly coincides with a property line, the zoning administrator shall interpret the location of the
21 district or development area boundary with reference to the scale of the zoning map and the
22 purposes set forth in all relevant provisions of this Code. When a district or development area
23 boundary line divides a lot of record into two or more districts or into both development areas, any
24 portion of the lot within 50 feet of such division may be used for any use of either district or
25 development area as approved by the Planning Commission. The Metropolitan Urban Service Area
26 (MUSA) boundary line as shown in the Comprehensive Plan, however, defines the limits of sewered
27 areas. Any area outside of the MUSA boundary shall not be served with sewer.

28

29 **130 Enforcement**

- 30 (A) Any violation of this chapter may be enjoined by the council through proper legal channels. Each
31 day a violation is permitted to exist shall constitute a separate offense.
- 32 (B) In case any building, structure, or land is proposed to be erected, reconstructed, altered, converted,
33 maintained or used in violation of this chapter, the council, in addition to other remedies, may
34 institute in the name of the city any appropriate action or proceeding to prevent, restrain, correct
35 or abate such building, structure, or land, or to prevent, in or about such premises, any act, conduct,
36 business, or use constituting a violation, as prescribed in Chapter 2.
- 37 (C) Violation of any provision of this chapter is considered a misdemeanor.
- 38 (D) Appeals are provided in the same manner as prescribed in Chapter 2.

39

40 **140 Non-Conformities**

- 41 (A) *Intent.* It is the purpose of this section to provide for the regulation of nonconforming buildings,
42 structures, site improvements, and uses and to specify those requirements, circumstances, and
43 conditions under which nonconforming buildings, structures, and uses will be operated and
44 maintained. This chapter establishes separate districts, each of which is an appropriate area for the
45 location of uses that are allowed in that district. It is necessary and consistent with the
46 establishment of these districts that nonconforming buildings, structures, site improvements, and
47 uses not be allowed to continue without restriction. Furthermore, it is the intent of this section that
48 all nonconforming uses shall be eventually brought into conformity or terminated.

- 1 (B) *Regulations.*
2 (1) Whenever a lawful nonconforming use of a structure or land or occupancy is discontinued for
3 a continuous period of one year, any future use of said structure or lands shall be made to
4 conform with the provisions of this chapter.
5 (2) Notwithstanding any other provisions of this chapter, any nonconformity, including the lawful
6 use or occupation of land or premises existing at the time of the adoption of an additional
7 control under this chapter, may be continued, including through repair, replacement,
8 restoration, maintenance, or improvement, but not including expansion, unless it is a
9 nonconforming use that is destroyed by fire or other peril to the extent of greater than 50
10 percent of its market value, and no building permit has been applied for within 180 days of
11 when the property is damaged. In this case, the city may impose reasonable conditions upon
12 a building permit in order to mitigate any newly created impact on adjacent property. Any
13 subsequent use or occupancy of the land or premises shall be a conforming use or occupancy.
- 14 (C) Creation of nonconformities by public action
15 (1) Where there exists as of the date of adoption of this section a conforming land use, lot of
16 record, sign, structure, and/or site improvement and a subsequent taking by a governmental
17 body occurs under eminent domain or negotiated sale which renders such land use, lot of
18 record, structure, or site improvement in violation of one or more provisions of this chapter,
19 such land use, lot of record, sign, structure or site improvements becomes a legal non-
20 conformity and may be used thereafter only in accordance with the provisions of this section.
21 (2) The Planning Commission may consider government taking as a practical difficulty used with
22 a request for a variance to a setback regulation for pre-existing buildings, parking lots, and/or
23 signs.
- 24 (D) Lots of Record. Any lot of record existing at the effective date of the ordinance from which this
25 chapter is derived may be used for the erection of a dwelling conforming to the use regulations of
26 the district in which it is located, even though its area is less than the minimum requirements of this
27 chapter. This provision shall not apply to lots with widths below the district minimum, meaning that
28 all lots of record must meet district lot width minimums to qualify.
- 29 (E) Expansion of a non-conforming structure by way of setbacks is permitted provided the wall does
30 not increase the level of nonconformity.
31

- 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

6
7

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.